

Parish: Northallerton

Ward: Northallerton North & Brompton

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21/02098/FUL

Committee Date: 7th April 2022

Officer dealing: Mrs Tracy Price

Target Date: Extension of time 7th April 2022

Revised application for the removal of UPVC conservatories, extension to form kitchen, dining and living room, installation of 2no solar thermal panels to the South elevation and replacement patio area and new boundary wall

At: Mowbray Lodge, Bullamoor Road in Northallerton.

For: Mr and Mrs Nell

This application is reported to Planning Committee at Jon Berry's request.

1.0 Site, Context and Proposal

- 1.1 Revised planning permission is sought for the removal of two UPVC conservatories, formation of extension to form a kitchen, dining and living room, installation of 2 no solar thermal panels to the south elevation and the replacement of a patio area and new boundary wall.
- 1.2 Mowbray lodge is a detached, rendered property located on an elevated position to the north of Bullamoor Road within a predominately countryside location.
- 1.3 Planning permission is sought to remove the two existing conservatories to the west elevation and replace with an extension across the rear creating a kitchen extension and family area with a maximum projection of 2.7m. The extension is formed with two pitched roofs and a glazed central entrance with a roof lantern.
- 1.4 Materials are to match that of the existing with natural stone with a cream render, dark grey Marley modern concrete tiles and aluminium fenestration. Two solar thermal panels are to be located at the south elevation, specification details have been provided as part of the application.
- 1.5 The existing boundary wall along the south elevation is to be increased in height to 1.82m with a rendered finish to match the dwelling for privacy and screening from the main road.
- 1.6 The existing patio area is to be extended to the south elevation incorporating a small lawn area.
- 1.7 The foul drainage from the existing dwelling has been directed to the new treatment plant confirmed by the agent on the 24th February 2022.
- 1.8 Additional information was provided on the 24th February 2022
The submitted drainage report concludes;
The drainage surveys have confirmed that the properties are no longer on a shared system. Mowbray Lodge is now on the recently installed treatment plant system that is discharged to a foul drainage field within the site. The adjacent property Mowbray Mount is still however connected to the existing septic tank system on the site.

No issue with the plastic reinstatement work (pipework and chamber) undertaken to reconnect to the septic tank for Mowbray Mount.

With the boundary of Mowbray Mount the existing pipework to the existing septic tank appears to be constructed from 4 inch land tile and is therefore not considered suitable for carrying foul water as it could filter to the ground. In addition, the existing septic tank is considered non-compliant.

- 1.9 An amended site plan was received on the 22nd March 2022 demonstrating that the existing rainwater downpipes and gullies are to be retained and the new roofs connected back to these locations. At the central area of the proposed extension, new downpipes and gullies will be formed, connected to a new 100mm pvc pipe and discharged to a soakaway as shown on drawing 2020:30/05revG.

2.0 Relevant Planning History

- 2.1 15/02504/FUL, Change of use of land into paddock for equestrian use and garden area together with alterations and extension to former garage to form stable, approved 2015
- 2.2 20/02612/FUL - Removal of conservatories, extension to dwelling house with replacement patio area, new boundary wall and gate and installation of 2no solar thermal panels to the South elevation – withdrawn 2021

3.0 Relevant Planning Policies

- 3.1 The relevant policies are:

S1: Sustainable Development Principles

S3: Spatial Distribution

E1: Design

E2: Amenity

IC2: Transport and Accessibility

4.0 Consultations

- 4.1 Town Council – No observations
- 4.2 NYCC Highways - No local highway authority objections to the proposed development.
- 4.3 Corporate Facilities Manager (drainage) HDC – The proposed development is in the main like for like replacement of existing structures with contemporary structures. The one comment I make in relation to drainage in connection with the proposed development is for the applicant to confirm how they are dealing with surface water run-off from the increased area of hard surfaced area.

Drainage reports – Mowbray Lodge and Mowbray Mount

Information has been provided to the Council relating to the foul and surface drainage systems at Mowbray Lodge and Mowbray Mount by both parties. My observation is that the proposed development subject of the planning application is unrelated to the content of the submitted drainage reports.

Reading through the reports it appears that historically Mowbray Mount and Mowbray Lodge have historically shared a septic tank for treatment of foul effluent from the two properties. The occupants of Mowbray Lodge installed a new sewage treatment plant in 2020 with field drain arrangement for discharge of the final effluent. The new STP serves Mowbray Lodge only.

The original septic tank remains in position and still serves Mowbray Mount, it is not known whether Mowbray Mount discharges foul effluent and surface water to the septic tank or only foul effluent. The resident of Mowbray Lodge has noted the presence of wetter areas on their north-eastern boundary which it shares with Mowbray Mount. Sampling of the effluent associated with wet patches has been undertaken, the applicant makes no specific comment in relation to the sample analysis results.

