

Notice of meeting of

Local Development Framework Working Group

- To:** Councillors Merrett (Chair), Barnes, Barton, D'Agorne, Horton, Reid, Riches, Simpson-Laing and Watt (Vice-Chair)
- Date:** Monday, 3 September 2012
- Time:** 5.00 pm
- Venue:** The Guildhall, York

AGENDA

1. **Declarations of Interest**

At this point, members are asked to declare any personal, prejudicial or disclosable pecuniary interests they may in the business on this agenda.

2. **Minutes** (Pages 3 - 6)

To approve and sign the minutes of the meeting of the Local Development Framework Working Group held on 2 April 2012.

3. **Public Participation**

At this point in the meeting, members of the public who have registered their wish to speak, regarding an item on the agenda or an issue within the remit of the Working Group, may do so. The deadline for registering is 5.00 pm on **Friday 31st August 2012**.

4. City of York Local Development Framework. (Pages 7 - 20)

This report considers the way forward for the Council with regard to the City of York Development Plan following the decision of Council on 12th July to withdraw the LDF Core Strategy from the examination process.

5. City of York Council Subdivision of Dwellings Supplementary Planning Document. (Pages 21 - 52)

The purpose of this report is to seek approval from Members for the draft Supplementary Planning Document on the 'Subdivision of Dwellings' to be published as Council policy for determining planning applications.

6. City of York Council House Extensions and Alterations Supplementary Planning Document. (Pages 53 - 104)

The purpose of this report is to seek approval from Members for the draft Supplementary Planning Document on House Extensions and Alterations to be published as Council policy for determining planning applications.

7. Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Laura Bootland

Contact Details:

- Telephone – (01904) 552062
- E-mail – laura.bootland@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an

interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন ভাষাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোভাষী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin terümesini hazırlatmak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel: (01904) 551 550

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話 (01904) 551 550。

اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ مہیا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550

Holding the Cabinet to Account

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business following a Cabinet meeting or publication of a Cabinet Member decision. A specially convened Corporate and Scrutiny Management Committee (CSMC) will then make its recommendations to the next scheduled Cabinet meeting, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

| | |
|-----------|--|
| MEETING | LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP |
| DATE | 2 APRIL 2012 |
| PRESENT | COUNCILLORS MERRETT (CHAIR), BARTON, D'AGORNE, FITZPATRICK, GUNNELL, LEVENE, REID, SIMPSON-LAING AND WATT (VICE-CHAIR) |
| APOLOGIES | COUNCILLORS POTTER AND RICHES |

29. **DECLARATIONS OF INTEREST**

At this point in the meeting, Members were asked to declare any personal or prejudicial interests they may have in the business on the agenda. None were declared.

30. **MINUTES**

RESOLVED: That the minutes of the last meeting held on 5 March 2012 be approved subject to the following amendment:

Minute Item 24 – Councillor Merretts declaration of interest be amended to state that he is an 'honorary Member of the CTC'.

31. **PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

32. **CONTROLLING THE CONCENTRATION OF HOUSES IN MULTIPLE OCCUPATION - SUPPLEMENTARY PLANNING DOCUMENT CONSULTATION OUTCOMES.**

Members considered a report which followed on from the earlier report considered by Members on 9th January 2012. Its purpose was to inform Members on the outcome of the recent consultation on the draft Supplementary Planning Document (SPD). The report also sought approval for the revised SPD

attached at Annex 2, in order for it to be used to determine planning applications following the commencement of Article 4 Direction on 20th April 2012.

The SPD would remain a draft SPD until such a time as the Core Strategy has been through examination and is formally adopted by the Council.

The role of the SPD is to provide guidance on how planning applications for change of use to Houses of Multiple Occupation (HMO's) will be determined in order to allow the Council to manage the spread of HMO's. It will also ensure that unsuitable large concentrations of HMO's in our neighbourhoods are not created.

Officers advised that they had commenced the consultation on the document on 23 January 2012 and had used the LDF database which has approximately 2900 consultees held on it. In addition key stakeholders relevant to HMO issues and individuals who had made expressions of interest were also consulted. The Consultation documents are available on the Council's website.

Members commented and questioned a number of points including:

- How a neighbourhood area is defined. Officers advised this could be looked into further if Members wished.
- Whether a planning application for a HMO could be called in by Members if there were planning grounds to do so, but otherwise would be delegated officer decision. Officers confirmed this to be the case.
- Some Members queried the impact of article 4 on house sales in streets that already have over 50% HMO's. Members were concerned that the policy could hinder individuals when selling property. Officers advised that as with any planning application, material considerations would be taken into account.
- Data on concentrations should be made readily available to ensure transparency for landlords. Officers confirmed that mapping would be available on the Council website.

Officers advised that in light of Members comments and due to the Article 4 Direction being a relatively new policy area, they would monitor the situation in York as well as nationwide, and

bring a report back in approximately a years time to update them on how York's approach is working.

RESOLVED: That the LDF Working Group recommended that Cabinet:

- i. Approve the draft SPD to be used for Development Management Purposes in accordance with Option 1.
- ii. Delegate to the Director of City Strategy in consultation with the Cabinet member for City Strategy that are necessary as a result of the recommendations of the Working Group.
- iii. That a review of how the scheme is operating be carried out after a year and a monitoring report be brought to Members.

REASON: So that the SPD be approved and used for Development Management purposes to support the emerging LDF Core Strategy and the Article 4 Direction which comes into force on 20 April 2012.

33. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT UNDER THE LOCAL GOVERNMENT ACT 1972.

Officers provided a brief verbal update on the National Planning Policy Framework which was published on 27 March 2012 and what it means for the LDF Core Strategy.

A report would be brought to a future meeting to fully inform Members and a training session on the framework would also be arranged.

Cllr D Merrett, Chair
[The meeting started at 5.00 pm and finished at 5.45 pm].

This page is intentionally left blank



Local Development Framework Working Group**3rd September 2012**

Report of the Director of City and Environmental Services

City of York Local Development Framework**Summary**

1. This report considers the way forward for the Council with regard to the City of York Development Plan following the decision of Council on 12th July to withdraw the LDF Core Strategy from the examination process.

Background**LDF Core Strategy Context**

2. As Members are aware, the Core Strategy was submitted to the Secretary of State on 14th February 2012, just before the new National Planning Policy Framework was issued. The Government Inspector undertook a preliminary assessment of the Core Strategy and supporting documents and identified a number of significant concerns regarding potential soundness and legal compliance. This led to an Exploratory Meeting on 23rd April 2012 at which the Council outlined the additional work that could be undertaken to address the Inspectors issues and requested that the examination be suspended to allow this work to be undertaken.
3. On the 1st May 2012 the Inspector wrote to the Council informing us of his decision to suspend the Examination process for approximately six months until November 2012 to allow the Council to undertake further work. In his letter the Inspector highlighted the Council's willingness to respond positively to address his key concerns that the timetable for additional work shows that it can be completed within six months and that the additional evidence is intended to clarify and explain and not to dramatically change the Core Strategy's implementation intentions. The

Inspector also indicated that he was satisfied that the Council had successfully demonstrated that it has complied with the duty to co-operate legal test.

4. At Planning Committee on 17th May 2012 Members approved the community stadium and retail scheme at Monks Cross. The Inspector wrote to the Council on the 18th May 2012 indicating that following the decision on the Community Stadium a radical review of the Core Strategy would be required. The Inspector was concerned that such likely changes would result in a substantially different set of strategic policies and direction for York from those submitted. Accordingly, the Director of City and Environmental Services wrote to the Inspector on 28th May 2012 to inform him of the decision to reluctantly recommend to Council the withdrawal of the document. This course of action was approved by Council on 12th July 2012.

Public Policy Context

5. During the latter stages of the development of the LDF Core Strategy there were considerable changes to the public policy context, these are briefly summarised below.

National Planning Policy Framework (March 2012)

6. The National Planning Policy Framework (NPPF) represents a fundamental reassessment of both the overall direction and the detail of the planning system in England. It is intended to support economic recovery and play a key role in delivering the government's localism agenda. The NPPF is the outcome of a review of planning policy, designed to consolidate policy statements, circulars and guidance documents into a single concise Framework (a reduction of over a thousand pages of guidance to around 50). The overriding message from the Framework is that planning authorities should plan positively for new development, and that 'planning should operate to encourage and not act as an impediment to sustainable growth'.
7. At the heart of the new system is a new 'presumption in favour of sustainable development'. This requires local plans to meet development needs and for development proposals that accord with the local plan to be approved without delay.
8. A significant change to the previous policy approach is that the NPPF refers to 'Local Plans' rather than 'Local Development Frameworks'. It

appears from the document that it is the Government's intention that there is to be a movement away from a folder of development plan documents to a single plan.

Neighbourhood Planning

9. The Localism Act introduces new rights and powers for communities. A new 'neighbourhood' layer has been added to the planning system. These plans should be produced in conformity with an authority's Local Plan. It will be important to ensure that work on both Neighbourhood Plans and local or other high levels plans are appropriately interlinked.

Duty to Cooperate

10. The Localism Act requires that local planning authorities demonstrate co-operation in plan making with adjoining or nearby authorities and other organisations in relation to cross boundary issues. Section 110 of the Localism Act transposes the Duty to Co-operate into the Planning and Compulsory Purchase Act 2004 and introduces section 33a, which sets out a Duty to Co-operate in relation to the planning of sustainable development ("the Duty"). The Duty applies to all local planning authorities, county councils and 'prescribed bodies' and requires that they must co-operate with each other in maximising the effectiveness with which development plan documents are prepared. Further detail on how the provisions of the Act should be implemented is provided within the NPPF.

Deliverability

11. The NPPF emphasises the need for careful attention to viability to ensure development plans are deliverable. Paragraph 173 of the NPPF talks of 'careful attention to viability', and states that the sites and the scale of development identified in local plans should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. In his key concerns the Core Strategy Inspector reflected Government's acknowledgment of the importance of deliverability, indicating that plan allocations and policy requirements must be grounded in a genuine understanding of viability.

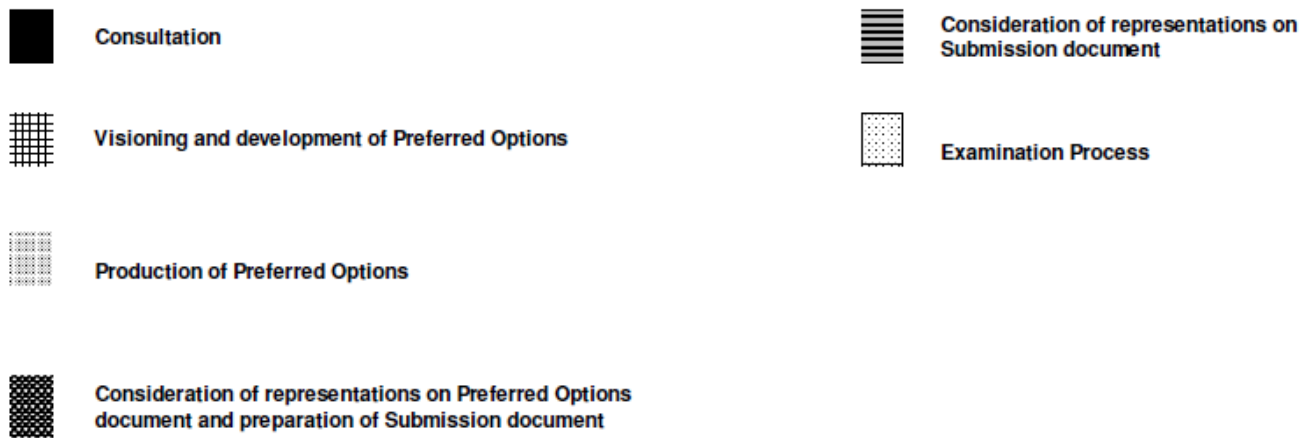
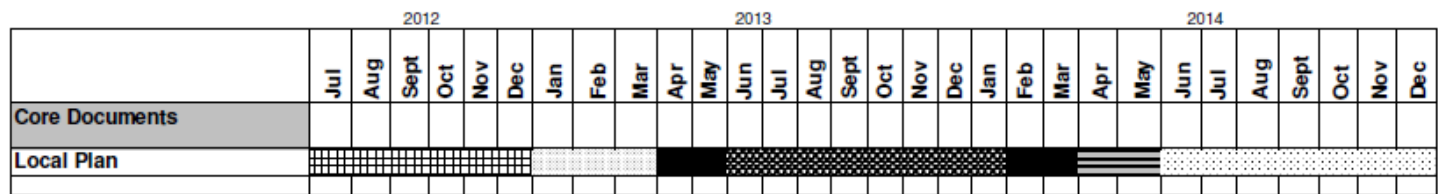
Next Steps

12. Following the decision at Council on 12th July Officers are undertaking the appropriate legal and regulatory steps to formally withdraw the plan. It is now necessary to consider the appropriate steps to produce a development plan for York as expediently as possible. In considering the way forward there are effectively two potential options:
 - the LDF Core Strategy could be revised, subject to consultation then resubmitted; or
 - a Local Plan could be produced for the City.
13. As highlighted in Paragraph 8 above the NPPF indicates that nationally LDFs will be replaced by Local Plans. This is interpreted to refer to a single document encompassing the function of all LDF documents. This is the clear intention of Government public policy and for this reason it is questionable whether the resubmission of the LDF Core Strategy would be sensible. Indeed the Core Strategy Inspector in his comments prior and during the LDF Core Strategy Exploratory Meeting appeared to already be pushing the Council toward a far more detailed document than that originally envisaged for LDF Core Strategies.
14. The case for moving to a Local Plan is strengthened when consideration is given to the potential timetable for revising the Core Strategy relative to the introduction of Local Plans through the NPPF. The Core Strategy Inspector indicated in his letter to the authority dated 18th May 2012 that a radical review of the Core Strategy would be required. If we were minded to amend the Core Strategy this would effectively require the re-run of the preferred options stage consultation as well as repeating the submission element. It is considered that all of this additional work, along with the other work arising from the Exploratory Meeting, would not be able to be completed in less than around 18 months. Following the Core Strategy the Council would also need to progress the LDF Allocations and Designations Document. This would be longer than the Government's proposed transition period of 12 months for amending already adopted Local Plans and Core Strategies to meet the provisions of the NPPF. Although not completely relevant to the York position this is a useful indicator of anticipated timescales for the completion of the LDF generally.
15. The NPPF states that each local authority should produce a Local Plan for its area. Additional Development Plan Documents (DPD) should only be used where justified. This is clearly different from the current Local

Development Framework system with its suite of documents with an overarching Core Strategy.

