

**Parish: Tollerton**  
**Ward: Easingwold**  
**9**

Committee Date: 2 February 2017  
Officer dealing: Mrs J Forrest  
Target Date: 6 February 2017

**16/02697/FUL**

**Two storey extension to existing dwelling to form an annexe  
At The Croft, South Back Lane, Tollerton  
For Mrs M Hardy**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 This application seeks planning permission to construct a two storey extension to the side (east) of a detached late C20<sup>th</sup> dwelling with first floor accommodation in the roof, which lies within the Tollerton Conservation Area.
- 1.2 The proposed extension would be constructed of buff brick with red concrete roof tiles to match the existing dwelling and would incorporate gabled features facing toward South Back Lane and facing the rear garden.
- 1.3 The garden is enclosed with a boundary fence approximately 1.8m high with a boundary hedge and mature trees to the front garden. The application form states that no trees or hedges need to be removed for the development. There are neighbouring residential properties on both sides and to the rear.
- 1.4 The application is being presented to the Planning Committee at the request of a Ward Member.

**2.0 RELEVANT PLANNING HISTORY**

- 2.1 14/01148/OUT - Outline application for the construction of a dwelling with attached garage and formation of vehicular access; Refused 26 January 2015.
- 2.2 16/00470/FUL - Proposed extension to create a granny annex and construction of a new house; Withdrawn 23 May 2016.
- 2.3 16/01347/FUL - Extension to create an ancillary annexe and creation of a new two storey dwelling on hard surfacing to the northeast with vehicular access via the neighbouring private drive together with associated works; Refused 20 September 2016.

**3.0 RELEVANT PLANNING POLICIES**

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Development Policy DP1 - Protecting amenity  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policy DP28 – Conservation  
National Planning Policy Framework

**4.0 CONSULTATIONS**

- 4.1 Parish Council - No response to date.
- 4.2 Public comment - Four responses have been received, all neutral.

All four refer to concerns about access arrangements that arose in previous applications on the site but confirm that this application, for an annexe with no new access, does not give rise to the same concerns. One representation refers to concerns about overlooking but confirms that the proposed use of an obscure glazed fixed window satisfactorily addresses the issue.

## **5.0 OBSERVATIONS**

- 5.1 The main issues to be considered in this case relate to the impact of the proposal on (i) the character and appearance of the surrounding Conservation Area; and on (ii) the amenities of neighbours. Previous applications on this site have raised concerns about additional vehicular accesses but in this case the current access would not change and the proposal is for an annexe and not a separate dwelling.

### Character and appearance

- 5.2 The proposed extension would continue the ridge line of the existing dwelling and the proposed gable features are considered to be of acceptable design in the context of the original dwelling. The application indicates that the extension would be constructed of appropriately matching materials.
- 5.3 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area when deciding this application. The National Planning Policy Framework at paragraphs 133 and 134 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset (i.e. the Conservation Area). The current dwelling is not of locally distinctive style or representative of the Conservation Area and therefore has a neutral impact on it. It is considered that the extension would maintain the building's contribution to the character and appearance of the Conservation Area and therefore would not have any significant impact upon it.

### Amenity

- 5.4 The proposed extension is considered to be in proportion and its size and siting would have no significant adverse impact upon any neighbouring properties. In recognition of the concerns expressed by neighbours regarding the potential for overlooking to the north, the application drawings show a proposed rear first floor window (serving a bedroom) with obscure glazing and fixed shut. The bedroom in question would benefit from additional light and ventilation from two roof lights and a small window facing onto the side garden area approximately 25 metres from the nearest dwelling to the north east.

## **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 P47-PL-105 Rev A, P47-PL-103 Rev A, P/47-PL-106 and P/47-PL-104 Rev C received by Hambleton District Council on 13 January and 19 January 2017 unless otherwise approved in writing by the Local Planning Authority.

3. The accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling known as The Croft; shall form and shall remain part of the curtilage of the main dwelling as a single planning unit; and shall be used as living accommodation only by members of the family, or the occupiers, of the main dwelling.
4. The first floor window rear (north west) elevation of the extension shall at all times be glazed with obscured glass and shall not be capable of opening.
5. The small bathroom window on the side (north east) elevation of the building shall at all times be glazed with obscured glass.

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 CP1, CP16, CP17, DP1, DP28 and National Planning Policy Framework.
3. To enable the Local Planning Authority to assess in the implications of any alternative occupation of the premises in accordance with Local Development Framework Policies particularly policies CP1 and DP1.
4. To safeguard the amenities of occupiers of adjoining residential property in accordance with Hambleton Development Plan Policy CP16.
5. To safeguard the amenities of occupiers of adjoining residential property in accordance with Hambleton Development Plan Policy CP16.