

Parish: Hutton Rudby
Ward: Hutton Rudby
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Committee Date : 5 January 2016
Officer dealing : Mrs A Sunley
Target Date: 9 January 2017

16/02182/FUL

**Two storey and single storey extensions to the rear of the dwellinghouse.
At 22 North End, Hutton Rudby
For Mr Kevin Smith**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is a two storey terraced dwelling, which lies to the west side of North End, within the Hutton Rudby Conservation Area.
- 1.2 The dwelling has no front garden but looks onto the Green and the highway, the rear of the property has a long narrow garden which is at an elevated position to the dwelling and is accessed by steps from a small patio area at the rear of the property.
- 1.3 The rear garden of this dwelling and the neighbouring gardens are all at an elevated position, so the boundary screening to these properties and their garden areas are all at a higher level than the ground levels immediately behind the dwelling.
- 1.4 The application is for a two storey and single storey extension to the rear of the dwellinghouse.
- 1.5 Revised drawings were received on 23 November 2016, which replaced a flat roofed element of the two storey extension with a pitched roof. Additional information was also provided illustrating application of the 45 degree rule in relationship to the neighbouring property.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 16/02329/CAT - Works to Ash Tree; Permitted 30 November 2016.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Development Policies DP1 - Protecting amenity
Development Policies DP32 - General design
Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP28 - Conservation
Supplementary Planning Document - Domestic Extensions - Adopted 22 December 2009
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Public comment – Two objections have been received on the following grounds:
 - The flat roof design is inappropriate;

- The extension is too high compared with other dwellings;
- The extension is too close to the boundary; and
- Loss of light entering the windows to the south at number 24, which include the main windows for the kitchen/diner, and the only window for one of the bedrooms and the bathroom.

4.2 Parish Council – The Parish Council feel the proposal is over-development and requests a site visit before the Planning Committee determine the application.

5.0 OBSERVATIONS

5.1 The main planning issues raised by this application are: (i) whether the proposed development would have any adverse impact on the appearance of the host building and visual amenities of the surrounding area; (ii) whether the development will preserve and enhance the character and appearance of the Conservation Area; and (iii) whether the proposed development would have a detrimental impact on the residential amenities of nearby properties.

Appearance of the building

5.2 The proposed development would remove the rear dormer windows from the two storey elevation of the dwelling and extend this two storey element by approximately 1300mm into the rear garden and replace the roof with a pitched design. This new addition would encompass existing living areas to create larger bedroom facilities for the dwelling, at present these amenities are relatively small.

5.3 A single storey extension would be sited to the rear of the new two storey extension; the structure would be approximately 1500mm with a pitched roof design and would accommodate a kitchen-dining room. Due to the boundary screening the single storey extension would have no significant impact upon neighbouring properties.

5.4 The Parish Council observations have been noted in regards to over-development of the site. The dwelling is a small, terraced property and the extensions are relatively large. However, taking into consideration the size of the rear garden, the design of the proposal and the site context, along with the precedent set by the existing rear extensions within this terrace of properties, the proposed development is considered reasonable and in-keeping in terms of design and form.

Character of the Conservation Area

5.5 The proposed development would not be directly visible from any public space within the Conservation Area. However, the originally submitted flat roofed design was considered to fail to preserve and enhance the character and appearance of the Conservation Area. The design has since been amended to a more traditional pitched roofed form. The overall changes to the building are considered to be an improvement and are considered to preserve and enhance the character and appearance of the Conservation Area.

Residential amenity

5.6 A neighbouring property at number 24 has raised concerns regarding the proposed new extension and the detrimental affect it could have on their property. It is noted that the extension is in close proximity to the neighbouring property and it would create a loss of light to two obscured windows to a kitchen and bathroom area. However, the proposed development is not considered to impact on the amenity of the occupier of number 24 such as to warrant a recommendation for refusal in this case.

- 5.7 The occupier of the neighbouring property at number 18-20 states that the proposal would dominate their dwelling, due to the flat roof design, the size of the footprint and height of the extension. It should be noted that the other neighbouring property at number 16 also has a rear projecting extension, with this existing extension and the proposed additional two storey extension at number 22 it is suggested that these extensions might result in over-shadowing and create an unacceptable sense of enclosure within the curtilage of number 18-20.
- 5.8 The applicant has submitted a drawing illustrating the 45 degree code from the Council's Supplementary Planning Document on Domestic Extensions, which shows that only one window of the two windows within the kitchen area of dwelling of 18-20 would be infringed under the code. In this case it is considered that the adjacent remaining window would be able to provide enough daylight into the kitchen area to protect the amenity of this space.
- 5.9 Numbers 18-20 have also previously been extended to the rear to incorporate a two storey, a single storey and a conservatory extension. The garden area to the rear of this dwelling is also at an elevated position but is much wider compared to the applicant's site. There is an existing sense of enclosure within this area of terraced properties due to the existing built form, trees, flora and the existing elevated boundary screening. There would be an additional projection of approximately 1300mm from the proposed two storey extension and it is considered that this added depth would create only a minor impact on the amenity of the occupiers of number 18-20, and not sufficient to warrant a recommendation for refusal in this case.

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 drawings numbered: W/572/01 Rev A and W/572/SP Rev C; received by Hambleton District Council on 23 November 2016; unless otherwise approved in writing by the Local Planning Authority.
 3. The development hereby approved shall not be formed of materials other than those detailed within the application form received by Hambleton District Council on 29 September 2016; unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the above conditions 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 CP1, DP1, CP17, DP32, CP16, NPPF - National Planning Policy Framework and DOMEX - Domestic Extensions SPD Dec 2009
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.