16. Local plans must be positively prepared, justified, effective and consistent with national policy in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the NPPF. The NPPF advises that Local Plans should be aspirational but realistic and should address the spatial implications of economic, social and environmental change. Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where.
17. Given the Government's views of plan making and the movement away from a folder of development plan documents to a single plan a new local plan for York would include a vision for the future development of city and spatial strategy and would cover both strategic policies and allocations (previously the Core Strategy and Allocations DPD), alongside detailed development management policies. The exception to this would be planning for waste and minerals where a separate development plan document could potentially be justified. This is considered more fully in Paragraph 29 below.
18. Officers have considered the key stages involved in the preparation of a Local Plan and the likely timescales for its production. This is set out in Figure 1 overleaf and is followed by Table 1 which sets out the key tasks and new emerging evidence base work which would be involved for each stage in preparing a Local Plan. Given the tight timescales in delivering the work programme, it is important to ensure that reporting of information is optimised at both Officer, Member and community level; facilitating and demonstrating constructive engagement.

Figure 1: Local Plan Work Programme



Notes:

Waste and Minerals DPD: Discussions are currently taking place with North Yorkshire County Council regarding the Waste and Minerals DPD and how this could be progressed.

Community Infrastructure Levy (CIL): This will be produced in parallel with the Local Plan.

Development Management Interim Statement: Officers are currently producing a project plan to deliver this work. Given the development plan context it is considered that this work should be completed and reported to Members before the end of 2012

Table 1: Key Tasks and Evidence Base

| Stage | Key Tasks | Evidence Base |
|--|--|---|
| <p>Visioning and development of Preferred Options (July – December 2012)</p> | <ul style="list-style-type: none"> • Undertake workshops to inform production of a Spatial Planning Vision for York. • Review up to date policy/evidence base work, including NPPF. • Consider consultation responses to date. • Identify any gaps in the evidence base and undertake additional work as necessary. • Initial viability deliverability work. • Identify potential designations and allocations. • Undertake Sustainability Appraisal to support policy development. | <ul style="list-style-type: none"> • Undertake Economic and Retail Growth Analysis and Visioning Work. • Additional Green Infrastructure related studies: <ul style="list-style-type: none"> ○ Review of the PPG 17 Open Space Study, including revisiting methodologies of achieving new provision in areas of deficiency ○ Production of a Biodiversity Action Plan ○ Production of Lower Derwent Valley Plan. • Housing Viability Work– Stage 1, including work on Strategic Allocations. |
| <p>Production of Preferred Options (January – March 2013)</p> | <ul style="list-style-type: none"> • Develop policy options and associated proposals map. • Complete Sustainability Appraisal (including SEA). • Consult with key partners and ensure compliance with DTC. • Undertake appropriate Traffic Impact Assessments. • Undertake appropriate Heritage Impact Assessments. | <ul style="list-style-type: none"> • Neighbourhood Shopping Parade Study • Public Realm Study. • York Retail Study Update. • Update to SHLAA. • Refresh of the SFRA evidence base. • Preparation of site profiles to show top level viability, deliverability and phasing of employment sites. |
| <p>Preferred Options Consultation (April – May 2013)</p> | <ul style="list-style-type: none"> • Undertake city wide 6 week statutory consultation in accordance with the adopted Statement of Community Involvement | |

| Stage | Key Tasks | Evidence Base |
|--|---|--|
| <p>Consideration of representations and preparation of Submission document</p> <p>(June 2013 – January 2014)</p> | <ul style="list-style-type: none"> • Collate the outcomes from the preferred options consultation. • Consider the outcomes from the Preferred Options Consultation and the Sustainability Appraisal to assist in the development of the Submission document. • Review evidence base documents published since preferred options stage and consider policy implications. • Consider changes to national and local policy. • Finalise designations and allocations including completing deliverability and viability work. • Produce an Infrastructure delivery plan • Develop submission draft policies and proposals map. • Complete Sustainability Appraisal (including SEA). • Consult with key partners and ensure compliance with DTC. • Undertake appropriate Traffic Impact Assessments. • Undertake appropriate Heritage Impact Assessments. • | <ul style="list-style-type: none"> • Housing Viability Work– Stage 2 • Production of Housing Implementation Strategy for 5 year housing land supply • Preparation of detailed site profiles to show viability, deliverability and phasing of employment sites |
| <p>Submission Consultation</p> <p>(February – March 2014)</p> | <ul style="list-style-type: none"> • Undertake city wide 6 week statutory consultation in accordance with the adopted Statement of Community Involvement. | |

| Stage | Key Tasks | Evidence Base |
|---|---|---------------|
| <p>Consideration of representations on Submission document (April – May 2014)</p> | <ul style="list-style-type: none"> • Collate the outcomes from the Submission Consultation in preparation for formal submission. • Produce final Sustainability Appraisal and SEA ensuring legal compliance. • Produce statements relating to consultations to demonstrate compliance with the Planning Regulations. • Produce any supporting technical papers. | |
| <p>Examination process (June – December 2014)</p> | <ul style="list-style-type: none"> • Provide evidence and information to demonstrate legal compliance and ‘soundness’ under the NPPF. | |

Additional Work

19. In addition to the work directly related to the production of a Local Plan the following related elements of the work programme are also of key importance.

Development Management Interim Planning Statement

20. Given that the NPPF is now in force and there is no adopted or emerging plan for York, in line with general advice from PAS a stand alone Development Management Interim Planning Statement for York will need to be commissioned. This will involve an exercise to determine which policies from the Development Control Local Plan (April 2005) and other local documents are consistent with the NPPF and can therefore continue to be used in decision making until the new Local Plan is adopted. An interim statement will introduce material considerations that are capable of carrying weight in the determination of planning applications. Its purpose will be to provide a clear position for development management in the short term prior to the adoption of the Local Plan. It will not allocate or identify new sites.

Community Infrastructure Levy

21. As Members are aware the Community Infrastructure Levy (CIL) is a new, discretionary charge, which local authorities will be empowered to charge on most types of new development in their area. It offers City of York Council, as a potential charging/collection authority, a flexible tool, helping it to secure the finances needed to deliver its infrastructure priorities. It will also make it easier for the council to coordinate contributions towards larger infrastructure items, including sub-regional infrastructure.
22. It should be noted that current planning obligations (e.g. S106) will continue to exist after the introduction of CIL (if introduced). However, from April 2014, this will be significantly scaled back. Planning obligations will no longer be used as the basis for a tariff to fund strategic infrastructure as the CIL will become the main mechanism for pooling contributions from a variety of developments. It will only be possible to seek pooled contributions from up to [only] five separate planning obligations.
23. 'Charging authorities' wishing to introduce a CIL will be required to demonstrate that their proposed charges will support the development of their area. It is important that an appropriate

balance is struck between the desirability of funding infrastructure from CIL and the potential effects of the imposition of CIL upon the economic viability of development.

24. Officers are currently exploring the most appropriate way of progressing the CIL for York alongside the production of a Local Plan. It is clearly important that this work is linked to site viability and deliverability work and infrastructure planning. It is also important that the CIL for York is progressed as a priority alongside the Local Plan as the absence of CIL may impact on the authorities' ability to deliver strategic infrastructure.

Duty to Cooperate

25. Even before the introduction of the Duty, City of York Council took (and continues to take) a positive approach to working collaboratively with neighbouring authorities and other relevant organisations on spatial planning and transport issues. Examples of this include:
 - establishment of the York Sub-area Joint Infrastructure Working Forum;
 - York and North Yorkshire Strategic Housing Market Assessment;
 - Joint commissioning of the A64 Corridor Study; and
 - Harrogate Line Officers Rail Group.
26. At a more strategic level, City of York Council is a constituent member of the Leeds City Region (LCR) and Local Government North Yorkshire and York (LGNYY). The function and purpose of these sub regional bodies is now even more important with the imminent revocation of the Regional Spatial Strategy and is essential to address the requirements of the Duty to Cooperate arising from both the Planning Act and the NPPF.
27. With regard to the Leeds City Region (LCR), the City of York is represented at member level on the LCR Local Authority Joint Committee (Leader) and the Transport Panel (Cabinet Member). It is also represented, at officer level, on the Heads of Planning Group and the LCR Connectivity Partnership.
28. With regard to North Yorkshire the City of York is represented on the Local Government North Yorkshire and York (LGNYY) Leaders' Board and currently chairs (Cabinet Member) the LGNYY Spatial Planning and Transport Board (SPTB). At officer level City

of York Council performs the secretariat function to the SPTB and the Technical Officer Group that supports it. In recognition of the links between York, North Yorkshire and the East Riding, the East Riding of Yorkshire Council is a non voting Member of the SPTB and the associated officer group. At its meeting, on 2nd August 2012, the Board acknowledged the importance of effective collaboration, not only within the LGNY area, but with authorities outside the LGNY area and other bodies, such as East Riding of Yorkshire Council and the Highways Agency where there are strategic or cross-boundary issues to address. The Board also recommended the incorporation of the York Sub-area Joint Infrastructure Working Forum (a City of York Council initiative) as a 'task / finish group'. This group also includes the East Riding of Yorkshire Council in addition to North Yorkshire authorities.

Waste and Minerals DPD

29. The City of York Council as a unitary authority is also a waste and minerals planning authority in a similar way to a County Council. This responsibility effectively involves identifying all waste arising in the area from all sources, such as, household, commercial, hazardous and agricultural, and demonstrating how this is dealt with spatially. With regard to Minerals it is necessary to identify the requirement for minerals including aggregates and how these will be sourced. Both these tasks have to be addressed for the lifetime of any development plan.
30. As highlighted at Paragraph 15 above, under the NPPF additional Development Plan Documents (DPD) can be used where they can be clearly justified. Officers are currently evaluating the possibility of pursuing a joint Waste and Minerals DPD with North Yorkshire County Council (NYCC). The City of York already has a close working relationship with the County with regard to waste management, and such plans are generally produced to cover a larger geographical area than that covered by the City of York. This will be the subject a further report in due course.

Corporate Priorities

31. The development plan for York has a relationship to all five specific priorities of the Council Plan.

Implications

32. The following implications have been assessed.

- **Financial** – The withdrawal of the LDF Core Strategy will necessitate the production of a revised plan and associated evidence base. Based on current estimates this can be accommodated within the budgets allocated for 2012/2013 (including the LDF Reserve). This will however need to be subject to growth bids for subsequent years.

Funding for the work relating to the CIL has been identified.

Additional funding will be required to support work relating to the production of a Waste and Minerals DPD and the Development Management Interim Planning Statement.

- **Human Resources (HR)** – The production of a revised plan and associated evidence base this will requires the development of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within CES.
- **Equalities** – Through the stages of the Core Strategy's development equalities issues have been considered. This will be built into any future programme.
- **Legal** – The production of a new plan will need to be compliant with relevant statutory and regulatory framework. Legal advice will be necessary during the plan preparation stage.
- **Crime and Disorder** - *None*
- **Information Technology (IT)** - *None*
- **Property** - *None*
- **Other** – *None*

Risk Management

33. In compliance with the Council's Risk Management Strategy, there are no risks associated with the recommendations of this report.

Recommendations

34. The views of the LDF Working Group are requested on the contents of this report and the move towards the preparation of a new Local Plan for York following the withdrawal of the Core Strategy.

Reason: To inform the preparation of a new Local Plan for York.

Contact Details

Author:

Martin Grainger
Head of Integrated
Strategy
Tel: 551317

Chief Officer Responsible for the report:

Richard Wood
Assistant Director For Strategic
Planning & Transport
Tel: 551448

**Report
Approved**



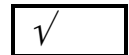
Date 23rd August
2012

Specialist Implications Officer(s)

N/A

Wards Affected: *List wards or tick box to indicate all*

All



For further information please contact the author of the report

**Agenda Item****Local Development Framework Working Group****3rd September
2012**

Report of the Director of City Strategy

City of York Council Sub division of Dwellings Supplementary Planning Document**Summary**

1. The purpose of this report is to seek approval from Members for the draft Supplementary Planning Document (SPD) on the 'Subdivision of Dwellings' (attached at Appendix A of this report), to be published as Council policy for determining planning applications.
2. The role of the Subdivision of Dwellings SPD is to ensure that the subdivision of dwellings is controlled in a manner that provides well designed, good quality homes to allow people to grow and adapt in their homes and to encourage strong and sustainable communities.

Background

3. Members previously approved the draft 'Subdivision of Dwellings' SPD for public consultation. Consultation (joint with the House Extensions and Alterations SPD and the Controlling Houses in Multiple Occupation SPD) took place in spring 2012.
4. In recent years, there has been an increasing concern that some of the proposals for subdivision of dwellings in the City have not been of an adequate standard, particularly with regards to their size, access and effects on the amenity of neighbouring occupants.
5. The SPD sets out key principles for potential developers to ensure that where the subdivision of dwellings are proposed, they:
 - provide adequate internal space;
 - are of a suitable layout;

- have acceptable amounts of internal and external storage space;
- have acceptable levels of facilities;
- do not have an adverse impact on the amenity of neighbouring residents;
- have acceptable access; and
- are designed and built to a high standard of sustainability.

