

North York Moors National Park Authority

Parish: West Ayton

App No. NYM/2020/0272/FL

Proposal: alterations and construction of single and two storey extensions following demolition of existing garage

Location: 15 Mill Lane, West Ayton

Applicant: Mr & Mrs Suggitt, 15 Mill Lane, West Ayton, Scarborough, YO13 9JT

Date for Decision: 12 June 2020 **Extended to:**

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. GACS07 External Lighting - Submit Details
4. MATS04 Stonework and Roofing Tiles to Match
5. MATS41 Windows - Match Existing

Informative(s)

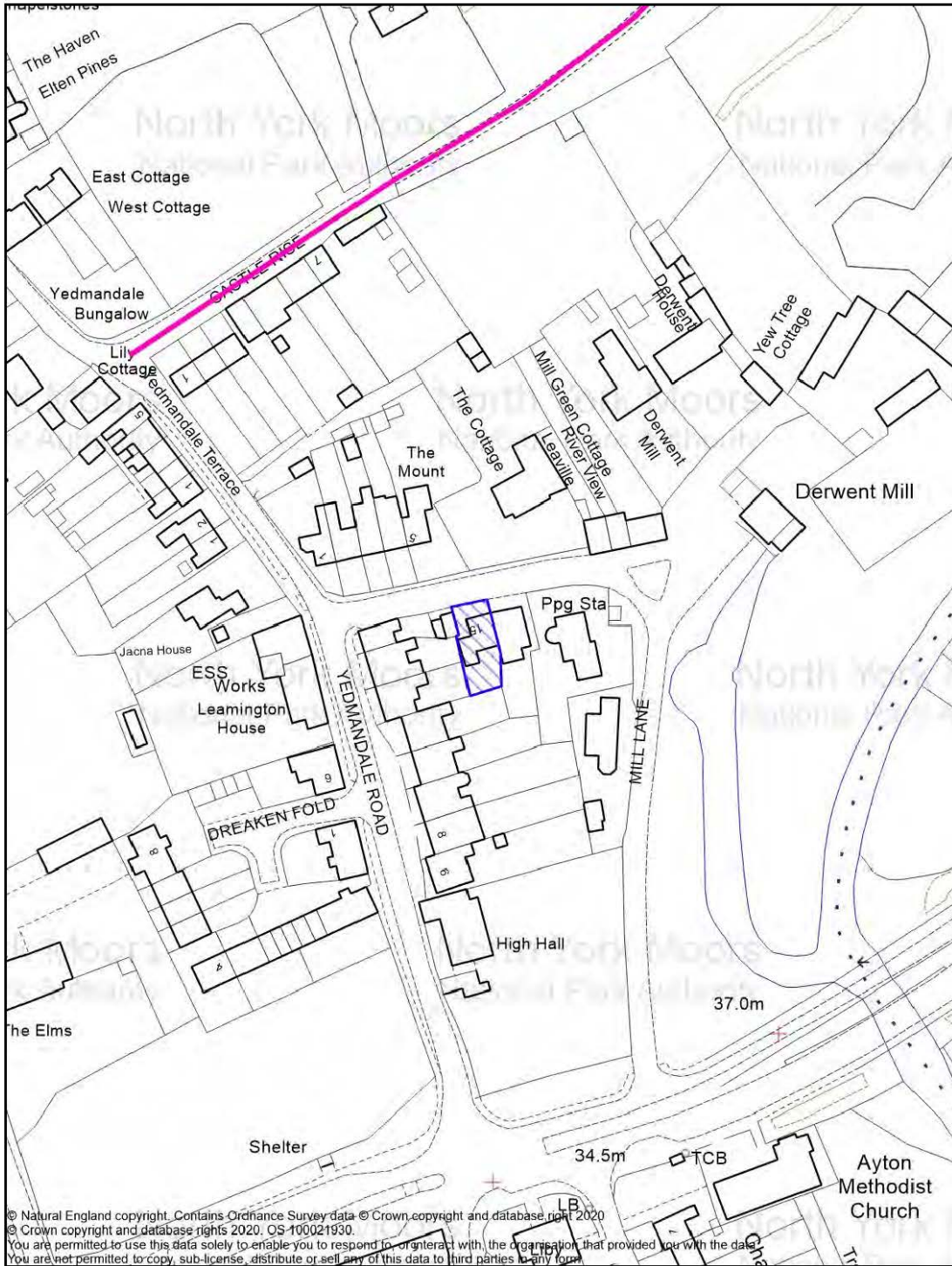
1. MISCINF01 Bats



North York Moors
National Park
Authority

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Scale: 1:1250



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Photograph supplied from neighbour – view from garden of 18 Yedmandale Road:



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Consultations

Parish - Object. The following responses have been received from Councillors:

- The property is in the heart of the Village Conservation Area and development not appropriate. Over development of the site and area.
- Light deprivation at 18 Yedmandale Road. This property is directly adjacent to the side wall of the existing single garage, the proposed two story extension will dominate and block out light from the east into the small garden at 18 Yedmandale Road. Residential amenity of neighbouring occupants would be affected by loss of light, overlooking and over dominance as stated page 4 Introduction & Client Information.
- Scale & height of extensions become over dominant to neighbouring properties especially 18 Yedmandale Road.
- The development will adversely affect neighbouring occupiers.
- A single story development would be more in scale to reduce impact on neighbouring properties.
- Decisions on a planning application of this type is thought inappropriate at this time with all current restrictions and lack of consultation with neighbouring properties from yourselves. Efforts have been made to raise awareness of the application to neighbouring residents but like yourselves resources are limited to undertake this in a safe and appropriate manner.

Amended Plans - Object.

- Our original objections stand in that we think that the two storey extension would adversely impact on the amenity of neighbouring properties on the western side of the development especially no 18 Yedmandale Road. The resident has submitted a robust objection twice to the planners.
