

Parish: Shipton
Ward: Easingwold
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Committee date: 9 November 2017
Officer dealing: Mrs C Strudwick
Target date: 17 November 2017

17/01776/FUL

**Extension and alterations to dwelling
At Stack House Farmhouse, Stack House Farm, Shipton by Beningbrough
For Mr Richard Byfield**

This application is referred to Planning Committee at the request of Councillor Knapton

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 Stack House Farm lies at the end of a 700m track north, of Chapman's Lane, in the parish of Shipton. The proposal site sits within an isolated farmstead, with approximately half a dozen dwellings clustered at the end of this track.
- 1.2 The host building, other dwellings and associated outbuildings and agricultural buildings are constructed of red brick, with slate roofs. Architecturally the dwellings are quite imposing at three storeys, with pitch roofed dormers to the second floors. The host dwelling has had a ground floor single storey extension added to the east elevation, constructed of matching red brick.
- 1.3 This application seeks permission to add a single storey extension on the northern elevation and a porch elevation to the east elevation. This application is a revised version of an earlier scheme (17/01036/FUL); amendments have been made in response to the neighbours' concerns regarding the extension being attached to the neighbouring property.
- 1.4 Improvements have been secured through the substitution of timber window frames for the originally proposed aluminium frames and removal of a render element, as this was considered not to be in keeping with the traditional Victorian architecture.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 15/01061/MBN - Prior notification for change of use of agricultural building to two dwellings and associated operational development; Withdrawn 1 July 2015.
- 2.2 17/01036/FUL - Extension and alterations to dwelling; Withdrawn 4 July 2017.

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 - Adopted 22 December 2009
National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Parish Council – Resubmits the comments made in relation to the withdrawn scheme, noted that:

- The use of cream render and black powder coated aluminium windows frames would be out of keeping with the Victorian architecture of the building;
- There are intermittent issues with water supply due to an elderly service pipe. A new supply pipe should be installed, by condition;
- Any further demand placed on the sewage system will have a negative effect;
- The wood burner flue appears markedly close to the neighbouring property;
- The new window on the eastern elevation will provide views directly into the neighbour's living room, at a distance of just 1.5m;
- Additional large heavy vehicles using the access land will cause additional damage to an already poor surfaced lane; and
- Work has already commenced on site, with concerns over the removal of asbestos and the excavations on site.

4.2 Highway Authority – no objections

4.3 Yorkshire Water – no response

4.4 Public comments – Four objections have been received; the main points are:

- Strain on the sewerage system;
- Strain on water supply due to demand by neighbouring working farm and livestock;
- The development is not in keeping with surrounding development;
- Close proximity to livestock buildings, distressing the livestock;
- Low hanging electrical overhead wires are installed on site;
- Plant and machinery frequently block access and poses a risk to loose livestock;
- Work has been carried out carelessly on site;
- Use of external LED lights;
- Loss of residential amenity due to proximity to the neighbouring property;
- Demolition and construction will cause instability of existing buildings and subsidence;
- Loss of character and heritage;
- Overdevelopment and unsustainable development;
- The chimney will result in air pollution; and
- Disturbance and displacement of bats and owls

5.0 OBSERVATIONS

5.1 The main issues to consider are: (i) the scale of the extension in relation to the existing building; (ii) the design and materials; (iii) impact on the residential amenity of the neighbouring properties; (iv) the impact on the countryside setting; (v) biodiversity impact; and (vi) highways impact.

5.2 Concern has been raised regarding the health and safety of the construction site; however this is not a material planning consideration and can be dealt with accordingly through building regulations. Similarly, the positioning of a flue or chimney must conform with building regulations and need not be dealt with through the planning process.

Scale of development

- 5.3 The extension comprises of a subservient design which is considered acceptable and will not significantly detract from the appearance or character of the existing dwelling. The subservient design of the proposed extension is considered acceptable and will not detract from the appearance or character of the host dwelling and area. Materials to match the existing dwelling are proposed and this will assist in achieving an acceptable design.

