

1.6 Change of use of ground floor of dwelling to nursery and erection of single storey pitched roof rear extension and conservatory to side (02/02137/FUL) – No decision made. Appeal dismissed on grounds of increased traffic, noise and disturbance to neighbours.

1.7 Outline application for a two-storey, three bedroom dwelling to the east of the host dwelling (14/00990/OUT) – Refused on grounds of the loss of an important gap in the street scene resulting in a loss of openness and form of development that is uncharacteristic of the area; the unduly oppressive and overbearing nature of a two storey dwelling in close proximity to the boundary of the rear garden at 231 Beckfield Lane; insufficient information of the means of surface water drainage to enable its impacts to be assessed and the lack of open space or a scheme for provision of off-site open space.

1.8 Outline application for a two-storey dwelling (15/01924/OUT) – Refused on the grounds of the loss of an important gap in the street scene resulting in a loss of openness and form of development that is uncharacteristic of the area; the unduly oppressive and overbearing nature of a two storey dwelling in close proximity to the boundary of the rear garden at 231 Beckfield Lane. Appeal dismissed on grounds of an incongruous and visually jarring form of development and the feel and character of the space at the entrance to Lidgett Grove being compromised.

2.0 POLICY CONTEXT

2.1 Policies:

CYGP1 Design
CYH7 Residential extensions
CYGP15 Protection from flooding

3.0 CONSULTATIONS

Senior Flood Risk Engineer

3.1 Recommend condition requiring details of proposed means of foul and surface water drainage.

Publicity

3.2 One letter of objection on following grounds:

- The semi-detached dwellings on Lidgett Grove are characterised by a clear uniformity and rhythm along the street, the extension doesn't match the current spacing between the buildings or the prevailing characteristics of the street.

- The proposal appears to steal part of the boundary of 231 by narrowing boundary from rear to front
- The proposal would be built right on the boundary, directly adjacent to our rear garden, impinging outlook and being oppressively close to 231. It would have significant impact of the boundary with removal of trees and impacting privacy.
- The proposal would also need a condition of replacing the fence between the two properties to our satisfaction both a front and rear, without encroaching across boundaries.
- Object to the skylight to the rear as this overlooks our property.
- In previous declined applications it was noted that infill development will only be granted planning permission where it would not be detrimental to the character and amenity of the local environment and this policy and the NPPF recognise the importance and value of the spaces around buildings. There is no space proposed around this development and no other property has completed a design such as this.
- A previous application in 1992 was declined for an annex
- Concerned about the drainage from the roof at the rear of the property - maintenance has been a problem and any work would require access to 231 - there should be a gap between fence and new extension.

Ainsty Internal Drainage Board

3.3 The site is in an area where drainage problems could exist and development should not be allowed until the Authority is satisfied that surface water drainage has been satisfactorily provided for. It recommends that any approval granted should include a condition requiring drainage works to be agreed by the LPA and IDB.

4.0 APPRAISAL

KEY ISSUES

4.1 The key issues are visual impact on the dwelling and impact on amenity of neighbours.

LEGISLATIVE BACKGROUND

4.2 Section 38(6) of the 1990 Act requires local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. In the absence of a formally adopted local plan the most up to date representation of key relevant policy issues is the National Planning Policy Framework, March 2012 (NPPF).

POLICY CONTEXT

National Planning Policy Framework

4.3 The NPPF sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development. In Paragraph 17 it sets out 12 core planning principles that should underpin both plan-making and decision-taking. Of particular relevance here is the fourth principle, which advises that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

City of York Council Development Control Local Plan

4.4 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF. Policy CYH7 states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours.

4.5 Policy GP1 requires development to respect or enhance the local environment, be of a design that is compatible with the character of the area and neighbouring buildings, protect private, individual or community amenity space and ensure residents are not unduly affected by overlooking, overshadowing or dominated by overbearing structures. Policy H7 states that residential extensions will be permitted where the design and materials are sympathetic to the main dwelling and the locality, the design and scale are appropriate to the main building and there is no adverse effect upon the amenities of neighbours. Policy GP15a advises that discharges from new development should not exceed the capacity of existing and proposed receiving sewers and watercourses and should always be less than the level of pre-development rainfall run-off.

City of York Council Supplementary Planning Document (SPD) for House Extensions and Alterations

4.6 The Council has a Supplementary Planning Document (SPD) for House Extensions and Alterations and was approved on 4 December 2012. The SPD offers overarching general advice relating to such issues as privacy and general amenity as well as advice which is specific to the design and size of particular types of extensions or alterations.

4.7 Paragraph 7.1 advises that a basic principle is that any extension should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the street scene generally. In particular, care should be taken

to ensure that the proposal does not dominate the house or clash with its appearance.

4.8 Paragraph 12.3 advises that side extensions should normally be subservient to the main house. The ridge height of extensions should be lower than that of the house and the front elevation should be set behind the front building line. Paragraph 12.4 advises that unduly wide extensions should normally be avoided, typically a two-storey extension should not exceed around 50% of the width of the original house unless its width has been designed to successfully harmonise with architectural features contained in the original property.

4.9 Paragraph 16.1 advises that granny annexes will normally only be approved when they are small in scale (1 bedroom) and occupied by direct relatives of family living in the original house. When considering creating or adapting accommodation for relatives, regard should be given to future alternative uses for the accommodation and whether, if no longer needed, it can be incorporated back into the main house.