Consultation

6. Public consultation commenced on 23rd January 2012, and ran until 5th March 2012. A number of techniques were used in accordance with the Council's Adopted Statement of Community Involvement (2007).
7. The consultees on the LDF database (specific consultation bodies, general consultation bodies, other groups / organisations and individuals) were consulted by email where possible, or by letter, informing them of the consultation exercise and the opportunity to comment.
8. The consultation documents were made available to view and download on the Council's website. Hard copies of the consultation documents were placed in all the City of York Council libraries and at the Council's receptions at 9 St Leonard's Place, the Guildhall and Library Square. It was also possible for those who required hard copies to ring or email the Integrated Strategy team and request a copy of the documents.
9. In addition to writing to consultees and distributing the consultation documents, it was sought to further publicise the consultation. This was achieved through the following:
 - A City of York Council press release was issued to coincide with the start of the consultation period on 23rd January 2012;
 - A notice was placed in the features section of the City of York Council website home page publicising the consultation and providing a direct link to the Draft SPD webpage;
 - A public notice was published in the Evening Press on Wednesday 25th January 2012. This set out what was being consulted upon, the consultation period and ways to respond alongside where the documents were available for inspection;
 - Whilst there was not an edition of Your Voice / Your Ward published during the consultation period, information about the consultation was provided to all Neighbourhood Management

Officers to include, as appropriate, in the powerpoint presentations which run during ward committee surgeries;

- There was no meeting planned for the Inclusive York Forum during the consultation period. To ensure its members were aware of the consultation and given the opportunity to comment, information about the consultation was circulated via email to those on the Inclusive York Forum distribution list.

10. Additionally, it was requested that as part of the consultation process, members of the Planning Committee would be consulted, via a report taken to Planning Committee during the consultation period. Consequently, a report was taken to Planning Committee on 16th February outlining the consultation exercise. Members noted the content of the report.

11. All comments received are shown in the Summary in Appendix B. The key issues raised in the consultation exercise are briefly summarised below:

- There is no guidance for considering the subdivision of a listed building;
- There is no mention of conservation areas in the document;
- SPD should state that development of an additional dwelling/s does not fall into flood risk standing advice for householder and minor extensions, so consequentially applications should be accompanied by a flood risk assessment, in line with the Council's Strategic Flood Risk Assessment;
- Self contained basement dwellings are 'highly vulnerable' in terms of flood risk, and should not be permitted in Flood Zone 3. Within Flood Zone 2, a Flood Risk Assessment is required as Part C of the Exceptions Test;
- There is no reference to studios in the SPD.

12. Officers have considered the comments received through the consultation process and have made a number of changes as shown in the revised draft of the SPD (Appendix A), and the Summary of Comments (Appendix B).

13. In addition to the changes proposed by officers in response to the consultation exercise there have also been changes to the development plan context. This includes the Government's decision to publish the National Planning Policy Framework (NPPF) on 27th March 2012, and changes to the LDF Core Strategy process. Consequently, it has been necessary to amend Section 2 of the document.

Corporate Priorities

14. The options outlined above accord with the following Council Plan Priorities, as follows:
- Build strong communities;
 - Protect vulnerable people;
 - Protect the environment.

Implications

15. The following implications have been assessed:
- **Financial** – None
 - **Human Resources (HR)** - None
 - **Equalities** - None
 - **Legal** - None
 - **Crime and Disorder** - None
 - **Information Technology (IT)** - None
 - **Property** - None
 - **Other** – None

Risk Management

16. In compliance with the Council's Risk Management Strategy, there are no risks associated with the recommendations of this report.

Recommendations

17. The views of the LDF Working Group are sought on the issues raised in this Committee Report and the associated draft SPD, to help inform Cabinet when they consider the issues in due course.

Contact Details

Author:

Chief Officer Responsible for the report:

John Roberts

Assistant Development
Officer
Integrated Strategy
Tel: 551464

Richard Wood

Assistant Director for Strategic Planning
and Transport
Tel: 551488

**Report
Approved**



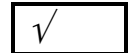
Date 24/8/12

Specialist Implications Officer(s)

N/A

Wards Affected: *List wards or tick box to indicate all*

All



For further information please contact the author of the report

Background Papers:

Appendix A: Draft Supplementary Planning Document on Subdivision of Dwellings.

Appendix B: Summary of the comments and officer responses and proposed changes.

This page is intentionally left blank



SUPPLEMENTARY PLANNING DOCUMENT

LDF WG DRAFT

**Subdivision
of Dwellings**

September 2012

City of York

Local Development Framework

Subdivision of Dwellings

Draft Supplementary Planning Document

Approved (To be approved by Cabinet)

Copyright City of York Council 2012

Please contact us if you would like this information in an accessible format (for example, large print or by email) or another language.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

Contents

| Section | Page |
|--|------------------|
| 1) Introduction | 5 |
| What is this Supplementary Planning Document for? | <u>6</u> |
| How should this <u>Draft</u> SPD be used? | 7 |
| Does one size fit all? | 7 |
| | |
| 2) The Planning Context | 7 |
| National Planning Policies and Guidance <u>National Planning Policy Framework</u> | 7 |
| Local Policies – City of York Local Plan and City of York LDF | <u>8</u> |
| Examples of good practice and guidance from external bodies | <u>10</u> |
| | |
| 3) Guidance for the Subdivision of Dwellings – the key principles | <u>10</u> |
| i. Is the original dwelling big enough to be converted? | <u>10</u> |
| ii. Location of Proposed Development | <u>11</u> |
| iii. <u>Listed Buildings and Conservation Areas</u> | <u>11</u> |
| iv. <u>Flood Risk Issues</u> | <u>11</u> |
| v. Residential Space Standards | <u>12</u> |
| vi. Internal Layout | <u>13</u> |
| vii. Ceiling Heights | <u>14</u> |
| viii. Self Containment | <u>14</u> |
| ix. General Storage Areas | <u>14</u> |
| x. Street Access | <u>14</u> |
| xi. Stacking of Rooms and Sound Insulation | <u>15</u> |
| xii. <u>External</u> Alterations and Extensions | <u>16</u> |

| | | |
|--------|-------------------------------------|------------------|
| xiii. | Parking Spaces | <u>16</u> |
| xiv. | Waste Storage and Recycling Areas | <u>17</u> |
| xv. | Conversion of Attics and Basements | <u>18</u> |
| xvi. | Communal Areas | <u>18</u> |
| xvii. | Drying Facilities | <u>19</u> |
| xviii. | Residential Amenity Areas | <u>19</u> |
| xix. | Communal Satellite Dishes | <u>19</u> |
| xx. | Daylight and Sunlight Issues | <u>19</u> |
| xxi. | Sustainable Design and Construction | <u>20</u> |
| xxii. | Considerate Constructors Scheme | <u>20</u> |
| | | |
| | Annex A – Document / website list | <u>21</u> |

1. Introduction

“Adequate space is a pre-requisite for basic living. There should be enough room for residents to cook, eat, relax and socialise. There should be sufficient space for furniture and the storage of personal possessions. If homes are to have a long life, they must offer functional and adaptable spaces that meet the needs of families, children, older people and disabled residents.”

(CABE – Space in New Homes: What Residents Think - 2009)

- 1.1 The subdivision of existing buildings into smaller residential units can be an important source of new **additional** housing in York. It might take different forms such as:
 - Conversion of existing non-residential buildings and vacant properties into dwellings;
 - Subdivision of existing houses into maisonette and/or flats;
 - Conversion of accommodation above shops into flats.
- 1.2 This draft SPD does not cover existing residential properties where existing rooms are divided to create additional living facilities for the existing single family unit, it only is applicable when a separate living unit is provided.
- 1.3 Conversion and sub-division of existing buildings can be a sustainable form of development as it gives a new lease of life to the existing buildings which might be redundant or economically unviable in their current use. It would reduce the waste and carbon emissions arising from the demolition of the old buildings, the embodied energy in the materials of a demolished building and the construction of new buildings.
- 1.4 With sympathetic alterations to the exterior of the existing buildings, conversion is likely to have a lower visual impact on the street scene by preserving the existing building frontage and respecting the character of the area.
- 1.5 However, unsatisfactory conversion work can result in accommodation which is of an inadequate size and poor quality. The occupants could be exposed to a number of potential problems, such as overlooking, poor outlook, overcrowding and lack of amenity space, **inadequate light**, noise and disturbance from neighbouring premises, and inconvenient and unsafe access.

What is this Supplementary Planning Document for?

~~1.6 The City of York Local Development Framework Core Strategy sets out a Vision, which is linked to the York Sustainable Community Strategy, through the following themes:~~

- ~~• York's Special Historic and Built Environment;~~
- ~~• Building Confident, Creative and Inclusive Communities;~~
- ~~• A Prosperous and Thriving Economy;~~
- ~~• A Leading Environmentally Friendly City;~~
- ~~• A World Class Centre for Education and Learning for all.~~

~~1.76~~ In line with this Vision, The City of York Council recognises that providing a variety of housing opportunities and allowing people to grow and adapt within their homes helps to encourage strong and sustainable communities. Good quality homes which are well designed will:

- a) cost less to heat, light and maintain;
- b) add value to other homes in the area;
- c) be more flexible in use;
- d) have improved accessibility, safety and security; and
- e) have a reduced environmental impact and lower carbon emissions

~~1.87~~ In recent years however, there has been an increasing concern that some of the proposals for subdivision of dwellings in the City have not been of an adequate standard, particularly with regards to their size, access and effects on the amenity of neighbouring occupants.

~~1.98~~ Therefore this draft SPD aims to ensure that where the subdivision of dwellings are proposed, they:

- provide adequate internal space;
- are of a suitable layout;
- have acceptable amounts of internal and external storage space;
- have acceptable levels of facilities;
- do not have an adverse impact on the amenity of neighbouring residents;

- are designed and built to a high standard of sustainability;

How should this Draft SPD be used?

1.109 This draft SPD is intended for the use of developers and architects concerned with the subdivision of properties into smaller properties for residential use. It will be used as a material consideration when determining planning applications.

Does one size fit all?

1.140 This draft SPD sets out the Council's overall principles to ensure a high quality approach and design to safeguard residential amenity in the subdivision of properties. Each individual scheme will be considered on its merits, allowing for flexibility in the design of the scheme to reflect constraints and individual site circumstances.

2. The Planning Context:

National Planning Policies and Guidance **National Planning Policy Framework:**

2.1 In March 2012, the Government produced the National Planning Policy Framework (NPPF) – this sets out the Government's approach and policies to development, and replace PPG's and PPS's. In terms of guidance in relation to housing design and standards, the following sections of the NPPF are particularly relevant:

- **Section 6 – Delivering a wide choice of high quality homes;**
This section requires local authorities to deliver a wide range of sustainable homes, providing mixed communities and making the best use of available housing stock.
- **Section 7 – Requiring good design;**
This section considers the importance of high quality design, which contributes to positively making places better for people. It goes beyond purely aesthetic considerations and considers the connections between people and places and the integration of new development into the natural, built and historic environment.
- **Section 10 – Meeting the challenge of climate change, flooding and coastal change;**
This section aims to make developments more sustainable, helping to mitigate climate change, by maximising renewable and low carbon energy development. It also aims to reduce flood risk by directing developments away from areas at highest flood risk and without increasing flood risk elsewhere.

- **Section 12 - Conserving and enhancing the historic environment;**
This section aims to reduce the impact of developments on the historic environment by taking full account of heritage assets. It considers that great weight should be placed on the asset's conservation. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- **Plan-Making**
This section considers the plan making process – of particular relevance to the Draft SPD is paragraph 153, which states that SPD's should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.

National policies and guidance in relation to housing design and standards can be found in the following government documents:

- ~~Planning Policy Statements (PPS)1: Delivering Sustainable Development,~~
- ~~Planning and Climate Change – Supplement to Planning Policy Statement 1~~
- ~~PPS3: Housing~~
- ~~PPS9: Biodiversity and Geological Conservation~~
- ~~PPS10: Planning for Waste Management~~
- ~~Planning Policy Guidance (PPG)13 Transport~~
- ~~PPS22: Renewable Energy~~
- ~~PPS23: Planning and Pollution Control~~
- ~~PPS25: Development and Flood Risk~~

Local Policies – City of York Local Plan and City of York LDF:

2.2 At a local level, the draft SPD encompasses the general approaches and visions set out in the City of York Local Plan (4th Set of Changes, April 2005). The Local Plan 4th Set of Changes were approved for Development Management purposes in April 2005 and the policies most relevant to subdivision are H8 (Conversions), GP1 (Design), GP4a (Sustainability), GP11 (Accessibility) and GP12 (Access to Upper Floors).

2.3 The draft SPD is also in conformity with the LDF Core Strategy Submission (Publication) document (September 2011), particularly policies CS5 (Urban Design and the Historic Environment), CS7 (Balancing York's Housing Market), and CS21 (Sustainable Design and Construction). Although the document has been withdrawn, it indicates the Council's interpretation of a number of evidence base documents in policy terms, and has been subject to consultation. These evidence base documents include:

- **2011 Strategic Housing Market Assessment;**
- **2011 Strategic Flood Risk Assessment;**
- **Waste Management Strategy;**
- **Climate Change Framework and Action Plan;**
- **Other SPD's, such as the 'Controlling the Concentration of Houses in Multiple Occupation' and 'House Extensions and Alterations' SPD's.**

2.2 The City of York Local Plan policies are currently adopted for Development Management purposes. Those relevant to subdivision are:

- ~~H8 (Conversions);~~
- ~~GP1 (Design);~~
- ~~GP4a (Sustainability);~~
- ~~GP11 (Accessibility);~~
- ~~GP12 (Access to Upper Floors)~~

2.3 The emerging LDF Core Strategy is at an advanced stage in its production and it is anticipated that it will be examined in early 2012. The policies relevant to subdivision are:

- ~~CS5: Urban Design and the Historic Environment;~~
- ~~CS7: Balancing York's Housing Market;~~
- ~~CS21: Sustainable Design and Construction.~~

2.4 The strategic impact of these **national and local** policies is aimed to ensure that:

- only existing dwellings of 4 or more bedrooms as originally built are subdivided, therefore protecting the existing stock of smaller family dwellings for family use, which is vital to ensure a balance of family dwellings to meet current and future needs;
- local form, character, scale, density, mass and design in residential areas is protected;

- homes are adaptable to the needs of all York's residents throughout their lives;
- subdivided homes contribute to York's renewable energy / low carbon targets;
- high standards of sustainable design and construction are delivered;
- subdivided dwellings should be accessible to people with mobility problems, sensory impairment, and carers with children;
- where dwellings on upper floors above independent ground floor uses such as shops and offices are subdivided, independent accesses to the dwellings are provided or maintained;
- dwellings are resilient to a changing climate throughout their useful life.

