

## North York Moors National Park Authority

<b>Scarborough Borough Council (North)</b> <b>Parish: Eskdaleside-Cum-Ugglebarnby</b>	<b>App Num. NYM/2015/0116/FL</b>
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**Proposal:** alterations to dwelling and construction of replacement garage

**Location:** 22 Iburndale Lane, Sleights

**Applicant:** Mr Ian Whitworth, 22 Iburndale Lane, Sleights, Whitby, North Yorkshire, YO22 5DP

**Agent:** A L Turner + Associates, Cherry Tree House, Levisham, Pickering, North Yorkshire, YO18 7NL

**Date for Decision:** 15 April 2015

**Grid Ref:** NZ 486858 507017

### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. RSU004 Domestic Outbuildings - No Conversion to Accommodation - Inside Villages
4. MATS10 Brickwork and Roofing Tiles to Match
5. MATS72 Black Coloured Rainwater Goods

### Consultations

**Parish** - No objection.

**Highways** - Object. Recommend that the application be refused on the basis that the existing access is unsatisfactory since the required visibility of 2.4 metres by 33 metres cannot be achieved at the junction with the County Highway and therefore the intensification of the use which would result from the proposed development is unacceptable in terms of highway safety.

**Further comments** - If the Local Planning Authority were to recommend approval, a condition requiring the provision of an improved access and turning/parking areas is recommended.

**Site Notice Expiry Date** - 13 April 2015.

### Background

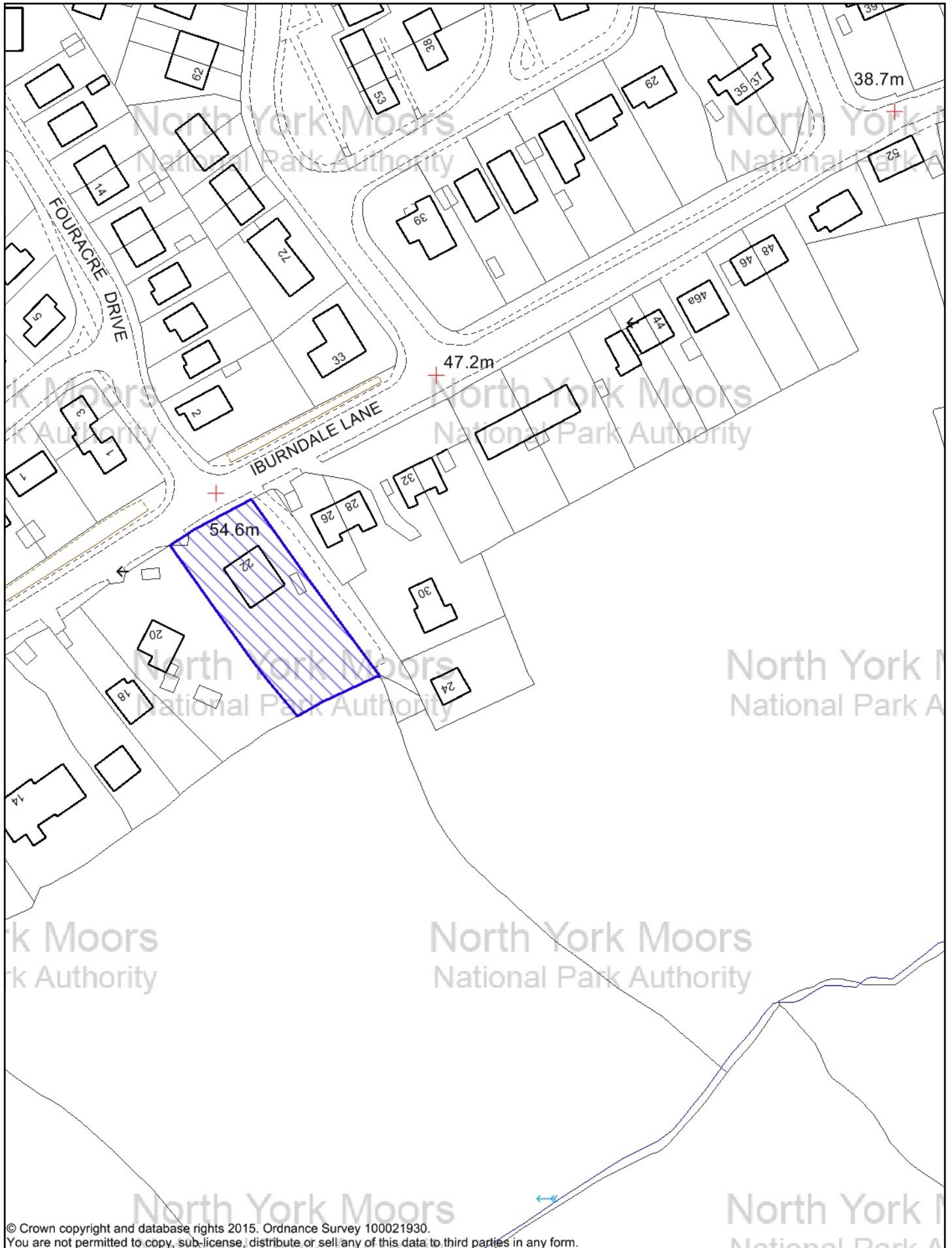
22 Iburndale Lane is a detached red brick under pantile dwelling occupying a raised site on the south side of Iburndale Lane on the southern edge of Sleights. The property is of simple ridge and gable design with the gable fronting the road. The property is on the edge of a residential area and is set within a street of individually designed but similar properties built on sloping plots. A single flat roof sectional garage exists to the side/rear of the property. The property was designed as a four bedroom, two storey dwelling with windows at first floor level in the gable. However, the applicant has advised that whilst the first floor structure and internal walls were completed, the staircase was never installed and as such, has been occupied as a bungalow.