The occupants of Mowbray Mount report that their foul effluent drainage is not functioning correctly with the effluent not flowing away, the suggestion is that the foul drain between The Mowbray Mount property and the existing septic tank is blocked. The drainage survey undertaken of the foul drain connecting Mowbray Mount and the septic tank in the garden of Mowbray Lodge (survey by the Mowbray Lodge residents) was able to survey the drain into the grounds of Mowbray Mount, the survey had to be terminated due to displaced joints which prevented further survey work. An observation was made that the foul drain was constructed of land tile, these can come in a few construction styles and pipe patterns, they are thought to be of butt jointed construction with joints that are not sealed, so liquid could soakaway leaving solids to block the pipe.

It is not clear whether the Mowbray Mount drainage has been affected by the works that the Mowbray Lodge residents have undertaken or whether it is coincidental. The resolution of the drainage issues would appear to be a matter for resolution between the two parties, if there is dispute it is typically a civil matter.

4.4 Site Notice and Neighbour Notification expires 25th October 2021 one representation has been received and can be briefly summarised below;

- House extension not in proportion with the original form of the house
- negative impact on the countryside
- high boundary is unsympathetic
- significant history with drainage problems.
- works could damage the existing combined system
- landownership issues.

5.0 Analysis

5.1 The main planning issues raised by this application are: i) whether the proposed development would have a detrimental impact on the residential amenities of nearby properties and; ii) the impact on the visual appearance and amenities of the surrounding area and; iii) any highway safety implications.

Design

- 5.2 Policy E1 requires the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, respect local identity and distinctiveness and are appropriate in terms of use, movement, form and space. The policy requires development to pay regard to traditional design and forms of construction, to avoid the use of inappropriate details, and to pay particular attention to appropriately designed elements. Proposals must respect local character and distinctiveness, scale form and massing and should respect built form and enhance local context.
- 5.3 It is considered that the extension would be appropriate in relation to the main dwelling and is of an acceptable design. With regard to the size of the existing property, the proposed works are considered to be in proportion and not of a scale and size to create detriment to the local character of the area and its setting within the countryside. The works are considered to improve the outlook of the dwelling at the west elevation by replacing the visually prominent UPVC conservatories. The proposed brickwork, tiles and fenestration will satisfactorily respect the setting and as such the overall design and appearance of the development is considered acceptable, meeting the requirements of Policy E1.
- 5.4 The proposed solar panels are of a standard design and appearance and satisfactorily respect the design of the property allowing the use of renewable energy and meeting the requirements of Policy E1.

Impact on neighbours

- 5.5 Policy E2 requires that all development proposals must adequately protect amenity. Paragraph 127 of the NPPF requires a high standard of amenity for existing and future users of development.
- 5.6 The nearest neighbouring properties are Mowbray Mount to the north east elevation, approximately 30m away, and Hill View to the south elevation approximately 21m away (across Bullamoor Road). It is considered that due to the scale of the extension and the separation distance along with boundary screening, it is anticipated that the proposed extension would not have any significant harmful impact on the amenities of neighbouring residents in terms of the outlook, overlooking, loss of privacy and impact on light.
- 5.7 The increase in height to the boundary wall at the south elevation is considered appropriate and would not look out of context given the variety of existing materials and planting on the boundaries along Bullamoor Road.
- 5.8 The extension to the patio area and the addition of a lawn at the south west elevation has been incorporated effectively into the surrounding garden and would ensure a positive visual relationship with the main dwelling. The works are considered to meet the criteria of E1 of the Hambleton Local Plan.

Highways

- 5.9 The Highway Authority have no objections to the application. It is considered that the proposed works will not compromise highway safety and will meet the requirements of Local Plan Policy IC2.

Drainage issues

- 5.10 Information has been provided to the Council relating to the foul and surface drainage systems at Mowbray Lodge and Mowbray Mount by both parties. The Corporate Facilities Manager has confirmed that the proposed development, subject of the planning application, is unrelated to the content of the submitted drainage reports. The resolution of the drainage issues would be a matter for resolution between the two parties and is considered a civil matter.
- 5.11 The agent provided information on the 22nd March 2022 demonstrating how the new works will deal with surface water run-off through a new soakaway.

Planning Balance

- 5.12 The proposed development will not be of detriment to the character and appearance of the area and is acceptable in terms of siting, design, materials and landscaping. The proposed development is considered to comply with the requirements of relevant Local Plan policy and as such is considered acceptable. There are no material considerations which would outweigh this conclusion.

6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)
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(s) numbered HDC01, 2020:30/01reva, 02reva, 03revd, 04revd, 05revg, 06revc received on the 24th August & 4th October 2021 & 22nd March 2022 unless otherwise approved in writing by the Local Planning Authority.

Reasons

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. 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 Plan E1.