Examples of good practice and guidance from external bodies:

- 2.5 The guidelines set out in this draft SPD are based on a number of recommended standards and guidelines from external organisations with respect to subdivision. Website links to these guidelines are included in Annex A.

3. Guidance for the Subdivision of Dwellings - the key principles:

i) Is the original dwelling big enough to be converted?

- 3.1 In order to maintain the variety of housing stock in the City to meet future needs, in particular the needs for family housing, Policy H8 of the City of York Local Plan (4th Set of Changes 2005) states that only existing dwellings with 4 or more bedrooms will be considered suitable for subdivision. It is also to ensure that the new units created provide an acceptable standard of accommodation in terms of internal arrangement and room sizes.
- 3.2 Therefore, in order to protect the existing small family housing stock, and to allow for adequate residential space standards in the proposed subdivided dwelling, the subdivision of existing properties of less than 4 bedrooms will not be permitted. **This approach supports the evidence in York's Strategic Housing Market Assessment, which identifies a significant demand for family housing, and the Article 4 Direction, which came into force on 20th April 2012, and which aims to protect family housing from a change of use to Houses in Multiple Occupation (See the Draft 'Controlling the Concentration of Houses in Multiple Occupation' SPD for more information).**

3.3 Small houses are versatile, being suitable for families with children who need access to a garden as well as meeting the needs of household with more flexible accommodation. ~~It is also often in the form of older terraced houses, one of the main sources of lower price family housing in the City.~~

ii) Location of Proposed Development:

3.4 If the subdivision of a property results in a House of Multiple Occupation, and is located in the main urban area (and therefore subject to the Article 4 Direction) consideration should be given to the draft Supplementary Planning Document on 'Controlling the Concentration of Houses in Multiple Occupation' ~~(currently the subject of a separate consultation).~~ In other cases, the Council considers that houses in areas or long stretches of road consisting of mostly family housing, will not be suitable for subdivision, in order to protect the current character of the area. This will be **considered on a case by case basis** ~~based on the merits of individual streets and neighbourhoods.~~

iii) Listed Buildings and Conservation Areas:

3.5 It is acknowledged that many buildings which could potentially be subject to subdivision, are listed or are located within conservation areas. Where the subdivision of a listed building or a building in a conservation area is proposed, particular care will be required to ensure that the proposals are in keeping with the scale, design, mass and detailing of the building or area. The materials used in the subdivision must by sympathetic to the building or area

3.6 The subdivision of buildings of historic or architectural value must be undertaken sensitively with regard to preserving the building's character, setting and any features of special architectural or historic interest.

3.7 Advice should be sought from the Council's Development Management Officer at the earliest opportunity to ensure that the design and scale of the building respects its historic setting.

iv) Flood Risk Issues:

3.8 The development of additional dwellings does not fall within the Environment Agencies standing advice for householder and other minor extensions. Therefore, proposals at planning application stage that fall within Flood Zones 3 & 2 and greater than a hectare in Flood Zone 1 should be accompanied by a Flood Risk Assessment (FRA) in line with paragraph 4.1.66 of the City of York Council's Strategic Flood Risk Assessment.

3.9 Within flood risk zones 3a, 3a(i) and 3b, the subdivision to create basement flats would be regarded as ‘highly vulnerable’ and would therefore not be permitted and in flood zone 2 an Exceptions Test would be required. The subdivision to create dwellings within flood risk 3b shall not be permitted but in 3a and 3a(i) are regarded as ‘More vulnerable’ therefore an Exceptions Test would be required but in flood risk zone 2 would be permitted. Basement dwellings in flood risk zone 1 are classed as acceptable uses.

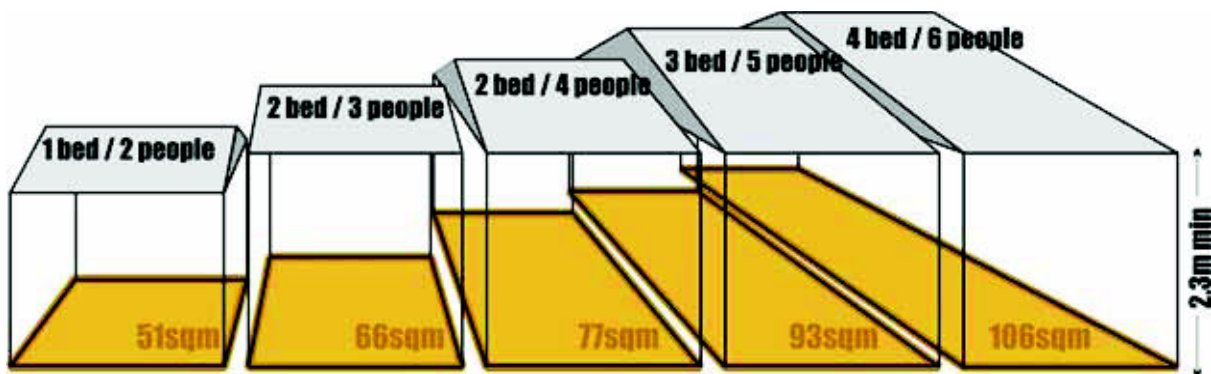
v) Residential Space Standards:

3.510 The new dwellings formed by sub-division and conversion of existing buildings are required to provide satisfactory accommodation in terms of size and layout and to meet the minimum size standard for individual dwellings and habitable rooms.

3.611 In line with the requirements of the English Partnerships Minimum Space Standards, the following minimum internal space standards should be applied to new subdivided dwellings:

| Number of bedrooms / persons | Minimum internal space (m²) |
|---|---|
| 1 bedroom / 2 person homes-flats | 51sqm |
| 2 bedroom / 3 person homes-flats | 66sqm |
| 2 bedroom / 4 person homes | 77sqm |
| 3 bedroom / 5 person homes | 93sqm |
| 4 bedroom / 6 person homes | 106sqm |

(Minimum internal floor area for whole dwelling (net))



Studios

3.12 Additionally, in a limited number of cases, the subdivision of a property may result in the provision of studios, which are broadly defined as a self contained flat without a bedroom (ie. one room with a combined living and sleeping with amenities exclusive to the occupier). Numbers of studios in any one scheme will be limited and will only be permitted in highly accessible locations. The exact layout and floor space will be considered on a case by case basis, but as a guide, this should be approx 32.5sqm.

Minimum Space Standards

3.13 These standards apply to net internal floor spaces. These standards are intended to help ensure that subdivided homes are comfortable, convenient, able to accommodate the appropriate amount and level of furniture and fittings in line with the number of people resident in the property.

vi) *Internal Layout:*

3.14 In the case of conversions and sub-division schemes, the internal layout of flats should provide satisfactory circulation spaces which provide convenient and easy access to individual rooms. The 'habitable' floor area is the useable floor area of a room used as a bedroom, living room or kitchen, and excludes the area of the bathroom, staircase, landing, passageway or access lobby. Where additional soundproofing is required, any reduction in space to facilitate this must be deducted from the calculation of habitable area.

3.15 All rooms should be accessed from a corridor and rooms should not be entered from one another. However, a long corridor running the length of the flat provides poor ratio between habitable rooms and circulation space and should be avoided. An exception may be acceptable in a 1 bedroom flat, where the bedroom or kitchen may be entered through a living room. In certain circumstances it may be acceptable to have en-suite bathrooms leading off bedrooms.

3.16 In terms of primary / main bathrooms, shower rooms and wc's, these should be accessed from a corridor area, rather than from another room. All bathroom / shower rooms should be of an adequate size to incorporate a bath, even if a shower only is initially installed.

3.17 Only one flat per floor will normally be acceptable in terraced and closely spaced semi-detached properties. Single aspect ground floor flats facing the street or parking area are normally not acceptable in order to protect residents from fumes, noise, overlooking and disturbance.

3.4218 It would be desirable in a scheme sub-dividing a house to provide a larger unit on the ground floor with direct access to a private garden area which can meet the needs of family housing.

vii) Ceiling Heights:

3.4319 The minimum floor to ceiling height of habitable rooms should be 2.3m between finished floor level and finished ceiling level. Good floor to ceiling heights in subdivided dwellings facilitates a sense of wellbeing, particularly if matched with generous window sizes. In some instances good floor to ceiling heights can assist in improving ventilation, which contributes to the ability to adapt to future temperature increases due to climate change and reduces the need for mechanical air conditioning (with high energy demand and harmful emissions).

viii) Self Containment:

3.4420 The new dwellings should be self-contained with their own living, cooking, sleeping space, as well as their own bathroom/toilet facilities. They should have their own convenient access to the street level without infringing private space belonging to another property.

ix) General Storage Areas:

3.4521 Provision should be made in subdivided properties for general storage, particularly for bulky items which aren't used regularly – for example, suitcases or sports gear. This would be within the minimum **net** unit area.

3.4622 General storage should be additional to kitchen units and bedroom furniture, but it is accepted that some items may be stored in these rooms. Additionally, areas for boilers and other operational fixtures within the subdivided dwelling should not be used for such storage of bulky items outlined above.

3.4723 As a general rule, no individual storage room within a subdivided dwelling should exceed 3.5sqm, in order to ensure that rooms designated specifically for uses such as bedrooms are not expected to become general storage rooms, resulting in cramped living conditions for the occupiers of the dwelling.

x) Street Access:

3.4824 The residential units in a mixed use development should have their own access to the street to avoid potential conflict with the pedestrian traffic generated by the commercial premises on the ground and lower floors. The residential entrance and access should be safe, secure, accessible and convenient. The access should be well-paved, well-lit and wide enough to

allow the use of pushchair. It should have natural surveillance in the street level entrance.

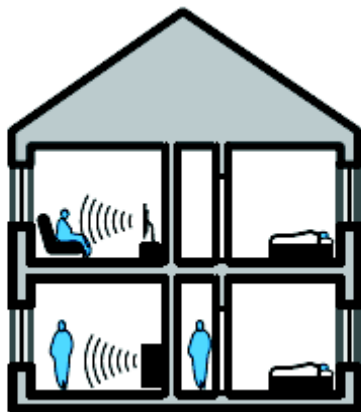
3.1925 Rear passageways should only be used as the primary access to subdivided dwellings if they are sufficiently wide, well lit and already extensively used for this purpose. No rear entrances to subdivided dwellings should be more than 20m from the ~~end of passageways~~ **public highway** to ensure safe access.

3.2026 If the upper floors above shops are to be subdivided into flats, it is normally recommended to form the street access using an internal staircase at the front of the building. ~~This requirement is only exempted when~~ **Exceptions to this requirement are where** it is demonstrated that the front street entrance would prejudice the economic viability of the shop unit. Applicants can also consider forming the street access through ~~the staircase of other residential units~~ **shared stairwells** to the front of the building. External stairs at the back of the building via a back alleyway and service yard are not acceptable for the main access to new flats.

xi) *Stacking of Rooms and Sound Insulation:*

3.2127 One of the most frequent complaints in flatted and mixed use residential developments is the noise and disturbance from the neighbours, whether it is from the person living next door or the restaurant below. This problem arises from poor internal layout and inadequate sound insulation.

3.2228 ~~The first and foremost~~ **main** emphasis therefore is to minimise the potential conflict of noise-generating and noise-sensitive rooms by paying attention in the design of internal layout and stacking rooms of similar purpose on top of and adjoining each other. This includes avoiding putting living rooms (with audio equipment) and kitchen (with washing machine) on top of, underneath or next to the bedrooms of the adjoining dwellings.



The arrangement of rooms to avoid the transfer of noise within and between dwellings

3.2329 Sufficient sound insulation with reasonable resistance to airborne sound should be installed in all walls and floors between flats and between flats and public or communal areas. Floors between dwellings and between dwellings

and public or communal areas should have reasonable resistance to impact sound.

3.2430 In addition, sound insulation should be provided to any internal walls which separate proposed individual dwellings from others and to walls which separate dwellings from any parts of the building which will be in public or communal use, e.g. hallways, staircases, WCs etc. Again, the level of sound insulation to be provided should be at least to the standard specified in "The Building Regulations 2010 Amendments".

3.2531 In higher density development or mixed use development, a better standard of noise insulation will be sought. Floating floor or independent ceiling construction is required to separate a residential dwelling from another residential dwelling or commercial development e.g. restaurant or office, within the same building. The minimum level of sound insulation is set out in the standard specified in "The Building Regulations 2010 ". Special consideration and sound proofing measures will be required for residential units above commercial or retail premises.

xii) External Alterations and Extensions:

3.2632 Any conversion involving external alterations and extension should respect the form, scale and materials of the original building and the visual character of the area in which it is located. New development should generally conform to the established line of building frontages, except where side extensions are visually subservient to the main building, in which case they should generally be set back behind the building frontage. Any proposed works to existing dwellings must also comply with the Building Regulations 2010. Further advice on alterations and extensions is available in the draft '**House Extensions and Alterations**' SPD. ~~on house extensions.~~

xiii) Parking Spaces:

3.2733 Additional parking spaces may be required to cater for the needs arising from new housing in sub-divided houses. An assessment of the parking situation will be made, including referral to Council and national guidelines, together with the local and individual circumstances, for example on street parking. Any parking and access arrangement should be attractive, safe, convenient and appropriate to the scale of the development, and designed to minimise their visual impact and to ensure that residential amenity is not unduly affected. It will not be acceptable to transform the whole front garden into an extensive hardstanding with an extra wide dropped kerb and dominated by multiple parked vehicles. If the property is located within an existing Residential Parking Zone (RPZ), again the situation will be reviewed and removal of the property from the RPZ is possible, if undue additional burden is considered likely to result.