ASSESSMENT

Context and Proposal

4.10 The proposal involves the construction of a single storey extension along the rear elevation of no.27 that extends a further 11m beyond the left hand side elevation of the host property along the boundary with no.231. It would sit circa 22m off the side elevation of no.25 Lidgett Grove. The L-shaped part of the extension would provide the bedroom, storage, lounge and bathroom of the annexe. The section of extension next to the detached garage of no.231 would provide a shared kitchen area with the host property and the remaining section would provide a small extension to the kitchen of no.27.

4.11 The L-shaped element has a shallow pitched roof and is 2.6m high to eaves and 3.4m to ridge. The remainder has a mono-pitch roof and is 3.2m high and 2.6m to eaves. The extension includes 4 velux roof lights along the slope facing no.231.

Evaluation

4.12 There is a history of refusals and appeal dismissals for proposed structures in the curtilage of this property but those decisions related to substantially different structures to that currently proposed (ie. 2 storey dwellinghouses) and this submission must be assessed in its own merits and in line with policy and guidance.

4.13 That part of the proposed extension directly at the rear of the application property is not very different from the existing lean-to extension that occupies this space in terms of size and scale and it is considered that the visual impact will be

little different from the current position and there will therefore be no adverse impact on the amenities of the occupants of no.231.

4.14 The central section will be obscured from no.231 by the detached garage to this property and again it is not considered that there would be any adverse impact on the adjacent occupants.

4.15 The L-shaped section would extend a considerable distance beyond the rear of the garage to no.231 (ie. by circa 11m), however, views of the extension from within the ground floor rooms of no.231 will be screened to a considerable extent by the detached garage and it is not considered that the outlook from the rear of no.231 will be adversely affected by the scheme.

4.16 The scheme will involve the removal of shrubbery along the shared boundary but this is not protected and the owner could remove this without any need for formal consent. The occupant of no.231 has expressed concern that the proposal would take part of the boundary of his house, however, the applicant has submitted a plan which shows that the extension is clear of the boundary with sufficient space to allow for guttering, foundation and soffit board.

4.17 There are no windows on the side of the elevation facing no.231 and the rooflight windows would not create overlooking, it is therefore not considered that the privacy of the occupants of this adjacent property would be impinged upon.

4.18 The extension would present a brick flank wall to the boundary with no.231, it is not considered that this would create any particular need for regular maintenance. It is therefore not considered that there is a need to provide a gap between the boundary and the extension for access purposes.

4.19 The objector refers to infill development only being approved where there is not detriment to character and that the NPPF recognises the value of space around buildings. However, the policy within the DCLP that refers to infill is Policy GP10, which actually deals with proposals for new residential units within curtilages not extension to houses and is therefore not pertinent to the consideration of this application.

4.20 With regard to space around buildings, it is acknowledged that this is important to the character of an area; however, it is not considered that proposal creates any conflict with this issue as the development will leave considerable open space within the curtilage. The garden area in front of the annexe will be roughly 12.5m x 11m wide, the garden area in front of the original house 11m x 7.5, the area next to Beckfield Lane 17m x 10m and the area at the end of the garden adjacent to no.25 Lidgett Grove 17m x 6m. This is a considerable level of external amenity space that would remain and it is not considered that the character of the area would be adversely affected by the scheme.

4.21 In terms of scale, design and appearance it is considered that the extension will make an acceptable addition to the property. It satisfies Paragraph 16.1 of the SPD in that it will only provide 1 bedroom. It is also subservient to the main house with a ridge lower than that of the house and a front elevation set behind the front building line. Paragraph 12.4 of the SPD advises that unduly wide extensions should normally be avoided; however, this part of the guidance was developed to deal mainly with two storey side extensions within rows of houses along a street frontage to avoid the terracing effect. It is not considered that it applies to the proposal for 27 Lidgett Grove.

4.22 The objector has stated that a condition should be imposed requiring the replacement of the boundary fence between the two properties. The proposed layout plan indicated that the existing fence will be retained.

5.0 CONCLUSION

5.1 The proposals will respect the character of the area and the building and will not impact adversely on the amenities of nearby residents. As such it is considered that they satisfy national guidance in the NPPF and Development Control Local Plan Policy and are acceptable.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans and other submitted documents:

YB486-004A, OO5A and 006A

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 No development shall take place until details of the proposed means of surface water drainage, including details of any onsite balancing works, have been submitted to and approved by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper and sustainable drainage of the site.

4 VISQ1 Matching materials -

5 The proposed additional accommodation shall only be occupied and used in conjunction with the occupancy of the existing main dwelling, and shall not be used as an independent residential unit.

Reason: The Local Planning Authority considers the proposal unsuitable as a self contained dwelling because of the lack of amenities and facilities for the occupants of both the main dwelling and the additional accommodation.

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Revised drawings were secured in which the proposed rear extension was set back from the elevation fronting Beckfield Lane

Account has been taken of all relevant national guidance and local policies and with the attachment of conditions the proposal is considered to be satisfactory

2. DRAINAGE INFORMATIVE

City of York Council promote the use of soakaways as a method of surface water disposal which should be considered and discounted prior to discharge into the existing system.

3. INF9 - Party Wall Act 1996

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