Design and materials

- 5.4 Through the amendments to the scheme to secure the finish in red brick, rather than render and timber window frames rather than aluminium it is considered that the design and materials are complementary to the host dwelling, and wider development in the immediate area.
- 5.5 The nature of this dwelling and the neighbouring dwellings is of varying heights and projections. This scheme reflects the non-linear configuration of the buildings on site.
- 5.6 The scheme includes details such as conservation roof lights to the side extension, and a brick built chimney which are welcomed and demonstrate a high quality scheme, in compliance with CP17 and CP32.

Residential amenity

- 5.7 The layout of the cluster of domestic dwellings and agricultural buildings on site is rather high density. The proposal property, Stack House Farm is attached to West Court and East Court. All three dwellings are tall, austere red brick Victorian dwellings which, due to the existing windows openings and layout of both the host and neighbouring properties, there exists an element of overlooking already.
- 5.8 This revised scheme has removed all elements which previously attached the northern side extension to the neighbouring property. There has been concern raised regarding the loss of residential amenity as a result of the back porch (north west corner of the dwelling), and the disturbance that the use of the passageway would cause the neighbours as the separation distance between the two properties would be 900mm at its narrowest point.
- 5.9 There are no windows on the gable elevation of the neighbouring property to provide ingress for noise or views by people using the passageway. There are ground floor and first floor windows to the neighbours southern elevation, however the porch will take the building line to approximately 600mm off the neighbours elevation, making the angle of view, for someone exiting the back door, so steep that views into the first floor windows would be impossible, and the proposed high level timber fence would be of a height that make views into the ground floor impossible. The neighbour is concerned regarding noise disturbance as a result of use of the back porch door, and associated activity. However given the small gap which noise could pass through from the back porch area, and that the majority of the passage way will be covered it is considered that there would not be an unacceptable loss of neighbouring amenity and the scheme does comply with DP1.
- 5.10 It is considered that the rest of scheme respects the privacy and neighbouring amenity of the adjacent properties.

Impact on the countryside setting

- 5.11 The proposed development is located within an area of dense development and will fit appropriately within the domestic setting of this site. Whilst the extension is relatively large it will be commensurate to the existing site and will not cause any significant impact on the visual amenities of the site and surrounding area. The scale

and design of the proposed extension is considered appropriate and in harmony with the existing dwelling.

Biodiversity

- 5.12 Concern has been raised that the work on site has led to the disturbance and displacement of bats and owls, primarily through the felling of a lime tree. The tree was not the subject of a TPO or other protection. Concerns regarding the damage or destruction of a bat roost should be reported to the police or the Bat Conservation Trust.
- 5.13 It is considered that there is no threat to roosting bats or owls through the development of this scheme, through the construction of the buildings or through a very limited increase in construction traffic on site.
- 5.14 The matter of newts on site has also been raised, in ponds nearby. It is considered that the scheme will not impact on these ponds, therefore there is no increased threat to any newts in the area.

Highway Impact

- 5.15 This application for an extension to an existing dwelling; the scheme does not propose any additional bedrooms and it is reasonable to assume that the extension will not result in an increase of residents at the property, with no additional pressure on the access road off Chapmans Lane.
- 5.16 the construction of the extension will bring construction traffic and wagons delivering materials; however given the scale of the proposal it is considered that the occasional inconvenience this will have on existing residents will be limited to the construction period.
- 5.17 The Highways Authority does not raise any objection to the proposal. Overall it is considered that there would be no significant or material harm to the highway network or the un-adopted track used to access the site.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:
1. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered HU-RJH-BSP-541-16 102 A, 116D, 113K, 110M, 114P received by Hambleton District Council on 10th August and 2nd October unless otherwise approved in writing by the Local Planning Authority.
 2. The development hereby permitted shall be begun within three years of the date of this permission.
 3. The external surfaces of the development shall not be constructed other than of materials, samples of which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.
 4. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order, for the time being in force relating to 'permitted development', no enlargement, improvement or other alteration shall be carried out to the dwelling or building nor shall any structure be erected within or on the boundary of the curtilage of the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.

The reasons are:

1. 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 and DP32.
2. 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.
3. The site is within an area of predominantly traditional buildings, the character of which the Local Planning Authority wishes to conserve.
4. The Local Planning Authority would wish to retain control over the extension, improvement or alteration of this development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with Local Development Framework Policies CP1, DP1, CP17 and DP32.