*Transforming the front garden for parking **only** is not acceptable*

3.2834 Provision should be made for adequate, secure cycle parking. Where these are to be outside, they should be provided in a well lit, secure under cover location. In addition, it will be necessary to ensure that adequate means of access is provided to the cycle storage area, so an assessment of entrances, widths and manoeuvrability is important. ~~Additional guidance on cycle parking will be available in a separate document, to include details of acceptable specifications.~~ **Advice should be sought from the Development Management Officer regarding acceptable specifications for cycle parking** (See also para. **3.45**).

xiv) *Waste Storage and Recycling Areas:*

3.2935 All households **in York** are **currently** provided with an alternate weekly collection of recycling and residual waste. This means that recycling and green waste (at suitable properties with gardens) is collected one week and refuse is collected in the following week.

3.3036 Each subdivided unit should make external storage provision for the following waste / recycling containers:

- Residual waste - 1 x 180 litre capacity black wheelie bin for refuse (this can be combined into larger communal bins by using a simple calculation – for example, a block of 6 properties = 6 x 180 = 1080 litres – therefore 1 x 1100 litre bin could be used instead of 6 individual 180 litre bins);
- Green waste - 1 x 180 litre capacity green wheelie bin for suitable properties with gardens (this can be combined into larger communal bins by using a simple calculation – for example, a block of 6 properties = 6 x 180 = 1080 litres – therefore 1 x 1100 litre bin could be used instead of individual 180 litre bins);
- Kerbside recycling -
 - 1 x 55 litre box for paper / cardboard;
 - 1 x 55 litre box for glass bottles and jars;
 - 1 x 55 litre box for plastic bottles / food and drink tins and cans.

- As an alternative to the 3 box scheme, wheeled bins can be used to provide communal recycling facilities for a number of properties.

3.3137 All waste and recycling containers should be stored in a suitable enclosure area within the curtilage of the property and be located in an accessible and adequately lit area where they do not present any safety risks to users (such as a tripping hazard). Such areas should be adequately ventilated to avoid smells from waste and recycling containers. Access to the waste / recycling storage areas should not be from outside the curtilage of the property (for example, along a back lane or path). (See also para. **3.44**).

3.3238 Waste / recycling collectors will not normally enter private land to make a collection – therefore all subdivided properties should ideally allow provision to put the bins / recycling boxes out at the front edge of the property for collection but without adversely affecting the amenity and safety of residents of the property, neighbours or the general public. Specific consideration should be given to allowing adequate space to allow pedestrians with prams or wheelchairs to pass safely.

3.3339 Further guidance about waste / recycling containers, storage requirements and collection arrangements is provided in the ‘Information for Developers of Residential Proposals’ document produced by Waste Services.

3.3440 In-sink mascerators ~~should be avoided~~ **are not encouraged**, as they place additional burden on drainage systems.

xv) Conversion of Attics or Basements:

3.3541 In order to convert an attic or a cellar into a habitable room, it will need to provide a minimum of 6.5 sq. m. of usable area and to achieve a minimum headroom of 2.3m for at least 80% of the floor area. Areas with less than the minimum headroom can **only** be used as household storage space.

3.3642 The attic or basement room should be adequately lit with daylight and ventilated with openable windows. If skylights are the only form of windows, they need to be installed in a position where the occupants can look out and observe the surrounding environs.

3.3743 Basement rooms will require a light-well deep and wide enough to provide reasonable daylight and outlook from the window. It is recommended that basement rooms are incorporated with the ground floor accommodation to form a larger dwelling.

xvi) Communal Areas:

3.3944 Extensive loss of front garden for formation of parking, hard-standing and refuse storage areas could be an indicator of overdevelopment and is unacceptable as it would detract from the appearance of the street scene.

Care should be given to provide sympathetic boundary treatment, planting and other forms of screening to preserve the visual amenity and privacy of the occupants and adjoining residents.

3.4045 There should be adequate separation between private areas, semi-private areas and public spaces in order to encourage natural surveillance and to safeguard the security and amenity of the occupants. A decent planting or buffer area is required under the main windows of the ground floor dwellings to protect their privacy. Waste / recycling bins, cycle racks or parking spaces should be positioned away from the windows.

xvii) *Drying Facilities:*

3.4146 There may be opportunities for communal facilities for drying clothes in some schemes. These should be located in well ventilated areas. Where this is not done, consideration should be given to the provision of drying facilities in well ventilated areas of individual subdivided dwellings – for example, on screened balconies where provided.

xviii) *Residential Amenity Areas:*

3.4247 Communal and private residential amenity areas are necessary for the enjoyment of future occupants. In house sub-division schemes, the existing rear gardens need to be retained to meet the needs of residents of the new housing. If it is practicable, part of the rear garden can be fenced off to become private garden of the ground floor unit. Consideration should be given for the provision of composting facilities in gardens / communal areas.

xix) *Communal Satellite Dishes:*

3.4348 To avoid subsequent demands for the installation of numerous individual satellite dishes on subdivided dwellings, developers should be encouraged to consider the potential for locating communal dishes as part of the overall design – for example, at roof level.

xx) *Daylight and Sunlight issues:*

3.4449 The amount of natural sunlight within a dwelling significantly affects the amenity of its occupants. Consequently, the internal layout of a subdivided dwelling should be considered, to provide maximum natural sunlight in main rooms, such as living rooms. Ideally, living rooms should face south, west or east, to make maximum use of solar gain – north facing living rooms should be avoided **where possible**. Particular care is needed where windows are located on lower floors, which may be overshadowed by adjoining buildings.

3.4550 The orientation of subdivided dwellings in relation to maximising natural sunlight can also minimise energy consumption and reduce CO₂ emissions, by reducing the need for heating and artificial lighting.

xxi) *Sustainable Design and Construction:***3.51 All proposals for subdivided properties must submit a Sustainability Statement as part of the planning application process. This should be done inline with the Interim Planning Statement on Sustainable Design and Construction (including the addendum) and policy GP4a of the draft Local Plan 4th Set of Changes.**

~~3.47~~**52**An assessment of rainwater harvesting systems, grey water systems and sustainable urban drainage systems (SUDS) is encouraged in the sustainability statement. The Council encourages the following water efficiency measures to be met in subdivided dwellings: Dual flush Ecs (4/6) litre; shower nominal flow rates less than 9 litres/minute; controls on urinals or waterless urinals (where installed); flow restricted spray taps; water meters with pulsed output for each building/dwelling. The sustainability statement encourages also include an evaluation of rainwater harvesting systems, grey water systems and Sustainable Drainage Systems (SUDS). Water butts should be incorporated in all new residential developments with gardens or landscaped areas.

3.53 The Sustainability Statement should also demonstrate: developments are of a high quality design, opportunities have been maximised to reuse and recycle materials, materials already on the development site are re-used, pollution is minimised, the use of renewable resources on development sites are maximised in association with this an energy assessment should be carried out inline with the energy hierarchy to reduce carbon emissions by demonstrating reduced demand for energy, use of energy efficiency measures to meet demand, and incorporation of on-site renewable energy equipment where possible.

~~3.48~~ In addition, where subdivided proposals include 10 or more units, all of Policy CS21 (Sustainable Design and Construction) in the LDF Core Strategy should be considered.

xxii) *Considerate Constructors Scheme:*

~~3.49~~**54**The Considerate Constructors Scheme, started in 1997, is a voluntary Code of Practice, which is adopted by participating construction companies and all personnel involved with the construction site. The scheme aims to improve the image of construction sites and any proposals for the subdivision of dwellings are encouraged to sign up to the scheme and commit to achieving the performance levels outlined in the scheme. For more information, visit www.considerateconstructorscheme.org.uk

Annex A: Document / website list

The following documents and websites provided useful sources of supporting information to this draft SPD. Further information can be gained from these documents / websites.

a) Documents:

- 1) City of York Local Development Framework Core Strategy Submission (Publication), September 2011;
- 2) City of York Local Plan (4th Set of Changes, April 2005);
- ~~3) Planning Policy Statements (PPS)1: Delivering Sustainable Development;~~
- ~~4) Planning and Climate Change – Supplement to Planning Policy Statement 1~~
- 5) PPS3: Housing
- ~~6) PPS9: Biodiversity and Geological Conservation~~
- ~~7) PPS10: Planning for Waste Management~~
- 8) Planning Policy Guidance (PPG)13 Transport
- 9) PPS22: Renewable energy
- 10) PPS23: Planning and Pollution Control
- 11) PPS25: Development and Flood Risk

3) National Planning Policy Framework (NPPF)

- ~~4) Consultation Draft Controlling the Concentration of Houses in Multiple Occupation SPD (CYC)~~
- 5) ~~Consultation~~ Draft House Extensions and Alterations SPD (CYC)

b) Websites:

1. www.lifetimehomes.org.uk (Lifetime Homes criteria);
2. www.homesandcommunities.co.uk (English Partnerships Minimum Space Standards);
3. www.communities.gov.uk (Code For Sustainable Homes);
4. www.buildingforlife.org (Building For Life);
5. www.securedbydesign.com (Secured By Design)
6. www.environment-agency.gov.uk/research/planning/82584.aspx
(Environment Agency)

Appendix B: Consultation comments on draft Subdivision of Dwellings SPD:

| Respondent | Comments | Officer response | Potential Change to SPD |
|---|---|--|---|
| North Yorkshire County Council | The draft document would not seem to pose any significant strategic issues for the County Council, and indeed the principle of ensuring the continued supply of good quality family and starter homes in the City whilst balancing the needs of students and other communities is generally supported. Therefore as an officer, response on behalf of the County Council and from a strategic planning perspective, I do not wish to raise any objections or make any further detailed comments in relation to any of the consultation documents. | Noted | None |
| English Heritage | Whilst we would broadly endorse the advice which the document provides, we are concerned that it contains no guidance, at all, for those considering the sub-division of a Listed Building. A large number of properties currently in residential use within the City are Listed. It is important that those proposing works to such properties take into account the possible impacts which their proposals might have upon the significance of these assets from the outset. We agree that an SEA would not be required for this document since the SPD does not provide a framework for other plans and strategies and is unlikely to have any significant environmental effects. | Noted – it is accepted that given the historical importance of a significant buildings in the City that are used for residential purposes, | Add new section iii) after para 3.4 (page 11) on Listed Buildings and Conservation Areas. |
| The Coal Authority | Having reviewed your document, I can confirm that we have no specific comments to make on this document at this stage. | Noted | None |
| Tom Langan (Resident) | More control | Noted | None |
| Earswick Parish Council | Fully support the proposals contained in this document. | Noted | None |
| Strensall with Towthorpe Parish Council | Strensall With Towthorpe Parish Council felt that the conditions on sub-division of dwellings are excellent, providing excellent guidance for developers, residents, architects and planners. There was concern that no mention was made of conservation areas in the document. Can we presume there will be a separate document with advice on conservation areas? | Noted – see response to English Heritage comment above | See proposed change in response to English Heritage comments above |

| | | | |
|---|---|-------|--|
| Environment Agency | <p>We understand that this SPD relates to subdivision of existing buildings into smaller residential units such as conversion of existing non-residential buildings and vacant properties into dwellings, or subdivision of existing houses into maisonette and/or flats.</p> <p>We would like to highlight that development of an additional dwelling/s <u>does not fall</u> into our flood risk standing advice of householder and other minor extensions. Therefore proposals at planning application stage should be accompanied by a flood risk assessment (FRA) in line with paragraph 4.1.66 of your strategic flood risk assessment (SFRA). Perhaps this could be clarified within paragraph 3.14 regarding self-containment?</p> <p>We support paragraph 3.38 relating to the conversion of basements. Self-contained basement dwellings are 'highly vulnerable' development and should not be permitted in Flood Zone 3. We would like the following sentence regarding Flood Zone 2 to clarify further that a Flood Risk Assessment (FRA) is required as part C of the Exception Test.</p> <p>In addition we would like the external web link to our flood risk standing advice to be included in the website list of Annex A: http://www.environment-agency.gov.uk/research/planning/82584.aspx</p> | Noted | <p>Add a new section (iv) on Flood Risk Issues to incorporate ref to Flood Risk Assessment being required in line with para 4.1.66 of the Council's SFRA .</p> <p>Also, remove para covering Flood Risk in 'Conversion of Attics and Basements' (formerly para 3.38) and incorporate in new section on Flood Risk Issues.</p> <p>Add website reference to Annex A.</p> |
| Heslington Village Trust CYC Development Management | <p>The Trust supports both the overall objectives of the SPG and the detail.</p> <p>It doesn't refer to studios, and given the space standards and guidance on use of rooms effectively makes them contrary to policy in conversions. Studio = a self contained flat</p> | Noted | <p>None</p> <p>Add new section / para entitled 'Studios' as</p> |

| | | | |
|----------|---|--|-----------------|
| comments | <p>without a bedroom.</p> <p>The 51sq.m min floorspace would be v.large for this type of flat which is usually single person occupancy. Maybe there isn't a demand for this type of flat in York (from occupiers or developers). We could set out a lower separate floorspace category (total the 1 bed living room, kitchen – they need a sep kitchen and ½ a bedroom?) and maybe restrict the numbers of studios within a conversion so as to avoid cramming.</p> | | paragraph 3.12. |
|----------|---|--|-----------------|

This page is intentionally left blank

**Agenda Item****Local Development Framework Working Group****3rd September
2012**

Report of the Director of City Strategy

**City of York Council House Extensions and Alterations
Supplementary Planning Document;****Summary**

1. The purpose of this report is to seek approval from Members for the draft Supplementary Planning Document (SPD) on House Extensions and Alterations (attached at Appendix A of this report), to be published as Council policy for determining planning applications.
2. The SPD will replace the City Council's existing guidance note relating to extensions that was approved in 2001. The SPD will give more clarity to applicants and agents proposing to submit planning applications and will help improve the transparency, efficiency and consistency of decision making.

Background

3. Members previously approved the draft 'House Extensions and Alterations' SPD for public consultation and consultation (joint with the Subdivision of Dwellings SPD and the Controlling Houses in Multiple Occupation SPD) that took place in Spring 2012.
4. The existing Council guidance note on house extensions and alterations approved in 2001 is a valuable resource for applicants and decision makers. It is however, a relatively short document and pre-dates existing and emerging guidance and policies relating to house extensions. In addition, in 2008 there was a major overhaul of national legislation relating to permitted development rights for enlarging dwelling houses. Amendments to this legislation had implications on the scale and nature of development that the Council could reasonably decide was unacceptable.

