

North Yorkshire Council

Community Development Services

Thirsk & Malton Area Constituency Committee

20 APRIL 2022

23/00176/HOUSE - ERECTION OF SINGLE-STOREY REAR EXTENSION WITH ROOF LANTERN AND ERECTION OF TWO-STOREY EXTENSION TO FRONT TO FORM ENTRANCE LOBBY WITH SHOWER ROOM ABOVE FOLLOWING DEMOLITION OF EXISTING ENTRANCE LOBBY ON BEHALF OF L M BURR & P SEDMAN

Report of the Corporate Director – Community Development Services

1.0 Purpose of the Report

- 1.1 To determine a planning application for the erection of single-storey rear extension with roof lantern and erection of two-storey extension to front to form entrance lobby with shower room above following demolition of existing entrance lobby on land at 5 West Lodge Gardens, YO17 7YJ.
- 1.2 The application has been referred to the Committee for determination because one of the applicant's is a member of the Unitary Council.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be GRANTED subject to conditions listed below.

Planning approval is sought for the erection of single-storey rear extension with roof lantern and erection of two-storey extension to front to form entrance lobby with shower room above following demolition of existing entrance lobby.

The site lies within Malton Conservation Area.

The site has a Tree Preservation Order reference 133/1989 within its boundary.

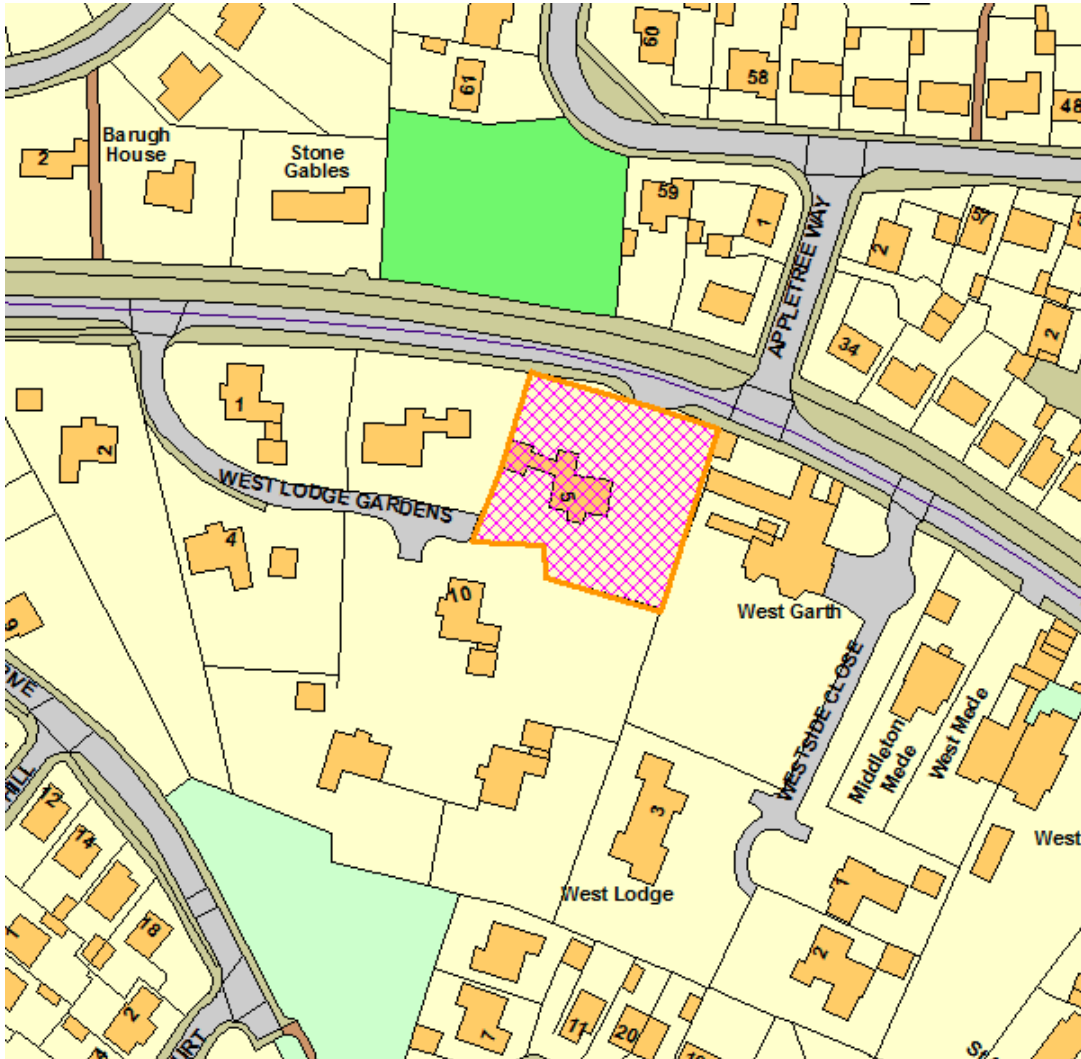
The key issues for this application include Character and Form, Impact on the Malton Conservation Area and Impact on neighbouring amenity.

