

**Parish: Shipton**  
**Ward: Easingwold**  
**7**

Committee date: 7 December 2017  
Officer dealing: Mrs C Strudwick  
Target date: 15 December 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. Consideration of the application was deferred at the meeting of 9 November in order for Members to inspect the site**

**1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 Stack House Farm lies at the end of a 700m track north, off 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 and use of brick, as this was considered not to be in keeping with the traditional Victorian architecture.
- 1.5 As noted above this application was deferred to enable members of the Planning Committee to undertake a site visit prior to the consideration of this application.

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Prior notification for change of use of agricultural building to two dwellings and associated operational development; Withdrawn 1 July 2015.
- 2.2 17/01036/FUL - Extension and alterations to dwelling; Withdrawn 4 July 2017.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

#### **4.0 CONSULTATIONS**

4.1 Parish Council – Resubmits the comments made in relation to the withdrawn scheme, noting 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 objection.

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 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 destabilise buildings and cause 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 or by the Health and Safety Executive as necessary. Any flue or chimney must conform to the building regulations and the public safety controls inherent in that regulatory regime should not be duplicated 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 results in a relatively high density of dwellings. Stack House Farm is attached to West Court and East Court. All three dwellings are tall, austere red brick Victorian dwellings. Due to the existing windows openings and layout of the three properties there is already an element of overlooking between them.
- 5.8 This revised scheme has removed all elements which previously attached the northern side extension to the neighbouring property. Concern has been 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 would take the building line to approximately 600mm off the neighbour's 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 made 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 would 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 the proposal would respect 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 would fit appropriately within the domestic setting of this site. Whilst the extension is

relatively large it would be commensurate to the existing site and would 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. There is no evidence that the work proposed in the application or the construction traffic associated with it would harm any protected species and concerns regarding the damage or destruction of a bat roost should be reported to other agencies concerned with enforcing the provisions of the Wildlife and Countryside Act 1981.
- 5.13 The matter of newts in ponds near the site has also been raised. It is considered that the scheme would not impact on these ponds; therefore there is no identifiable threat to any newts in the area.

#### Highway Impact

- 5.14 Whilst this application is for an extension it does not indicate any additional bedrooms and it is therefore reasonable to assume that the completed extension should not materially alter conditions on the access road off Chapmans Lane.
- 5.15 The construction of the extension would bring contractor's and supplier's vehicles to the site; however this would be limited to the construction period and it would not be reasonable to refuse planning permission because of any temporary inconvenience that would arise. If justified a construction management plan can be required by condition to control the work, particularly relating to deliveries at the site, although this would be highly unusual for small-scale development such as a domestic extension.
- 5.16 The Highway Authority does not raise any objection to the proposal and has not requested a construction management plan. Overall it is considered that there would be no significant or material harm to the highway network or the unadopted 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.