5. The Council has recently started charging residents for site specific planning advice on the likely acceptability of proposals to extend their homes. It is considered that more detailed guidance relating to house extensions will help create more certainty in this process and also give greater information to those people who do not want to pay the Council for personalised advice. The greater detail in the draft SPD will also be valuable for explaining to people living within close proximity to a planning application how a decision is made and what factors will be considered.

Consultation

6. Public consultation commenced on 23rd January 2012, and ran until 5th March 2012. A number of techniques were used in accordance with the Council's Adopted Statement of Community Involvement (2007).
7. The consultees on the LDF database (specific consultation bodies, general consultation bodies, other groups / organisations and individuals) were consulted by email where possible, or by letter, informing them of the consultation exercise and the opportunity to comment. In addition, planning agents and architects that regularly submit planning applications for house extensions in York were consulted.
8. The consultation documents were made available to view and download on the Council's website. Hard copies of the consultation documents were placed in all the City of York Council libraries and at the Council's receptions at 9 St Leonard's Place, the Guildhall and Library Square. It was also possible for those who required hard copies to ring or email the Integrated Strategy team and request a copy of the documents.
9. In addition to writing to consultees and distributing the consultation documents, it was sought to further publicise the consultation. This was achieved through the following:
 - A City of York Council press release was issued to coincide with the start of the consultation period on 23rd January 2012;
 - A notice was placed in the features section of the City of York Council website home page publicising the consultation and providing a direct link to the Draft SPD webpage;

- A public notice was published in the Evening Press on Wednesday 25th January 2012. This set out what was being consulted upon, the consultation period and ways to respond alongside where the documents were available for inspection;
 - Whilst there was not an edition of Your Voice / Your Ward published during the consultation period, information about the consultation was provided to all Neighbourhood Management Officers to include, as appropriate, in the powerpoint presentations which run during ward committee surgeries;
 - There was no meeting planned for the Inclusive York Forum during the consultation period. To ensure its members were aware of the consultation and given the opportunity to comment, information about the consultation was circulated via email to those on the Inclusive York Forum distribution list.
10. Additionally, it was requested that as part of the consultation process, members of the Planning Committee would be consulted, via a report taken to Planning Committee during the consultation period. Consequently, a report was taken to Planning Committee on 16th February outlining the consultation exercise. Members noted the content of the report.
11. All comments received are shown in the Summary in Appendix B. The key issues raised in the consultation exercise are briefly summarised below:
- The SPD should have specific advice on listed buildings and conservation areas;
 - Additional information should be included relating to flood risk;
 - More clarity should be provided for how extensions in the Green Belt will be assessed.
12. Officers have considered the comments received through the consultation process and have made a number of changes as shown in the revised draft of the SPD (Appendix A), and the Summary of Comments (Appendix B).
13. In addition to the changes proposed by officers in response to the consultation exercise there have also been changes to the development plan context. This includes the Government's decision to publish the National Planning Policy Framework (NPPF) on 27th March 2012, and changes to the LDF Core Strategy process. Consequently, it has been necessary to amend the relevant sections of the document.

Corporate Priorities

14. The options outlined above accord with the following Council Plan Priorities, as follows:
- Build strong communities;
 - Protect vulnerable people;
 - Protect the environment.

Implications

15. The following implications have been assessed:
- **Financial** – None
 - **Human Resources (HR)** - None
 - **Equalities** - None
 - **Legal** - None
 - **Crime and Disorder** - None
 - **Information Technology (IT)** - None
 - **Property** - None
 - **Other** – None

Risk Management

16. In compliance with the Council's Risk Management Strategy, there are no risks associated with the recommendations of this report.

Recommendations

17. The views of the LDF Working Group are sought on the issues raised in this committee report and the associated draft SPD, to help inform Cabinet when they consider the issues in due course.

Contact Details

Author:

Chief Officer Responsible for the report:

Neil Massey

Planning Officer
Development Management
Tel: 551352

Simon Glazier

Team Leader – Development
Management
Tel: 551322

**Report
Approved**

Date 24/8/12

Specialist Implications Officer(s)

N/A

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

Appendix A: Draft Supplementary Planning Document on House Extensions and Alterations.

Appendix B: Summary of the comments and officer responses and proposed changes.

This page is intentionally left blank



SUPPLEMENTARY PLANNING DOCUMENT

LDF WG DRAFT

**House Extensions
and Alterations**

September 2012

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012](#) (~~[Draft Nov 2011](#)~~)

~~**City of York Council**~~

~~**Draft**~~

~~**Supplementary Planning Document**~~

~~**House Extensions and Alterations**~~

~~**Consultation Draft Copy - November 2011**~~

~~**Post LDFWG**~~

~~**13 July 2012**~~

~~City of York~~

~~Local Development Framework
House Extensions and Alterations SPD
Draft Supplementary Planning Document
Approved (To be approved by Cabinet)~~

~~Copyright City of York Council 2012~~

~~Please contact us if you would like this information in an accessible format (for example, large print or by email) or another language.~~

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012](#) (~~Draft Nov 2011~~)

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

City of York Council: [Draft](#) Supplementary Planning Document: House Extensions and Alterations;
[September 2012](#) (~~[Draft Nov 2011](#)~~)

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

Contents

| Section | Page |
|---|--------------------|
| Overview | 3 |
| General Advice | |
| i. Privacy | 4 |
| ii. Overshadowing and loss of light | 6 |
| iii. Dominance and outlook | 8 |
| iv. Habitable rooms and side windows | 8 |
| v. Character and streetscene. Townscape | 9 |
| vi. Provision for storage and parking | 11 |
| vii. Private amenity space | 12 |
| viii. Drainage | 13 |
| Advice for Specific Extensions and Alterations | |
| ix. Porches and front extensions | 15 |
| x. Side extensions | 16 |
| xi. Rear Extensions | 18 |
| xii. Dormer and roof extensions | 20 |
| xiii. Detached garages and other outbuildings | 22 |
| xiv. Granny annexes | 23 |
| xv. Boundaries | 23 |
| xvi. Extensions in the Green Belt | 24 |
| Annex - Contacts and Additional Information | |
| 3.1. Key Council Contacts | 26 |
| 3.2. Further Information | 27 |
| 3.3. Submitting a Planning Application | 28 |
| 3.4. Sustainability | 28 |
| 3.5 Conservation areas | 29 |
| 3.6 Drainage | 29 |
| 3.7 Policy Background | 29 |

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

1. Overview

- 1.1 This document sets out the planning principles that the council uses to assess proposals to extend a house or flat or undertake alterations within the garden. ~~Information contained within the document will be relevant when planning applications are determined. The advice is consistent with and expands upon the content of the City of York Local Development Framework (LDF) and the National Planning Policy Framework 2012, York Local Development Framework 2011 and the -City of York Draft Local Plan 4th Set of Changes (April 2005). The main relevant policies and paragraphs of these documents of the Draft Local Plan and the most applicable strategic objectives of the LDF Core Strategy are contained in the annex annex (To be updated).~~
- 1.2 The guide covers the most widely encountered circumstances and is relevant whether your extension requires planning permission or not. It is the case however, that if your home is Listed, or located in a Conservation Area, design criteria additional to those listed in this note will typically apply. A well-designed extension is likely to enhance the overall appearance of your home with the minimum impact on the living conditions of your neighbours and the established street scene. The council will normally consult neighbours on any planning application so it is usually a good idea to discuss your proposals with them before drawing up plans.
- 1.3 Under planning legislation some extensions to houses might not need planning permission (extensions to flats will always need permission). Such works are referred to as permitted development. Legislation that relates to this area can be quite complex and vary depending on the history of a particular property. If you are planning to extend or alter a property it is strongly advised that you check first whether planning permission is required. It is recommended you submit a householder enquiry form, with brief details of your proposed works. The council will advise you in writing, normally within 10 working days, whether planning permission (and Building Regulations Consent) will be required. There is a charge for this service. The form can be downloaded from the council's website.
- 1.4 This document does not cover any other legislation, including Building Regulations. Building Regulations normally relates to issues such as the structural stability, energy efficiency, or fire safety of a building. The document also does not look at disputes neighbours might have over land ownership or shared walls. Boundary issues are normally civil matters, advice contained in the Party Wall Act may be helpful in this respect - further advice on this matter is contained in the annex.
- 1.5 The guidance is in three sections. Section 1 gives general guidance that will be relevant for all applications. Section 2 looks at specific proposals

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

such as side extensions or dormer windows. The annex includes useful contacts and procedural information.

2. General Advice

- 2.1 Central government planning guidance contained in [the National Planning Policy Framework \(NPPF\) Planning Policy Statement 1 \(PPS1\)](#) requires planning authorities to plan positively for high quality design. It states 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. good design should contribute positively to making places better for people and that inappropriate design should not be accepted.](#)
- 2.2 In accordance with planning legislation the council must consider a wide number of issues when assessing a planning application. The most common factors that lead to a proposal being refused are the harmful affect it will have on neighbour amenity (such as overshadowing and overlooking) and/or the damage caused to the visual appearance of the area. Issues relating to car and cycle parking can also often be significant.
- 2.3 In some streets it is possible to point to extensions and alterations that have been approved in the past that do not follow the guidance on visual amenity contained in this document. Policies and guidance relating to development inevitably changes over time and isolated examples of extensions that are of a poor quality will not be used as a yardstick for assessing future extensions. Where there are a large number of developments in a street that conflict with the guidance in this document the council will only consider approving similar proposals where it can be argued that they have become so typical as to be considered characteristic of the area.
- 2.4 The main considerations for assessing planning applications submitted to the council are set out below:

i) Privacy

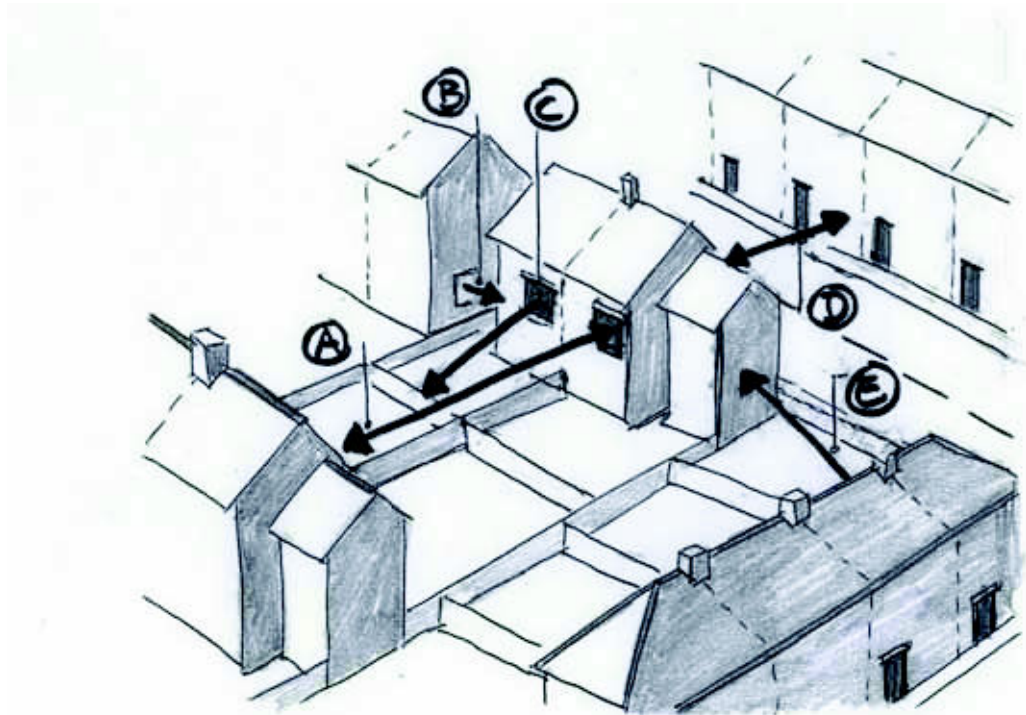
- 3.1 Proposals should not result in direct overlooking of rooms in neighbouring dwellings or excessive overlooking of adjacent garden areas. The diagram overleaf illustrates separation distances that will normally be required to preserve reasonable privacy levels (as well as ensuring adequate light and outlook).
- 3.2 It should be noted that the separation distances shown on the diagram are for general guidance and the council will have regard to the specific context of each development. Of particular relevance will be the relationship to the passage of the sun, the width and height of the proposed development and the function and number of rooms impacted.

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

Regard will also be given to how the separation distances relate to the existing character of the area. In parts of the city where houses are located close together and existing privacy levels are lower, shorter separation distances could be appropriate providing the form of the proposed development respects the area's appearance.

- 3.3 In some circumstances harmful overlooking can be avoided by using obscure glazing and fixing shut windows at a height up to 1.7m above the internal floor level. Roof lights can also sometimes be an appropriate solution. When modifying window designs to overcome privacy concerns regard should be given to the impact on the quality of the room as well as whether a suitable fire escape remains. Obscure glazing should only be used in rooms or areas of an extension that are non-habitable, or are also served by a clear glazed opening. Clear glazed first floor side windows should be avoided where they overlook adjoining gardens.

Diagram 1. Separation Distances



- A – First floor rear window overlooking property to rear (21 metres).
B – Side window to side elevation (see section 'Habitable rooms and side windows').
C – First floor rear window overlooking garden to rear (7 metres).
D – Cross Street separation (will have regard to existing character).

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

E – Rear ground floor widow to proposed two-storey side extension (12 metres). This is required to protect light and outlook from existing rear windows.