- The recently adopted NYMNPA Local Plan July 2020 states in the following section: Policy CO17 - Householder Development pages 137 – 138 Development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and only permitted where:
 1. The scale, height, form, position and design of the new development do not detract from the character and form of the original dwelling or its setting in the landscape.
 2. The development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.

Regarding point 1 - the proposed extension on the property would be an overdevelopment in the Conservation Area of West Ayton on the corner of Mill Lane and Yedmandale Road in an already dense area of residential buildings.

Regarding point 2 - the proposed two storey extension with a solid, tall stone wall would extend along the whole of the eastern boundary of the garden of no. 18 Yedmandale Road. It has been stated that this wall, only 14 metres from his kitchen window and 11 metres from the residents conservatory, would negatively affect the light entering the property, be inescapably dominant and overwhelming from the garden and any

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Consultations continued

room on the rear ground floor of the property and would have a severe negative impact on the amenity provided by the garden.

West Ayton Parish Council again strongly object to this over development this revised application and offer no support to it. Neighbouring residents will be severely affected by this extension which has not been acknowledged by the applicants and it goes against NYMNPA planning policy CO17.

Highways - Request for additional parking plan.

Additional Plan - No objection. The proposed extension to the existing dwelling seeks to increase the living accommodation and increase the number of bedrooms from two to three. The proposed ground floor extension would convert the garage into living accommodation and add a further bedroom to the first floor. The conversion of the garage to living space reduces the number of parking spaces available whilst increasing the number of bedrooms. NYCC's "Interim Guidance on transport issues including parking standards" requires a minimum of two parking spaces for a residential dwelling with three bedrooms in a rural location. The applicant has provided additional information to show that the remaining space available on the drive can accommodate two vehicles.

Site Notice/Advertisement Expiry Date - 27 May 2020.

