

Item Number: 10
Application No: 22/00474/HOUSE
Parish: Malton Town Council
Appn. Type: Householder Application
Applicant: Mr And Mrs Blades
Proposal: Erection of single-storey extension to side (revised details to approval 21/01046/HOUSE dated 18.03.2022).
Location: 20 The Mount Malton YO17 7ND

Registration Date: 19 April 2022
8/13 Wk Expiry Date: 14 June 2022
Overall Expiry Date: 13 July 2022
Case Officer: Emma Woodland **Ext:** 43324

CONSULTATIONS:

Malton Town Council Approval subject to ensuring no damage to the retaining wall
Malton Town Council Approval

Representations: Mr Barry Gillespie, Mr Matt Messiah, Mr Tony Hartley, Mr Tony Hartley, Mary & David McAfee, Mr Tony Hartley, Mr Tony Hartley, Mr Tony Hartley On Behalf Of Mr And Mrs McAfee, Mr Tony Hartley On Behalf Of Mr And Mrs McAfee, Mr tony hartley,

SITE:

20 The Mount is located within the Malton conservation area and as such, Ryedale District Council has a statutory duty to have special regard for the preservation or enhancement of the conservation area. The semi-detached stone and slate property 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 north. To the east is a row of terraced housing with small rear yards adjoining a service access track. The neighbouring terrace is set lower down than 20 The Mount which is located higher up on a retaining wall, due to the changing topography of the area. Due to the strong contribution the property makes to the conservation area it can be identified as a Non Designated Heritage Asset.

PROPOSAL:

Erection of single-storey extension to side (revised details to approval 21/01046/HOUSE dated 18.03.2022). Further revised plans have been submitted to address concerns regarding the perception of overlooking and to reduce the impact of the proposed amendment on the occupants of the neighbouring properties to the east. This includes an omission of the boundary parapet detail to reduce the height at this point, and the incorporation of obscure glazing.

The application seeks a revision to the approved scheme which entails the demolition of a small outbuilding and its replacement with an enlarged attached integrated structure to provide a boot room. Works to the approved extension have commenced on site.

The application seeks consent for an amendment to an approved single storey side extension. The amended area is located at the rear of the site towards the boundary wall in a re-entrant area and seeks permission for the removal of a detached lean to outbuilding and its replacement with an enlarged attached flat roofed integrated section. The building proposed for removal measures c.2.9m long on the boundary elevation x c.2.2m long to its northern elevation. The existing building has a lean to roof with its apex on the neighbouring boundary. The proposed boot room measures c.2.8m long on the boundary elevation x 3.7m long on the northern elevation. The alteration to the height will represent an increase of c. 1m for a length of c. 2.8m. It is proposed to be constructed from stone with a flat grp roof with a parapet detailing. The proposed window and door to the northern elevation are to be obscure glazed.

RELEVANT PLANNING HISTORY:

20/01177/HOUSE-Erection of two storey side extension following removal of existing double garage- Withdrawn

21/00010/HOUSE-Installation of part recessed hot tub with patio surround and installation of privacy screens (part retrospective)- Approved

21/01046/HOUSE-Erection of single-storey side extension- Approved

22/00524/HOUSE- Erection of detached garage and cycle/bin store following demolition of existing garage – under consideration

POLICIES AND LEGISLATION:

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:

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Planning Considerations

National Planning Policy Framework

Planning (Listed Buildings and Conservation Areas) Act 1990 s.72 General duty as respects conservation areas in exercise of planning functions

In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

APPRAISAL:

The principle considerations are whether the application preserves the conservation area and will not have a material adverse impact on the amenity of the occupants of neighbouring dwellings by presenting an over bearing and over- looking presence.

Impact on the Conservation Area

20 The Mount is a sizeable property set within reasonably generous grounds. The form of the property is one of a long linear dwelling running down the length of the plot. The application is for revisions to a previously approved single storey side extension set c.30m back from the pavement edge of The Mount within the depth of the site. The properties have limited curtilage to the rear- and the curtilage is focused to the front and sides. The proposed amended scheme would not impact on this. The existing outbuilding proposed for removal is considered to be neutral/negative in its contribution to the conservation area and its removal is therefore acceptable in principle. Due to the modest nature of the amended form of the extension and its position towards the rear of the site, obscured from public views by the approved extension, it is considered that the proposal ultimately retains the principal character of this part of the conservation area of large houses in generous plots.

Impact on Residential Amenity

The neighbouring properties located to the east have small rear yards with the closest being c. 7.6m distant from the proposed site of the amendment with a service road and some outbuildings in between. The development site sits in an elevated position due to the rising topography towards the west. Concerns have been raised regarding an overbearing effect for properties to the east, on Middlecave Road and overlooking resulting from the additional extension to the building, particularly in relation to nos.19, 21, as a result of this additional extension onto the scheme which was previously approved.

The extensions are read within the context of the existing massing of the main house. The proposed increase in height of c. 1m for a length of c. 2.8m is considered to be acceptable. The extensions are sited on the northern side of the building and so will already be in shadow by the principal dwelling, and given their low height and distance from the neighbours will not result in a loss day light for neighbouring properties. Although the development site is in an elevated position in relation to the neighbouring properties to the east, it is considered that due to the established presence of the existing outbuilding, and the proposed single storey flat roofed design of the proposal, and the distance from the neighbouring properties that the proposal will not result in an additional material overbearing / over shadowing effect impact on the amenity of the occupants of the neighbouring properties as result of extended the currently approved extension building

It is considered that the proposed obscure windows has addressed concerns regarding overlooking to an acceptable extent. The proposed obscure glazing is of a high standard of obscurity, and serves to provide light to essentially transient spaces and so will be acceptable for the occupants of the extended building, and it is recommended that this is conditioned to be used for glazing in the boot room extension and that the window is non-opening. It is unreasonable to condition the non-opening of a door, and the door is to serve an ancillary room at 2.5mx3.3m in its internal space.

Other Matters Raised

The Town Council recommend approval of the proposal subject to a condition requiring a condition survey on the retaining wall and any damage made good. The structural condition of the retaining wall is a building regulations matter alone, as its condition does not represent a material planning consideration in relation to the assessment of the planning merits of the extension. It would not be reasonable to request this as a condition or seek such information for the determination of the application. The extension does not extend onto land not within the applicant's ownership, and only extends as far as the existing outbuilding currently does. There are representations which state that it is a shared boundary, this is however is considered to be a civil matter.

Recommendation

It is considered that the amended proposal is proportionate in scale to the principal dwelling and that the proposed materials are reflective of the property and wider area. It is considered that the location of the

amendment by the additional re-entrant area to the rear preserves the character and appearance of the conservation area and is sympathetic to the dwelling house and its context.

For the reasons given above, it is considered that the proposal will not have a material adverse impact on the occupants of neighbouring properties.

The application therefore complies with Policies SP12, 16 and 20 of the Ryedale Plan and the NPPF and Members are recommended to approve the application.

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: 550-01B4, 550-02B4

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

3 The window in the Boot Room of the proposed building shall be non-opening and the window and glazing in the door of the boot room shall be permanently glazed with Satin diffused level 5 opaque glass prior to the occupation of the building.

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