There has been one objection from the neighbouring property to the west in relation to concern about the potential disruption to the soil due to the proposed building works and the impact of tree roots on the their property.

The development is considered sustainable and approval is recommended subject to conditions.



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3.0 PRELIMINARY MATTERS

- 3.1. Access to the case file on Public Access can be found here:-
<https://planningregister.ryedale.gov.uk/caonline-applications/simpleSearchResults.do?action=firstPage>

There is no relevant planning history

4.0 SITE AND SURROUNDINGS

The property in question, 5 West Lodge Garden, is a detached two storey stone built property situated within Malton Development Limits. The site occupies a substantial plot at the end of the cul-de-sac, in which sits the main house with a utility link to a single garage.

5.0 DESCRIPTION OF PROPOSAL

- 5.1. This application seeks householder permission for the erection of single-storey rear extension with a roof lantern, and the erection of two-storey extension to the front to form an entrance lobby with a shower room above following the demolition of the existing entrance lobby.
- 5.2. The rear extension would measure 3.5 metres x 4.4 metres with a height of 3.1 metres with a roof lantern. The exterior material is proposed to be stone to match the host property.
- 5.3. The front extension would measure 4.7 metres x 1.7 metres. The height is proposed to be 5.5 metres to eaves height and 7.5 metres to ridge height. The exterior would be coarse stone under a red pantile roof.

6.0 PLANNING POLICY AND GUIDANCE

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

The Ryedale Plan – Local Plan Strategy, adopted 2013
 Policy SP12 Heritage
 Policy SP16 Design
 Policy SP20 Generic Development Management Issues

Guidance - Material Considerations

- 6.3. Relevant guidance for this application is:
- National Planning Policy Framework 2021
 - National Planning Practice Guidance

7.0 CONSULTATION RESPONSES

- 7.1. The following consultation responses have been received and have been summarised below.

7.2. **Parish Council:** Recommend Approval

7.3. **Ward Member(s):** None Received

7.4. **Consultee:**

Building Conservation Officer – No Objections

- Local Representations

1 objection has been received. A summary of the comments is provided below, however, please see website for full comments.

Objection

- Concern about the potential disruption to the soil due to the proposed building works and the impact of tree roots on the objectors property

8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 MAIN ISSUES

9.1. The key considerations in the assessment of this application are:

- Character and Form
- Impact on the Malton Conservation Area
- Impact on Neighbouring Amenity

10.0 ASSESSMENT

Character and Form

In terms of design, the proposed front section will mirror the pitched roof form of the main dwelling. It is not considered to take focus away from the property itself by virtue of its small scale and positioning.

The proposed rear extension is considered subservient in relation to the host dwelling, and views will be limited due to the rear positioning. The materials on both extensions will match that of the host dwelling and will therefore integrate well with the main property and the surrounding properties in accordance with the requirements of Policy SP16 (Design) of the adopted Local Plan Strategy.

Impact on Malton Conservation Area

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving the Listed Building(s) or its setting or any features of special architectural or historic interest which it possesses. The buildings itself is not listed however it is positioned within a

Conservation Area. The extensions are considered minor due to the size of the main property and the surrounding plot. The design is in keeping with surrounding properties. It is considered that the scheme will have a neutral impact on the Conservation Area and the development is considered to comply with Policy SP12 (Heritage) of the adopted Local Plan Strategy.

Impact on Neighbouring Amenity

The property sits within a substantial plot with mature boundary planting. Due to the size and positioning of the proposed extensions, it is not considered that they would have an impact on neighbouring amenity in terms of overlooking, loss of light or creating overbearing issues in accordance with Policy SP20 (Generic Development Management Issues).

An objection has been received in relation to the potential impact the extensions could have on underlying soil and tree roots. The rear extension would be situated on an existing section of hardstanding to the north of the property. In view of the proposed small scale of the development and its distance from any protected trees the development is not considered to have any adverse impacts on underlying root structures or any surrounding protected trees.

11.0 PLANNING BALANCE AND CONCLUSION

The development is considered to be appropriate by virtue of its design. The development is not considered to have a negative impact on the Malton Conservation Area. The character of the designated area is considered to be preserved. There are considered to no adverse effects on neighbouring amenity. In conclusion, it is considered that this proposal conforms with Policies SP12 Heritage, SP16 Design and SP20 Generic Development Management Issues of the adopted Ryedale Local Plan - Local Plan Strategy and the National Planning Policy Framework. On this basis, it is recommended that planning permission be granted.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to conditions listed below.

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 documents/plan(s):

- Proposed Extensions and Alterations – Drawing Number 23-1434-2 – dated Jan 2023
- Proposed Extensions and Alterations – Drawing Number 23-1434-3 – dated Jan 2023
- Site Location Plan – reference 23-1434

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 in the Planning Application Form (scanned to file on 06.03.2023) 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 Local Plan Strategy.

Target Determination Date: 13.04.2023

Case Officer: Lucy Toolan, lucy.toolan@northyorks.gov.uk