Others - Mrs Katie Smith of Leaville, Mill Lane, West Ayton - Support. Having a young family myself, I know how important it is to have as much living space as possible. I think the design looks well thought out and compliments the Conservation Area we are in. I see no reason why this application should not be received positively and wish the applicants luck.

Mr Stephen Suggitt of 11 Mill Lane, West Ayton - Support. My wife and I live directly next door to number 15 and the applicants are our son and his wife. Prior to the current Covid-19 situation my wife was looking after their young daughter several days a week as they are both working professionals. This was one of the key reasons they purchased the property. If they are unable to extend their property to give them the necessary space for their growing family, it is likely to force them to move house which would be a huge disappointment to all of us and would make child care more difficult.

I know that they have given every consideration to the design of their proposed changes so as to minimise the impact on their neighbours. We completed a much larger extension to our house many years ago which was received favourably by the planning department and neighbours. Therefore, we can't see why their proposals should be any different. The proposed extensions will not affect us negatively at all. There are no issues of overlooking or loss of light and the single storey element will tie in nicely with the single storey extension we completed through permitted development in the last few years.

We would ask that you give full attention to our comments and make it known that this application receives our full support.

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Others continued

Mr Daniel Dockerty of 18 Yedmandale Road, West Ayton - Object. I write to raise my objections to this planning application as a direct neighbour who is negatively impacted by the current designs. My objection is in relation to the two storey replacement of the current single storey structure. There are several comments within the accompanying documentation that I would suggest are inaccurate and ill considered.

To raise the height of the existing structure and extend it rear wards would essentially put a two storey stone wall (plus the height of the pitched roof) to the whole width of my garden, less than 14m from my kitchen window (11m from my conservatory). Not only would this be a loss to the current outlook, it would negatively affect the light entering the rear of my house and would be inescapably dominant and overwhelming from within my garden or any room in the rear ground floor of my house.

Having such a dominant structure so close to my house and boundary would have severe negative impact on the amenity provided by my garden to my household. I would therefore object to this application in its current design.

Amended Plans - My original objections to this planning application still stand. As a direct neighbour who is negatively impacted, the changed proposal does not address my concern. (copy of original objection, above, included).

Background

15 Mill Lane is a modern semi-detached two storey dwelling of stone under pantile construction, facing Mill Lane in the village of West Ayton. The property forms part of a larger development of 11 properties comprising a terrace of eight properties facing Yedmandale Road, a pair of semi-detached properties facing Mill Lane and a larger detached property occupying the north-eastern corner plot of Mill Lane, facing The Old Mill. The reserved matters permission for the development was granted in March 1985.

Although some of the properties have been altered over the years, 15 Mill Lane has no planning history. The neighbouring property; No. 11 obtained planning permission in March 1996 for a two storey side extension and has since constructed a further, single storey rear extension under permitted development allowances. Whereas some of the properties facing Yedmandale Road have carried out relatively minor alterations including replacement windows, garage conversions, rear conservatories and single storey extensions.

The property is located within West Ayton Conservation Area which is also covered by an Article 4(2) Direction. An Article 4(2) Direction protects the character of a Conservation Area by removing certain permitted development rights from certain properties. The purpose of the Article 4(2) Direction is to halt any further decline to the loss of architectural features and the dilution of the distinctive character of the National Park's Conservation Areas.

This application proposes the demolition of the existing garage and its replacement with a two-storey side extension. The scheme also includes internal re-modelling and the construction of

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Background continued

a single storey rear extension which marginally exceeds current permitted development allowances (by approximately 0.2 metre). The application follows a pre-application enquiry, during which it was established that permitted development rights were not removed from the property as part of the original permission, nor was there a condition placed on the garage preventing its conversion to additional domestic accommodation. Therefore, planning permission would not be required to convert the garage space to additional living accommodation but under the Article 4(2) Direction, permission would be required for any external alterations to the front elevation. On account of the fact the existing garage foundations are not suitable to take the load of an additional floor, the application is for a two storey extension in entirety and not simply a first floor.

