

Parish: Great and Little Broughton
Ward: Stokesley
2

Committee Date: 23 June 2016
Officer dealing: Mrs B Robinson
Target Date: 19 April 2016

16/00458/FUL

Single story extension to kitchen, garage & outbuilding and conversion of part of garage to office
at The Nook, 80 High Street, Great Broughton
for Mr Dominic Holloran

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This application was considered by Planning Committee in May and the application was deferred to allow Members to visit the site to enable a better assessment of the impacts of the proposal on neighbour amenity.
- 1.2 The site includes a two storey house with two storey rear extension. There is a stone built garage at the side, with a lean-to stone outbuilding at its rear, backing onto the two storey brick wall of a neighbouring building. The house is stone at the front and rendered and painted white at the side and rear. The side of the neighbouring house, 82 High Street, abuts the existing garage, and has a large conservatory at the rear, built off the garage wall.
- 1.3 The proposal is to make internal alterations to divide the garage to form a habitable room at the rear, to be used as a home office, and a store at the front; to form an enclosed passageway with flat roof at the side of the garage; and to construct a single storey extension (dimensions 2.2 x 2.8 metres) to the side of the current two storey extension. The proposed extension would be rendered and tiled to match the house.
- 1.4 Additional information has been submitted showing details of internal insulation to the proposed home office, updated with a further detail showing additional acoustic insulation.

2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY

- 2.1 2/94/057/0256 - Construction of a detached domestic garage and store; Granted 8 September 1994 subject to a condition requiring the garage to be kept for the housing of motor vehicles only. The reason for the condition was:

“The Local Planning Authority would wish to retain control over the extension of this development in the interests of the appearance of the site and the amenities of residential property nearby.”

- 2.2 04/00136/FUL - Alterations and extension to dwelling; Granted 16 March 2004.
- 2.3 04/02004/FUL - Alterations and extension to existing dwelling to form conservatory (at 82 High Street); Granted 18 November 2004.

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 CP17 - Promoting high quality design

4.0 CONSULTATIONS

- 4.1 Parish Council - Great & Little Broughton Parish Council wish to refuse to recommend for approval this application based on concerns over the immediate neighbours concerns over the noise of this application. She is very concerned about the potential noise this change of use would bring to her property. The Parish Council also want it noted that the original application does not mention the use of the office as part time residential space for a relative, which was outlined to the applicant's neighbour. The Parish Council would request a condition of this space not to be used as residential space and only be used as office as application outlined. The plans are also shown incorrectly and do not show that the two properties 80 and 82 are already joined as result of a previous application proposal being approved and constructed.

Comments on the amended plans showing acoustic insulation details:

Our comments are despite the insulation, in principle the modification still turns the house next door from a detached to a semi-detached against the wishes of the resident, therefore we object. And assurances given now are no confirmation of the future.

- 4.2 Neighbours and site notice

Objections have been raised from one address regarding concerns about noise. It is stated that the existing use of the garage is very audible in the adjacent conservatory, and there is concern that additional use would disturb the peaceful use of the neighbouring house.

Comments on the amended plans showing acoustic insulation details express doubts about whether insulation will be sufficient to change the ambience of the affected house.

An expression of support has been received from one address.

5.0 OBSERVATIONS

- 5.1 The main issues are (i) design, and whether the proposal is appropriate to the existing house and the character and appearance of the Great Broughton Conservation area; (ii) any effects on the amenities of neighbouring occupiers; and (iii) any highway safety concerns arising from the loss of garaging.

Design, character and appearance

- 5.2 The roofing-in of a side passage and rear extension are appropriate to the existing house and particularly due the set back from the front wall of the house, would be inconspicuous when viewed from the street and would have a neutral effect on the character and appearance of the Conservation Area.

- 5.3 The use of the garage as proposed would not have any visual impact.

Amenity

- 5.4 The key issue to be considered is whether the use of the garage as a store and home office would expose the occupiers of the attached property, 82 High Street, to greater noise than the garage use permits. This is particularly relevant to the rear

conservatory of 82 High Street, which was built off the garage wall of number 80 about ten years ago.

- 5.5 The proposed home office would be subject to insulation requirements for habitable areas under the building regulations. North Yorkshire Building Control Partnership has confirmed that the details of the proposed 40dB sound insulation would be more effective than the 43dB required for separating walls under the Building Regulations. They also advise that conservatories are “exempt structures” and are not considered part of the habitable dwelling and therefore do not have the acoustic insulation that is normal for more solid parts of a dwelling. As such, it is to be expected that users of a conservatory might be aware of some sound, e.g. music, to a greater extent than would be the case within other rooms.
- 5.6 Whilst the affected conservatory does not enjoy full protection from noise under the Building Regulations, the higher specification acoustic insulation proposed for the home office would be beneficial in limiting the potential for noise to be heard in the adjacent conservatory. It is likely that the proposed home office would be used more regularly than the garage, but the higher specification acoustic insulation is likely to limit noise impact. The restriction of the use of the garage made in 1994 was partly justified on amenity grounds and it would therefore be consistent to consider the merits of limiting the use of the garage conversion to home office and store, as proposed. This could be achieved by means of a planning condition
- 5.7 The proposed store area of the garage has some overlap with the solid structure of 82 High Street, and some noise arising from ancillary activity there may continue to affect the neighbouring property. The applicant has expressed the intention to infill the small air gap between the properties in this part, which may produce some benefit over the existing position. However, storage should not give rise to noise, certainly not more than garaging, and a suitable planning condition can ensure an acoustic scheme which would be helpful in this respect.
- 5.8 It would not be uncommon for a domestic extension to abut the conservatory of a neighbouring property, and would not normally be considered unacceptable in terms of amenity. Particularly taking into account the benefits of introducing new insulation which would be preferable to the present situation, the proposal is considered acceptable in amenity terms.

Highway safety

- 5.9 The set-back of the garage building allows for off road tandem parking for up to two cars, and would therefore not have a harmful effect on road safety. The views of the Highway Authority have been sought, and will be reported to the Committee.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun within three years of the date of this permission.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) and/or details received by Hambleton District Council on 3rd May 2016 and 10th May 2016 unless otherwise agreed in writing by the Local Planning Authority.

3. The garage development hereby approved shall not be implemented except in accordance with a scheme of acoustic insulation previously approved in writing by the Local Planning Authority and thereafter maintained as such.
4. The use of the garage development hereby approved shall be restricted to home office and store.

The reasons are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies CP17 and DP32.
3. In the interests of the amenities of neighbouring occupiers.
4. In the interests of the amenities of neighbouring occupiers, in accordance with Local Development Framework Policy CP1 and DP1.