

Parish: Sutton-under-Whitstonecliffe Committee date: 17 August 2017
Ward: Bagby & Thorntons Officer dealing: Mrs Justine Forrest
13 Target date: 18 August 2017

17/01312/FUL

Revised application for the demolition of a conservatory and construction of a two storey extension to dwelling

At Oakwell Barn, Fountains Court

For Dr Ian Wellings

This application is referred to Planning Committee at the request of Councillors Dadd and Baker

1.0 SITE, CONTEXT AND PROPOSAL

1.1 Oakwell Barn is a stone dwelling, originally an agricultural barn, on the southern side of A170 toward the western end of the village, within the Sutton under Whitstonecliffe Conservation Area. It seeks to replace a single storey conservatory in a side garden area with a two storey extension in natural stone with pantiles to match the main dwelling.

1.2 The side garden is enclosed by a boundary fence approximately one metre high. There are neighbouring properties on each side and to the rear and the nearest of these to the proposed extension, Bramble Cottage, is a bungalow.

1.3 The proposal incorporates changes in design form a similar scale extension refused in December 2016. The changes are:

- Deletion of an upper floor Juliet balcony in the rear elevation;
- Hipping the roof to reduce risk of overshadowing;
- Replacement of a large window in the west ground floor elevation (facing Bramble Cottage) with two small obscure glaze windows; and
- A smaller stove pipe on the west elevation.

1.4 Overall, the changes result in a more traditional and less contemporary style.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

2.1 16/02190/FUL - Demolition of a conservatory and construction of a two storey extension to dwelling to include a Juliet balcony; Refused 6 December 2016.

The reasons for refusal were:

1. The proposed development would have a significant detrimental impact upon the amenities of the immediate residential neighbouring properties, due to the scale, projection and position of the two storey extension, resulting in an unacceptable overbearing impact, with the potential for overlooking, which is contrary to the Hambleton Local Development Framework Policy CP1, DP1, CP17, DP28 and the NPPF (in particular paragraph 56).
2. The two storey extension will have an unacceptable visual impact upon the character and appearance of the Conservation Area. The proposed development is contrary to Local Development Framework Policies CP16, CP17 and DP28 as the resulting development does not achieve a high quality of design or protect

the historic character of the Conservation Area. The proposed extension would be harmful due to the inappropriate design.

3.0 RELEVANT PLANNING POLICIES

3.1 The relevant policies are:

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
Development Policies DP1 - Protecting amenity
Domestic Extensions Supplementary Planning Document, adopted December 2009
National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Parish Council – Wishes to see the application refused on the ground that the mass of the two storey extension is too overpowering for the neighbouring property.

4.2 Environmental Health Officer - No objection.

4.3 Public comments - Five responses have been received expressing concerns about the size and two-storey form of the proposed extension. The specific objections are:

- The extension would be out of character
- It would fail the Domestic Extensions SPD's 45 degree code (which does not apply to side extensions);
- Overlooking;
- Noise; and
- Loss of sunlight.

The representations also mention an impact on house prices, which is not a planning consideration, and a proposed fence which does not require planning permission.

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 Sutton under Whitestonecliffe Conservation Area and the dwelling; and (ii) residential amenity.

Character and appearance

5.2 The second reason for refusal of the previous application related to the contemporary design and materials of the extension and its impact on the dwelling and the Conservation Area. It is considered that the more traditional style and materials of this revised proposal has successfully addressed that issue and the extension as now proposed would not have a harmful impact upon the dwelling.

5.3 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. 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. The application is supported by a heritage statement that states that an alien and incongruous feature (the conservatory) would be removed and a sensitive extension that retains the agricultural character and features of the host dwelling put in its place. The

statement also notes that fenestration would now be in keeping with the host dwelling and would replicate the type of agricultural openings that would have been historically found on a converted building. The revisions to the flue have been based on guidance produced by Historic England on the conversion of historic barns and the statement considers that this has further enhanced the proposal. Assessment of the revised design has confirmed the foregoing and it is considered that the revised extension would not have any significant impact upon the Conservation Area and would not harm its significance as a heritage asset.

Residential amenity

- 5.4 The proposal would introduce a two-storey element in close proximity to a bungalow, in a side-by-side relationship. It is understood that the contrast between the two-storey and single-storey buildings can give rise to local concern, however, there is no reason to keep bungalows and houses separate as a matter of principle. This aspect of the proposal must be assessed in terms of its likely impact on the amenity of neighbours which, in the last application, was considered in terms of an overbearing impact and the potential for overlooking.
- 5.5 The report on the last application noted that the proposed installation of a ground floor window facing Bramble Cottage had the potential for overlooking as the boundary fence is only approximately a metre in height. The replacement of that window with two obscure glaze slit windows overcomes the risk of overlooking. The Juliet balcony had been noted as having the potential for overlooking and its deletion has further addressed the previous reason for refusal. Considering the changes now made, it is not felt that the proposal would give rise to unacceptable overlooking.
- 5.6 Loss of daylight and sunlight was not cited as a reason for refusal of the last application; however, the roof of the extension is now shown with a hip feature in order to reduce any impact. The application is supported by a daylight and sunlight assessment, which indicates that there would be a very low impact on the light received by neighbouring properties. There is no evidence to contradict this and it is therefore considered that the impact on daylight and sunlight would not justify refusal of permission.
- 5.7 However, the overall bulk and position of the extension would be very similar to the extension refused in December 2016. It would stand between 2 and 2½ metres from the boundary with Bramble Cottage, projecting beyond the rear wall of the bungalow by a similar distance and it is considered that this proximity to the relatively shallow back garden and secondary facing windows of the bungalow would give rise to an unacceptably dominant and overbearing relationship.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reason:
1. The proposed development would have a significant detrimental impact upon the amenities of the immediate residential neighbouring property due to the scale, projection and position of the two storey extension, resulting in an unacceptable overbearing impact, contrary to Hambleton Local Development Framework policies CP1 and DP1.