Officers expressed concern in relation to the scale and mass of the proposed extension at pre-application stage, having particular regard to the likely adverse impact the proposed first floor would have upon neighbouring amenity together with the likelihood of concern being raised by the Highway Authority in respect of the availability of parking. The applicant liaised directly with the Highway Authority to address the parking concerns.

As originally submitted, the proposal was of identical size and scale to that proposed at pre-application stage. The proposed side extension included a utility and kitchen at ground floor with a bedroom, dressing room and en-suite facilities at first floor. Although the extension would principally occupy the footprint of the existing garage it included a modest extension further into the garden, adjacent the rear boundary of the neighbouring property.

The application received objections from the Parish Council and from the owner of neighbouring property on Yedmandale Road whose garden backs onto the development site.

Two letters of support were received; one from an address on the opposite side of Mill Lane and one from the attached neighbouring property, No. 11. In considering the objections, the applicant explained that a reduced scheme may not prove to be adequate for their needs or a viable option. Following a further site visit by the Head of Development Management to view the development site from the neighbouring garden, Officers made a further recommendation and request to reduce the length of the proposed two storey extension in order to lessen the impact on neighbouring amenity.

Amended plans have been received which show a reduction in overall length of the two storey side extension to match the single storey rear extension. Internally, this has brought about a reduced utility area and the omission of the dressing room. The amended plans have been issued for further consultation and the Parish Council and neighbour have maintained their original objections.

Policy Context

The relevant NYM Local Plan Policies to consider with this application are Strategic Policy C (Quality and Design of Development) and Policy CO17 (Householder Development).

SPC (Quality and Design of Development) seeks to maintain and enhance the distinctive character of the National Park and is supportive of developments which are: of a high quality

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Background continued

of design; incorporate good quality construction materials and design details that reflect and complement the host building or local vernacular; respectful of existing views and spaces around buildings; of a scale, height, massing and form which is compatible with surrounding buildings and land uses; in the case of conversions, the design detailing must respect the architectural form and character of the building; incorporate sustainable design and construction techniques including making provision to reduce energy use and use energy from renewable sources; include a good quality landscaping scheme and provision to improve biodiversity; provision is made for adequate storage and where the proposal ensures the creation of an accessible, safe and secure environment for all users.

Policy CO17 requires new development within the domestic curtilage to take full account of the character of the local area and special qualities of the National Park. Development will only be permitted where: the scale, form, position and design do not detract from the original dwelling or its setting; the development does not adversely affect residential amenity of neighbouring occupiers or that of the host property; the development reflects the principles set out in the Authority's Design Guide. In order to achieve a subservient extension, Policy CO17 states that extensions should not increase the total habitable floorspace by more than 30% (unless there are compelling planning reasons for a larger extension) and that the design detail complements the architectural form of the original dwelling.

Part 2 of the Authority's adopted Design Guide (Extensions and Alterations to Dwellings) states that it is important that side extensions are narrower in gable width than the main building and with a lower roof height. This retains the architectural integrity of the original building but also ensures that the extension is subservient to the main house. For similar reasons, side extensions should not be as wide as the main building frontage and side extensions which project forward of the main building are unlikely to be acceptable.

Main Issues

The main issues to consider with this application are whether the proposed extension is of a size, scale and design which is compatible with and subservient to the host property and its conservation area setting. In addition, consideration is given to whether the proposal would result in an unacceptable and adverse impact to neighbouring amenity and whether it would reduce the levels of residential amenity of the host property.

Impact upon Host Property and Conservation Area

In its amended form, the proposed side extension is considered to reflect the existing architectural style of the host property by reason of its proposed materials, design detailing to windows and use of corbels. It is also considered to be of an appropriate scale, set well back from the front elevation, narrower than the frontage of the main building and with a lower roof height, as per the advice contained within Part 2 of the Authority's Adopted Design Guide. The host property has a relatively modest plot but on the basis there is an existing garage in the position of the extension, setting aside the rear extension to be constructed under permitted development, the proposal does not involve any significant reduction in available outdoor amenity space.

