

TOWN AND COUNTRY PLANNING ACT 1990
YORKSHIRE DALES NATIONAL PARK AUTHORITY
(Local Planning Authority)

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR:
PERMISSION TO CARRY OUT DEVELOPMENT**

To: Mr R Ockelford
RO-AD

Decision No: C/26/249C

The above named Authority being the Local Planning Authority for the purposes of your application received on 30/10/2014 for full planning permission for erection of replacement conservatory to rear of existing dwelling at 40 Dales Avenue, Embsay, SE002534 have considered the said application and have GRANTED permission for the proposal subject to the following Conditions:

1. The development hereby permitted shall be begun (as defined by Section 56 of the Town and Country Planning Act 1990) before the expiration of three years from the date of this permission.
2. The development shall be carried out in accordance with the following plans and information:
-Site location plan (drg. No. KIT001/101)
-proposed floor plans and elevations (drg. No. KIT001/200A)
date stamped received 30 October 2014
3. Rainwater goods including fixings shall be coloured black and fixed directly to the masonry of the building using rise and fall brackets and shall remain as such thereafter.
4. The materials to be used in the carrying out of the development hereby permitted shall be in strict accordance with those specified on drg. No. KIT001/200A, date stamped received 30 October 2014.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that order), no windows other than those expressly authorised by this permission shall be inserted into the south (side) elevation of the extension hereby approved.

Reason(s):

1. To comply with the requirements of Sections 91-93 of the Town and Country Planning Act 1990 (as amended).
2. To define the plans and information that relate to this permission.
3. In the interests of visual amenity in accordance with saved policies GP2 and B14 of the adopted Yorkshire Dales Local Plan (2006).
4. To ensure that the external appearance of the extension is acceptable, having regard to saved policies GP2 and B14 of the adopted Yorkshire Dales Local Plan (2006).
5. In the interests of protecting the amenity of neighbouring properties in accordance with

Date: - 2 DEC 2014

R.W

Designation

HEAD OF DEVELOPMENT MANAGEMENT
FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF

RIGHTS OF APPEAL

1. If an applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State for the Environment (The Planning Inspectorate) in accordance with Section 78 of the Town and Country Planning Act 1990, within 6 months of the date of this notice. **NB this reduces to within 12 weeks of the date of this notice if it is a refusal of a Householder or Minor Commercial application (this would be shown at the top of the notice).** The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (including reference to office and industrial development) to the provisions of the development order, and to any directions given under the order.
2. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Local Planning Authority a purchase notice requiring the Council to purchase their interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him/her. The circumstances in which such compensation is payable are set out in Part V of the Town and Country Planning Act 1990.

NOTE:

If you wish to exercise your right of appeal as mentioned above, you can do so online at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal> or on the appropriate form obtainable from:

The Planning Inspectorate
Temple Quay House
Room 3/13
2 The Square
Temple Quay
Bristol
BS1 6PN
0303 444 50 00

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

(approval/refusal)

Continuation Sheet 1

C/26/249C

saved policies GP2 and B14 of the adopted Yorkshire Dales Local Plan (2006).

Notes to Applicant:

This Authority has acted positively and proactively in dealing with this application by providing constructive pre-application advice and the application has been determined in accordance with local plan policy and the presumption in favour of sustainable development set out in the National Planning Policy Framework.

NOTE:-

No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.

DCPermitRpt

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Application No:	C/26/249C	
District:	Craven	
Parish:	Embsay with Eastby	
Applicant's Name:	Mr & Mrs K Kitching,	
Grid Ref:	SE00215349	
Received by YDNP:	30/10/2014	Officer: Emma Heron

PROPOSAL: full planning permission for erection of replacement conservatory to rear of existing dwelling

LOCATION: 40 Dales Avenue, Embsay

CONSULTEES

Embsay-with-Eastby PC No objection nor any comments to make
Area Ranger (Lower Wharfedale) Proposed development DOES NOT affect PROW .
Chatsworth Settlement Trustees No comments received

PUBLIC RESPONSES

No comments received

RELEVANT PLANNING POLICIES

B14(06) - Extensions and Alterations to Buildings
GP1(06) - National Park Purposes
GP2(06) - General Design Policy

OFFICERS' OBSERVATIONS

APPLICATION SITE

The site is a semi-detached dwelling in a modern housing estate in Embsay. The house is white painted render with an existing upvc lean-to conservatory at the rear. This is in close proximity with the neighbouring property conservatory, which protrudes slightly further into the garden.

PROPOSAL

The proposal is to replace the lean-to upvc conservatory with a slightly larger sun room, with tiled roof, rendered dwarf walls, coarsed stone plinth and aluminium window frames. The north and east elevations would be fully glazed above the dwarf wall, and the west elevation, closest to the neighbour's boundary would be solid rendered wall. Barge boarding would be timber and window cills would be stone.

RELEVANT PLANNING HISTORY

None relevant to this proposal

KEY ISSUES

Visual amenity
Neighbour amenity

VISUAL AMENITY

The external appearance of the proposed conservatory would be a visual enhancement in comparison to the existing one, as it would comprise updated modern materials suited to the character and appearance of the main house. The extension would be large in scale, however given the modern 'urban' context the house sits within, this is not so out of character to be considered harmful.

The proposal would accord with saved policies GP2 and B14 of the Yorkshire Dales Local Plan (2006) in this respect.

NEIGHBOUR AMENITY

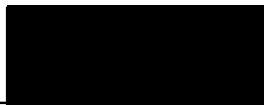
The neighbouring conservatory (at 38 Dales Avenue), has solid walling on the north elevation, with one clear glazed panel closest to the garden. Currently this glazing impacts upon the privacy of the application site (40 Dales Avenue), as it allows overlooking into the existing conservatory. The proposal would mitigate this, through the use of solid walling at the wall corner, with windows set in from the edge closest to the neighbour. The proposal would therefore improve neighbour amenity in accordance with saved policies GP2 and B14 of the Yorkshire Dales Local Plan (2006).

ANALYSIS OF MATERIAL CONSIDERATIONS

The proposal would be visually acceptable as it would be an improvement in comparison to the existing conservatory and its external appearance would be in character with the main house. Whilst it is large, its scale is not so out of keeping with the main house and local context to be considered harmful. Neighbour amenity would not be harmed due to the siting and use of solid walling. The proposal would accord with saved policies GP1, GP2 and B14 of the Yorkshire Dales Local Plan (2006).

RECOMMENDATION

Approve with conditions



Signed by Case Officer

Date 29 NOV 2014



Principal Planning Officer

Date 1st December '14