

North York Moors National Park Authority

Borough: Scarborough Borough Council (North)
Parish: Eskdaleside-Cum-Ugglebarnby

Application No. NYM/2017/0622/FL

Proposal: construction of two storey rear extension following removal of upper ground floor balcony

Location: 46 Iburndale Lane, Sleights

Decision Date: 26 October 2017

Consultations

Parish - No objection.

Site Notice Expiry Date - 10 October 2017.

Director of Planning's Recommendation

Approval subject to the following conditions:

1. **Standard Three Year Commencement Date**

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. **Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified**

The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan & Block Plan	D11211-01Rev A	30 August 2017
Proposed Plans & Elevations	D11211-05 Rev D	26 October 2017

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. **Obscure Glazing - Fixed Light (inserts)**

The **first floor sitting room** window in the **north-east** facing elevation of the development hereby approved shall not be glazed other than with obscure glass and shall not be capable of being opened. It shall be maintained in that condition in perpetuity.

4. **Stonework and Roofing Tiles to Match**

All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.

5. **Black Coloured Rainwater Goods**

The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Signature:



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Informatives

1.	Coal Referral Area The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at www.groundstability.com
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Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
4. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
5. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

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Background

46 Iburndale Lane is the western property of a pair of semi-detached dwellings located towards the eastern end of Iburndale on the southern edge of Sleights. The property occupies a split level site, appearing as a typical two storey dwelling from Iburndale Lane but at the rear, the falling levels result in a three storey arrangement. The property is constructed of stone with buff render to the first floor, under single roman of French pantile roof. The property has been extended to the side (comprising garage at lower ground floor, kitchen and bedroom above) and at the rear a raised first floor timber balcony has been constructed.

This application seeks full planning permission for the construction of a two storey rear extension to replace the existing balcony and to provide a garden room at lower ground floor with sitting room extension at ground floor. The extension projects 3.7 metres and measures approximately 5.9 metres wide. The extension has an hexagonal form (similar to the existing balcony) with fully glazed rear elevation. The return side walls are proposed to be served by windows at upper ground floor level and as originally proposed, the side elevation facing the attached neighbour's garden had a very large window (1.5m x 1.8m). However, through concerns of overlooking and loss of privacy for both properties, Officers have negotiated a reduced opening and for it to be fitted with obscure glazing.

Main Issues

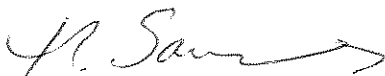
The relevant policies contained within the NYM Core Strategy and Development Policies Document to consider with this application are Development Policy 3 (Design) and Development Policy 19 (Householder Development).

DP3 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.

DP19 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.

The proposed extension has an unusual plan form however; the host property is not typically vernacular and has previously been altered and extended. The immediate area contains a mix of house types and designs and a variety of materials. The existing raised timber decking adds little to the character or design of the property and has become a little outdated. Whilst it is relatively lightweight and not particularly obtrusive, it is considered that a purpose built extension would enhance the appearance of the rear of the property.

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As originally submitted, Officers had concerns in respect of overlooking of the neighbouring property. It was acknowledged that there is an existing level of overlooking from the balcony but this is, to a certain extent, restricted by weather conditions etc. The large window proposed in the side elevation was considered un-neighbourly and it would also be possible for the neighbours to have a clear view into the application property. That element of the scheme was therefore considered to result in unacceptable harm to the amenities of both properties and the removal of the window was requested.

The applicant's agent sought to negotiate an acceptable compromise and it is now proposed to reduce the size of the opening and fit it with obscure glass. The window is annotated as a fixed window and in view of the above proposals; Officers consider that the revised scheme is in accordance with the requirements of Development Policy 19.

The Parish Council has no objection to the proposal and no other representations have been made. 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.

Signature: 	Date: 26/10/17
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