- 3.4 Balconies and roof gardens can cause particular concern as overlooking of neighbouring gardens or adjacent windows is normally much more direct. Issues relating to noise can also be significant. Balconies and roof gardens will only normally be acceptable where they overlook public or communal areas, or areas of neighbouring gardens that are not typically used for sitting out or already have a low level of privacy. In some instances sensitively designed balcony screens can help to retain adequate levels of privacy, however, care should be taken to ensure that any screening does not detract from the appearance of the area or unduly harm neighbours light and outlook.
- 3.5 The separation distances shown on the diagram will be used as a 'minimum' figure. It should be noted, however, that they are only a general guide and regard will be had to any local circumstances including the existing character of the area, the specific design of the proposal, the relationship to the passage of the sun and the amount of a property affected.

ii) Overshadowing and Loss of Light

- 4.1 Most residents gain much pleasure from good levels of light and sunlight in their homes and gardens. Clearly light is important for people's health and happiness. Environmentally it is significant for reducing the need to use energy to heat and light rooms. Externally it creates attractive amenity areas and helps to dry clothes and encourage plant growth. Sunlight can also be important for domestic energy generation - regard should be given to the impact on existing solar panels on nearby homes.
- 4.2 When assessing proposals care will be taken to ensure that they do not cause undue harm to neighbours' light. Rear extensions tend to be most significant in this respect.
- 4.3 When considering erecting a building or extension regard should be given to how much sunlight will be lost to neighbouring properties and gardens and at what times of the day and year. The diagram overleaf may be of help in indicating in what direction the sun will be in at different times of the day and its approximate height in the sky at different times of the year.

Northerly

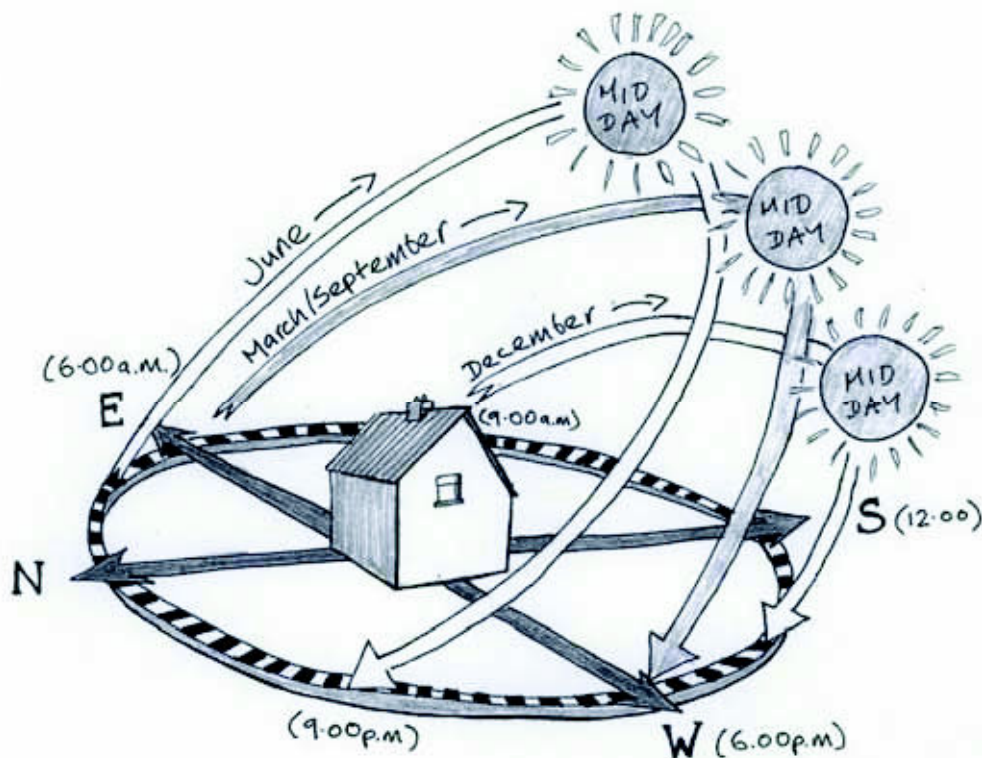
- 4.4 Extensions located to the north of a neighbouring house or garden can reduce indirect light levels, however, it will have little impact on direct sunlight. In some instances extensions to the north of a garden can be welcomed as they provide increased shelter from the elements and improve the feeling of privacy.

Southerly

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

- 4.5 During the summer when the sun is in a generally southerly direction (approximately between 12.00 – 14.00 hrs) it will be high enough in the sky so that any shadows cast will be relatively short. Loss of direct sunlight from a southerly direction to a garden in the late spring and summer from single storey buildings will normally be limited. The greatest concern in respect to proposed single-storey extensions will be the impact on sunlight entering nearby windows during the autumn or winter months when the sun is lower in the sky. Two-storey extensions because of their height can be of concern year round, particularly in respect to blocking sun from nearby habitable rooms and overshadowing small gardens and yards.

Diagram 2 – sun path

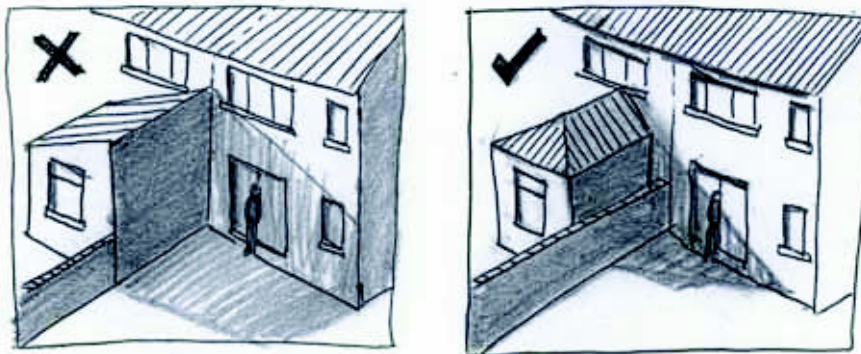


The diagram is for illustrative purposes. It shows the approximate sun rise and sun set times and orientations at different times of the year. It also indicates that the sun is at a much higher angle in the sky during the summer months than the winter.

Easterly and Westerly

- 4.6 The sun rises in the east and as such the impact of development in this direction will be on morning sunlight. Proposals to the west of a house or garden will impact on afternoon and evening sunlight. In the winter months the sun is relatively low in the sky when to the east and west.
- 4.7 Proposals for a two-storey rear extension projecting from the rear elevation of a semi-detached or terraced house, the rear of which faces north-east or north-west, can be of particular concern. This is because the rear of an adjoining house facing either of these directions will only receive sunlight in the morning (north-east facing) or late afternoon and evening (north-west facing). A large extension located to the side is capable of blocking almost all sunlight that the rear of the property currently receives. Applicant's should have particular regard to this when considering the location of extensions.

Diagram 3 - Single storey rear extensions.



Keeping eaves heights low reduces overshadowing of neighbouring properties. [The degree of overshadowing will depend on the time of the day and year and the orientation of the extension in relation to the sun.](#)

iii) Dominance and Outlook

- 5.1 In some instances an extension may not cut out much direct sun light or significantly reduce light levels but could still be deemed unacceptable. Dominance and outlook relates to how an extension will change the character of the neighbouring house and garden and affect the outlook from nearby windows. Outlook differs from a view in that it relates to the openness enjoyed by occupants of a property, this includes, for example, having a reasonable sight of the sky through windows and being able to

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

look an appropriate distance beyond a property. A view typically refers to a view of a particular thing such as an attractive building or open countryside. A view in itself is not normally protected when assessing the impact of development on the living conditions of a home.

- 5.2 When assessing the impact that a proposal will have on an outlook, regard will be had to the established character of an area and the existing feeling of openness. It is important that neighbours' do not feel unduly hemmed in by proposals.

iv) *Habitable rooms and side windows*

- 6.1 It is the case that light and outlook can be of greater importance for some rooms than others. Limited protection will be given to protecting light and outlook to non-habitable 'rooms' such as bathrooms, utility rooms, hallways and landings. The greatest protection will be given to living rooms given that most people typically spend much of the day in them. In respect to kitchens, greater weight will be given to protecting light levels and outlook where they include a dining area.
- 6.2 Some properties in York, though having the vast majority of openings on the front and rear of the home have a main kitchen or bedroom window on the side of the house. In such circumstances development will normally be allowed closer to the affected windows than if development were impacting on a window to the front or rear, however, modifications to the height and/or depth will normally be required to allow the retention of an outlook past the proposed new development.
- 6.3 Side windows should not be installed in extensions where they would unacceptably overlook neighbouring gardens or potentially 'sterilise' what would otherwise be the reasonable development potential of adjoining land. Where a clear glazed side window is inserted in an existing house (or a room altered so that the existing side window becomes the main opening) less weight will be given to protecting the outlook to the side. Planning permission is needed to install any upper floor clear glazed window in the wall or roof of a side elevation of an existing house.

v) *Character and streetsceneTownscape*

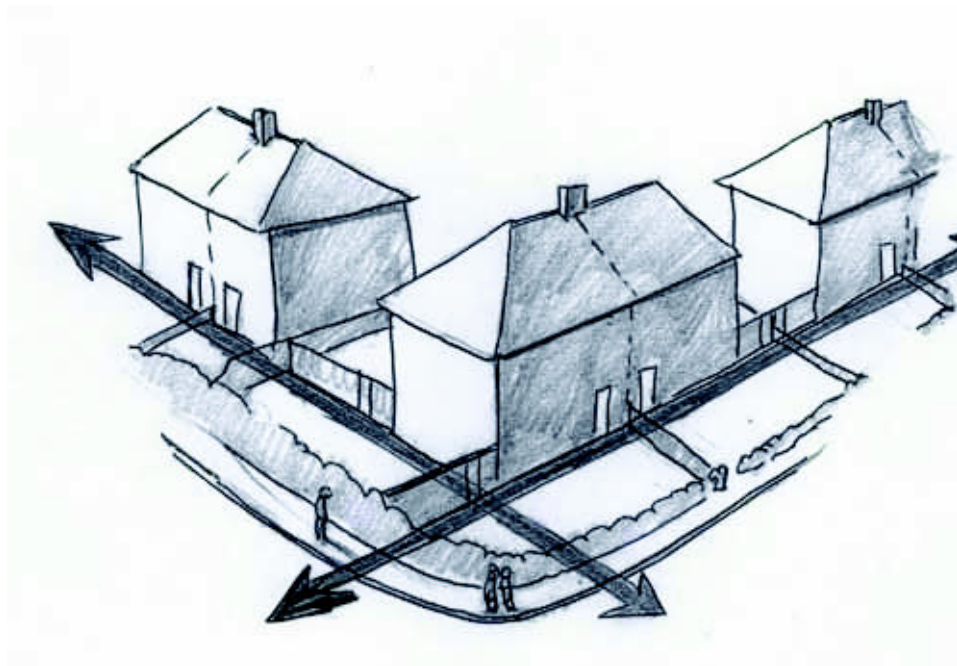
- 7.1 A basic principle is that any extension should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the street scene generally. In particular, care should be taken to ensure that the proposal does not dominate the house or clash with its appearance.
- 7.2 The character of an area will be a major factor in determining the appropriate form, size and relationship to the boundary of an extension.

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

Key criteria include the degree of enclosure of the street, the character of the space between the buildings, the form and detail of the buildings, and the form and detail of the landscaping. In most instances, where a street has a relatively uniform housing type and building line this should be respected in submitted proposals.

- 7.3 In some villages, residents and the parish council have produced Village Design Statements. These documents contain important advice on how to ensure that developments harmonise with the particular characteristics of individual villages. It is important that you have regard to their content. A list of the villages that have produced such statements at the time of preparing this guidance are contained in the annex. [More statements are likely to be produced in the future and applicants should check at the time of preparing schemes whether others are applicable.](#)

Diagram 4 – Building Line



Prominent extensions to the front or side of a property should not extend beyond a clearly defined front or side building line by a significant degree.

- 7.4 Adherence to the following principles should help to ensure that [character and streetscene townscape](#) criteria are met:

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

- a) The siting of an extension should not be detrimental to the pattern of buildings and the spacing between them. Where a street or group of buildings has a clearly defined building line it should be retained and extending forward of a street's building line should be avoided. Only in exceptional circumstances will this be appropriate (e.g. where the building line is not well defined or the front gardens of properties in the vicinity or general area are well screened). [Advice relating to porches is contained in paragraph 11.](#)
 - b) Extensions should normally appear subservient to, yet in keeping with, the original building.
 - c) Extensions should respect the architectural period, style and detailing of the existing dwelling and the area.
 - d) External materials, e.g. bricks and tiles, should match the colour, size, shape and texture of the materials of the existing dwelling. The use of contrasting materials will be considered case by case.
 - e) Windows and other openings should be in scale with the extension. They should be in line with and match the proportions, style and method of opening of existing windows.
 - f) Extensions to dwellings should generally have a roof pitch and/or style that reflects that of the existing house.
 - g) Where possible the opportunity should be taken to improve the appearance of an existing building, particularly by the removal/replacement of unsightly alterations or extensions that have been added in the past.
 - h) Existing trees should normally be retained where they make a significant contribution to the appearance and wildlife value of an area. Sufficient space should be left between an extension and existing trees in order to ensure that their root systems are not damaged and to ensure that the trees do not cause a nuisance, reduce daylight to windows or pose a risk from falling branches. Mature shrubs should also be retained where possible. In most residential areas a sensitive balance between built development and space for landscaping will be needed if a development is to respect an areas character.
- 7.5 In many cases proposals that do not respect the character of a house or location are a result of the owners desire to create too much new living space (overdevelopment) and/or give insufficient attention to retaining or duplicating important local details and landscaping (poor design). The council does not, however, automatically oppose schemes because they do not conform with the style and layout of the existing home and area. When well thought through, imaginative or contemporary additions to existing housing can add interest to the streetscene and showcase modern architectural techniques. Where a householder wishes to alter their property in a way that does not relate to the existing form it is well

advised to employ an architect with a successful record of bringing forward such schemes. To gain consent it will be necessary to fully explain and justify the approach taken and make it clear why the scheme would enhance the appearance of the locality rather than detracting from its most attractive characteristics. Diagrams and photo-montages can be very helpful in this respect.

