

Parish: Hutton Rudby
Ward: Hutton Rudby
2

Committee Date: 22 August 2019
Officer dealing: Mr Sean Rawling
Target Date: 26 June 2019

19/00986/FUL

Construction of a single storey rear extension
At: 21 South Side, Hutton Rudby, North Yorkshire, TS15 0DD
For: Mr & Mrs Geoff Suddes

The application is referred to Planning Committee at the request of a member of the Council

1.0 PROPOSAL AND SITE DESCRIPTION

- 1.1 The site is a 2 storey mid-terraced dwelling located south of the village green on South Side, Hutton Rudby within the Hutton Rudby Conservation Area. The building is one of three properties to the west side of the terrace with a front (north) projecting verandah and bay window with the remaining properties having more simple frontages. The rear gardens of the terrace are characterised by long, narrow gardens, many of which have been extended with structures of various characters and scales.
- 1.2 This application seeks consent for the construction of a single storey extension to the rear of the property. An existing utility, WC and storage area will be removed and replaced with a structure extending the full width of the garden. It consists of a simple rectangular box structure with patio doors and a roof lantern finished in white render to match the existing house.
- 1.3 Following concerns raised by officers, the applicant amended the proposal to lower the roof height of the extension to the minimum feasible and the removal of a parapet type capping stone, again to reduce the overall height.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 81/1392/FUL – Extension to existing dwelling house – Granted.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Development Policies DP28 – Conservation
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 – General Design
Supplementary Planning Document - Domestic Extensions
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Parish Council – object to the proposal citing over-development of the site and the impact upon neighbouring amenity.
- 4.2 Public comments – 1 objection to the proposal citing the impact upon the amenity of the neighbouring property.

5.0 OBSERVATIONS

- 5.1 The main issues to be considered are (i) the impact of the proposal upon the character and appearance of the conservation area; and (ii) the amenities of the nearby neighbours.

Character and appearance of the conservation area

- 5.2 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 5.3 The National Planning Policy Framework at paragraphs 195 and 196 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset.
- 5.4 The Hutton Rudby Conservation Area is largely characterised by the village green and the historic properties that surround it which provide a soft village appearance consistent with others through the district. It is considered that the proposed development site has a neutral contribution to the Conservation Area.
- 5.5 Views to the proposed development from the village green will be completely restricted by the terraced built form of South Side and there are no other public vantage points to take into consideration. Furthermore, the proposed development is sympathetically designed and is considered appropriate to the character and appearance of the host dwelling.
- 5.6 Based on the above, it is considered that the proposed development will not result in a harmful impact upon the character and appearance of the Hutton Rudby Conservation Area.

Neighbour amenity

- 5.7 Policy DP1 requires that all development proposals must adequately protect amenity, particularly with regard to privacy, noise and disturbance, pollution (including light pollution, odours and daylight).
- 5.8 The main property to consider is the neighbouring property to the west of 21 South Side. The proposed development breaches the 45 degree rule as set out in the Hambleton District Council Supplementary Planning Document 'Domestic Extensions'. Although it is noted that the general built form already restricts daylight into the amenity space of the neighbouring garden, it is considered that the proposed development would serve to exacerbate this. Furthermore, it is considered that the proposed extension would introduce a 'hard' boundary to the neighbouring garden and result in a hemming-in effect in the space immediately adjacent to the property.
- 5.9 Concerns have been raised by the Parish Council and the resident of an adjacent property regarding the over-development of the site as well as the loss of amenity that will result. In response to comments received, the applicant provided further information outlining that the neighbouring property has significantly more amenity space than suggested. However, this area is somewhat divorced from the dwelling and it is reasonable to suggest that the space immediately adjacent to the property is the main functional amenity space.
- 5.10 As such, the applicant amended the proposal to lower the overall height of the development. Whilst this serves to lessen the impact, both in terms of daylight and

the hemming in effect, it is still considered that the proposed development will result in an unacceptably harmful impact upon neighbouring amenity.

Conclusions

- 5.11 The proposed development will not result in a harmful impact upon the character and appearance of the Hutton Rudby Conservation Area. However, the proposed development will result in a detrimental impact upon the residential amenity of neighbouring occupants contrary to Policy DP1 of the Hambleton District Council Local Development Framework. Therefore, the application is recommended for refusal.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reason(s):
1. The size of the proposed extension, together with its position, are such that it will result in a dominant and overpowering visual appearance and will cause overshadowing of the rear amenity space of neighbouring residential properties. The proposal thereby fails to accord with the provisions of Local Development Framework Policies CP1 and DP1.