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Main Issues continued

It is noted that the Parish Council considers the scale of the extension to be excessive for the host property and the Conservation Area. However, it is noted that the attached neighbouring property has a two storey side extension which is of matching proportions to the host dwelling, resulting in a greater mass of development in closer proximity to the road and therefore, in comparison, the proposal at No.15 is considered to have a lesser impact upon the host property, street frontage and Conservation Area.

The Authority's Building Conservation Team has identified that although the property is clearly modern it has been sympathetically designed and would therefore be considered to have a neutral contribution to the significance of the Conservation Area. There is no objection to the two storey extension. The roof structure and set back nature of the extensions are sympathetic to the host building and the Conservation Area. However, concerns are raised with the off the peg approach to the single storey flat roof extension, which would look far more in keeping with the conservation area if it were constructed with a catslide roof and the omission of the roof lantern which would not traditionally be found on a property of this size. The Building Conservation Team also raised concern in respect of the potential for over-development of the site and emphasised that the requirement for development proposals to preserve or enhance the character and appearance of Conservation Areas applies with equal force whether or not the proposal is prominent or available to public view. It is not considered that the rear extension in its current form will have minimal impact on the Conservation Area simply by virtue that it is to the rear.

The front windows would be better detailed if they were a bit smaller and subservient for the host building, had applied glazing bars and were flush fitting but the styles of the existing windows are noted.

The Building Conservation Team has maintained its concerns in relation to the use of a roof lantern and possible over-development of the site in response to the amended details.

The comments of the Conservation Officer are noted and Officers concur with their views in respect of the design detailing of the single storey rear extension and in particular the need for development within a Conservation Area to be of a high quality and sensitive to the locality, irrespective of whether or not it is available to public view. However, the dimensions of the single storey rear extension are only marginally over the current permitted development allowances, and therefore, it is not considered reasonable to seek revisions to the design of the single storey extension in this case. The applicant could reduce the length by approximately 20cm and the development would comply with permitted development and therefore, the Authority would have no input in design. If the current application were to be amended to a lean-to structure, it is likely to have a greater impact upon the attached property as the roof structure would be higher. On balance, it is therefore considered that the single storey extension with a lantern roof is acceptable in the wider context of this modern development. The Conservation Officer has however, confirmed that there are no objections to the two storey side extension and has offered a contrary opinion to that of the Parish Council in respect of its design, advising that it is sympathetic to the host property and its setting. The comments in relation to window detailing are noted, however, on the basis the proposed windows are to match the existing; Officers are of the opinion it would be unreasonable to insist on improved detailing for the extension.

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Highway and Parking Matters

The proposal will result in the addition of a bedroom and see a theoretical reduction in the availability of car parking through the conversion of a garage to residential accommodation. The Local Highway Authority has considered the application and upon receipt of further information from the applicant, the Highway Authority is satisfied that sufficient space will remain available within the curtilage to park two vehicles in accordance the minimum requirements for a three-bedroom property in a rural location.

Impact upon Neighbouring Amenities

In view of the objections to the proposal, the Head of Development Management visited the site and observed the development site from within the garden of No. 18 Yedmandale Road. It is considered that whilst the proposed first floor part of the extension would have some impact on the outlook from the rear of the neighbour's property and some overshadowing impact on the enjoyment of the garden, the impact would be generally consistent with the proximity and interrelationship of extensions to neighbours in the locality and would not be so unneighbourly to sustain a refusal.

Conclusion

The proposal is considered to be of a design, size, scale and design which complements the host property and in a position which ensures it is subservient and does not detract from the character of the Conservation Area. The application has been amended, taking into account the comments raised by consultees and Officers. On balance, the revised proposal is not considered to result in an unacceptable impact upon the residential amenity of neighbouring occupiers. In view of the above, approval is recommended.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.