North York Moors National Park  
Authority  
The Old Vicarage  
Bondgate  
Helmsley YO62 5BP  
01439 772700

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Scale: 1:1250



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**Background (continued)**

The current proposal seeks full planning permission for the installation of large roof windows in the north-east facing elevation together with a replacement garage on the same site under a pitched roof. The roof windows would be positioned above existing ground floor windows and is of a similar size; one serving the study and the second serving the first floor lounge. These roof windows are proposed to be velux cabrio balcony lights which are flush with the roofslope when closed but open to form a modest balcony. Planning permission is needed by virtue of the opening nature and non-obscure glazing of the roof windows.

The submitted plans also show a single obscure glazed roof light in the south-west facing elevation together with internal alterations to complete the first floor accommodation including 1 no. bedroom with shower room, a study and large lounge. However, it should be noted that the internal alterations and obscure glazed rooflight do not require planning permission.

**Policy Context**

The relevant NYM Local Development Framework policies are Development Policy 3 (Design) and Development Policy 19 (Householder Development) together with the advice contained within Part 2 of the Authority's adopted Design Guide.

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing, materials and design are compatible with surrounding buildings; that the standards of design details are high and complements that of the local vernacular; good quality sustainable design and construction techniques are incorporated; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

Development Policy 19 states that proposals for extensions or alterations to dwellings, or other development within the domestic curtilage will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting; the development does not adversely affect the amenities of neighbouring occupiers, or that of the existing dwelling.

Part 2 of the Authority's adopted Design Guide advises that rooflights can be an alternative and less intrusive way of lighting rooms in comparison to dormer windows. However, their position, size and number should be carefully considered so as to respect the character and appearance of the host dwelling. Ideally, they should be set within the middle third of the roof slope, away from other features. If there is more than one rooflight, their positions should be carefully considered. In addition to this, the Design Guide advises that windows at first floor and above are smaller in proportion to those at ground floor.

**Main Issues**

The main issues are considered to be whether the proposed alterations and replacement garage are compatible with the host property and its wider setting, and whether the proposals would result in unacceptable harm to neighbouring occupiers. There is also an issue regarding highway safety due to the Area Surveyor's recommendation for refusal.

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**Design, Setting and Impact upon Neighbours**

Iburndale Lane is characterised on the north side by fairly dense residential development and on the south by a more traditional village street pattern comprising of mainly detached properties in generous plots. Iburndale Lane rises quite steeply (west) up the junction with the main road, therefore the north-east facing roofslope is quite prominent. Single rooflights and a range of dormer window designs are evident in the immediate locality. The proposed roof windows and cabrio balcony windows are substantial and would be marginally larger than the existing windows beneath them at ground floor. A window in this elevation would increase the opportunity for overlooking of neighbours but is unlikely to be of an unacceptable level due to the distances and existing screening involved. Officers have requested amendments to the scheme, recommending that the 'cabrio balcony' is reduced to a single width opening on the basis that large rooflights and balconies are not common features within the National Park and the design is not consistent with this more traditional side of Iburndale Lane. Furthermore, as proposed it results in a window feature wider than the window below which is contrary to the advice contained within the Authority's adopted Design Guide and as the room is served by two windows in the gable, there would be little justification to set aside adopted design guidelines for a reasonable prominent roof slope.

On the basis that there are a number of large dormers in the vicinity and that the applicants are keen to improve natural light in this room and take advantage of the views, the applicant's agent has advised that they would like to proceed with the proposal as submitted.

Officers accept that in this case, the property is set within a modern residential setting with a variety of architectural styles and materials. The property is not within a Conservation Area and as the balcony is not a 'fixed' feature, whilst smaller dimensions would be preferable, Officers conclude that the proposal is not sufficiently harmful in this context to refuse. The fall-back position regarding 'permitted development' rooflights is also a consideration.

Included in the application is a proposal to replace the existing, standard flat roof garage with a purpose-built, larger, brick garage under a pitched roof. The proposed garage is considered to be of an improved design and by using traditional matching materials would result in an enhancement to the site.

**Highway Safety**

The Highway Authority initially objected to the scheme as the proposal would increase the dwelling from a two bedroom house to a four bedroom house and they considered it is reasonable therefore to consider that this would intensify the amount of traffic using the site. The Highway Officer identified that the required visibility splay is 2.4 metres by 33 metres whereas the available visibility from a point 2.4 metres back is only 7 metres in both directions. Due to the lack of a turning area on the driveway, it is reasonable to consider that a vehicle may reverse out onto the carriageway and because of the lack of adequate visibility, it is likely to be prejudicial to highway safety.

The applicant's agent has responded to the concerns of the Highway Authority, outlining the site history and confirming that the property was built as a four bedroom dwelling, although not currently used as such. Furthermore, the Highway Officer has incorrectly stated that the property will be altered to create a four bedroom dwelling whereas their proposals in fact result in a three bedroom dwelling. The applicant's agent continued to state that, although there is no internal formal reversing space laid out to modern standards, he confirms that his client manages to enter and leaves the site in a forward gear.

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**Main Issues (continued)**

Following consideration of the additional information provided by the applicant's agent, the Highway Authority has revised their recommendation stating that if the Local Planning Authority were to recommend approval, a condition requiring the provision of an improved access and turning/parking areas is recommended.

The applicant does not wish to undertake the extensive landscaping works to achieve the formal turning area required by the Highway Authority and hence, the application is presented to Members.

Officers are of the opinion that, on the basis that the property could be altered internally to provide additional bedrooms, without planning permission, it would be unreasonable to recommend refusal of the installation of rooflights on Highway safety grounds.

**Recommendation**

The Parish Council has no objection to the proposal and no other comments have been submitted. 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.