VI) *Provision for Storage and Parking*

- 8.1 A site should retain adequate access, parking and turning facilities for vehicles, including secure storage for cycles. The number of parking spaces required will depend on the council's parking standards for the area, on-street parking availability and any pertinent highway safety considerations. When altering car parking areas, care should be taken to retain as much of the garden boundary and existing vegetation as possible. Barren hard surfaced gardens which serve only as car parking areas erode the character of the street, detract from the security of the site and can increase flood risk through high levels of surface water run-off. Further advice relating to drainage is contained in paragraph 10.1.
- 8.2 Where a first floor or two-storey side extension is proposed and there is no pedestrian access to the rear garden, a garage or cycle store should be incorporated within the front of the house.
- 8.3 Regard should also be given to the storage of bins and recycling boxes. If an extension is taking place at a property that has a large well screened front garden, open un-enclosed storage will normally be acceptable. However, where a garden is small or open plan, or a house abuts the street, provision should be made for storage within the building or within a sensitively designed external area.
- 8.4 Where a property is reliant on access to the rear garden for the storage of cycles a minimum gap of 0.9m will normally be required between the extension and side boundary.

VII) *Private Amenity Space*

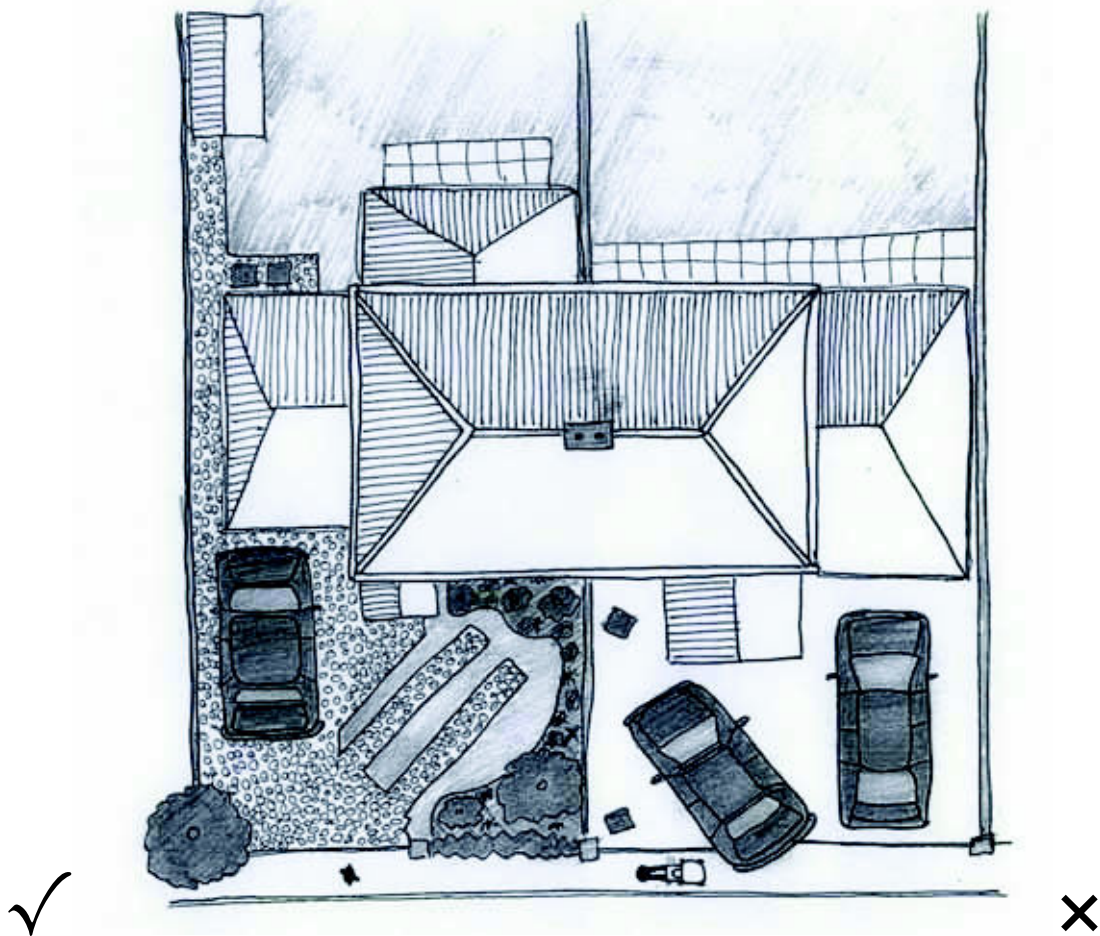
- 9.1 Proposals should seek to retain adequate, useable private amenity space for the occupiers of the enlarged or altered dwelling. Front gardens are often not sufficiently private to be treated as amenity space.
- 9.2 In respect to the functionality of the property the council will only require that (in addition to parking and storage provision), all homes should as a minimum retain sufficient land for drying clothes and space that is suitable and welcoming to sit out in. Prospective applicants should note, however, that a 'visual appearance' assessment will also be made and in most cases proposals to erect buildings across a large area of garden will

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

cause concern, as it would be likely to conflict with policies that seek to protect neighbours living conditions and the open landscaped character of the area.

- 9.3 When considering a future extension or outbuilding it should be noted that developing too large a proportion of a garden may reduce the home's value and limit the range of people who might want to occupy it in the future.

Diagram 5 – Hard surfacing front gardens



The plan above shows a 'good' and 'bad' example of the hard surfacing of the front garden of a property and provision for bins, cycles and car parking. It is always necessary to ensure that the surfacing is permeable or drains to the garden. Vegetation and boundary walls should also be retained where practical.

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

viii) *Drainage*

10.1 Care should be taken to ensure that extensions are not at risk of flooding and do not significantly increase flood risk to adjoining land. In areas most at risk of flooding (Flood Zone 2 and 3) it must be ensured that internal floor heights of extensions are no lower than those of the main house. Electrical sockets should also be positioned at a height at least 45cm above the internal floor level.

~~_regard should be given to internal floor levels and the height of electrical sockets and so forth. Details of York's flood zones can be found on the following website: <http://localview.york.gov.uk/Sites/lv/>~~

10.2 A surface water drainage method should be used that is most appropriate to the local ground conditions. Water butts and other rain water harvesting systems should be considered to help make more efficient use of water. In this regard rainwater recycling and other sustainable approaches should be given priority.

Details of York's flood zones can be found on the following website: <http://localview.york.gov.uk/Sites/lv/>

10.3 The hard surfacing of front gardens can need planning permission. Permission would be unlikely to be given for a non-permeable surface as the relatively minor works can cumulatively have a significant impact on flood risk. Householders should ensure that surfacing is permeable or only covers a small part of the front garden with water directed to drain into remaining undeveloped areas of land.

10.4 Website links that contain much useful information and advice on the best ways to deal with drainage and flood risk are contained in the annex.

Advice for Specific Extensions and Alterations

ix) Porches and other Front Extensions

11.1 The fronts of houses and their distance from the pavement are generally important visual features of residential areas. Front extensions if poorly designed or located can have a significant adverse impact. An extension forward of the front wall of a house will not normally be permitted, unless:

- the house is set well back from the pavement, or is well screened,
- the extension is small, well-designed and it would not harm the character of the house/area; and
- the extension would not unduly affect neighbours.

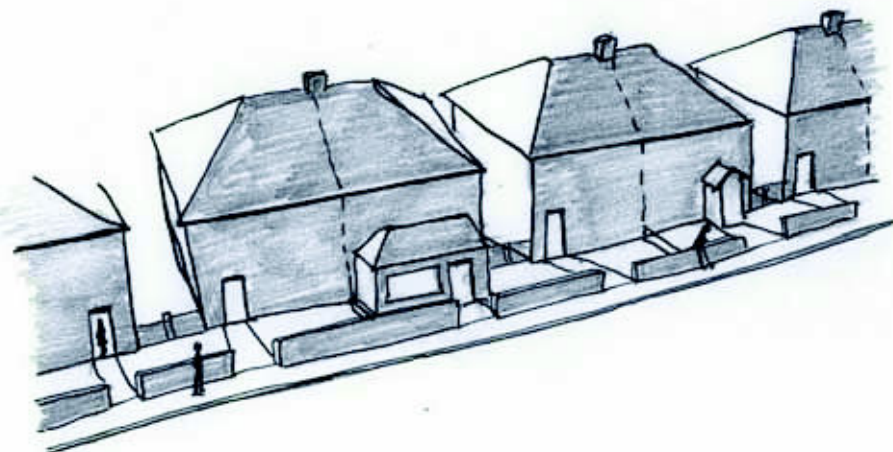
11.2 Front extensions are normally most suitable for detached properties that are set back from the road, or where the street has no established building line.

11.3 Small porches ~~sometimes do~~ sometimes do not require planning permission. Where they do require permission they will only be acceptable if they are not detrimental to the character of the street or unduly affect neighbours. Porches should not normally project excessively beyond the front of the house or be overly wide. The glazing style, door location, materials and roof pitch should respect the original building.

Diagram 6 – Front Extensions

X

✓



Normally only small porches are suitable as front extensions.

x) *Side Extensions*

- 12.1 Side extensions (particularly when two-storey) are often seen as an efficient way of creating new internal space. The council receives numerous applications each year for two-storey side extensions that incorporate a garage and kitchen space on the ground floor and additional bed space above accessed from the first floor landing. Such extensions often have less impact on neighbours living conditions than extensions to the rear and also have the benefit that they do not lead to the loss of valuable rear garden space.
- 12.2 Side extensions will not however be suitable for all detached and semi-detached properties and where they are proposed care should be taken to ensure that they are designed to harmonise with the property and avoid undue harm to neighbours living conditions. If not sensitively designed and located, side extensions can erode the open space within the street and create an environment that is incoherent and jumbled.
- 12.3 Side extensions should normally be subservient to the main house and should not unduly block sunlight reaching solar panels on existing properties and should not unduly block sunlight reaching solar panels on existing properties. 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.
- 12.4 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.
- 12.5 Where a side extension is proposed to extend to the side garden boundary the first floor (or all of the extension) should be set back a minimum of 0.5 metres from the front elevation (the exact distance will depend on how significant the spacing in the street is to the character of the area).
- 12.6 Where the spacing between houses (and often associated landscaping) is a very important intact characteristic of the street it may be the case that a clear gap will need to be retained between the side of the extension and the side boundary. This is likely to be the case in a street containing a mix of house types as in such circumstances proposals to build adjacent to another house can lead to an uncomfortable 'clash of styles'. Spacing is also often a particularly important characteristic between short groups of terraced properties and in such circumstances two-storey side extensions to end terraced houses will be resisted. It is important that the erection of two-storey side extensions does not through overdevelopment, lead to the

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

impression of the terracing of the front elevation of adjoining properties and the erosion of a street's spaciousness and character.

- 12.7 Side extensions along a boundary with a road (or footpath) raise additional issues. The extension should not have an overbearing impact on pedestrians using the footpath or affect highway sight lines. It should also not have a detrimental impact on the streetscene by significantly projecting beyond a clearly defined building line of the adjacent street, or detract from the spaciousness of the area. Any rear projection of a side extension should accord with the requirements for rear extensions.
- 12.8 It is often good practice to try and retain a 90cm gap to the rear garden to ensure that access remains for cycle storage and so forth. Access to the side and rear of an exposed extension can also be important for allowing future external maintenance. Where a two-storey extension (or first floor extension) is proposed and no access is available to the rear garden it will be necessary to show how cycles and bins will be sensitively accommodated within the house or front garden.
- 12.9 Extensions should stay within the boundaries of the site. For example, eaves and gutters should not overhang adjacent properties unless neighbours have given consent for this to occur.
- 12.10 Proposals for dormer windows on the side roof slope of two-storey extensions will rarely be acceptable as the resulting roof slope would normally not match that of the existing house and when combined with the extension the development would not appear subservient to the building.

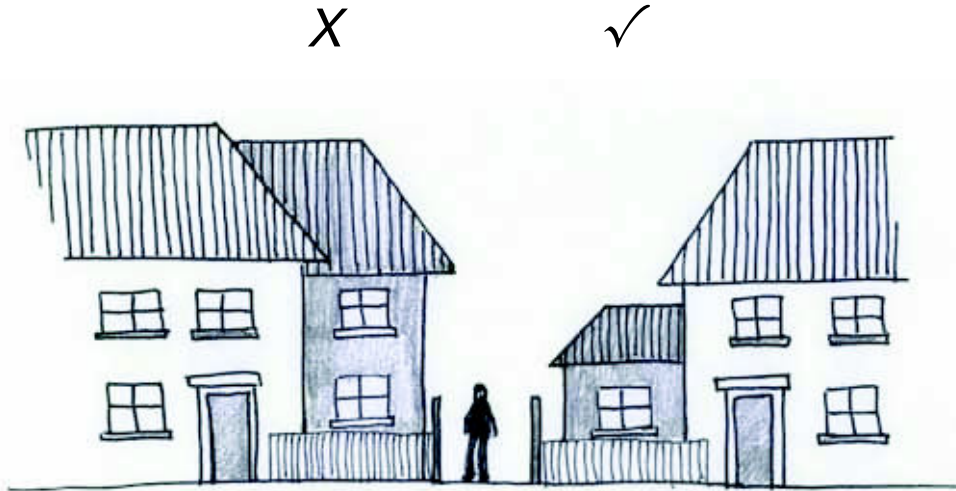
Diagram 8 - Two-storey side extensions.



City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

Normally it is important that the shape and detailing of the extension, including the size and position of windows relates to the original house.

Diagram 7 - Side extensions near footpaths.



Tall and/or deep extensions located too close to footpaths can make routes much less open and attractive.

xi) *Rear Extensions*

Single-Storey

13.1 In most cases single storey rear extensions up to 3 metres in length can be erected to [semi-detached or terraced/attached](#) properties and up to 4m in length to detached properties without needing planning permission. If such works are proposed however, it is essential that you check first with the council to ensure that there are no further restrictions on the property concerned that might mean that the proposal does need planning permission. Information should also be sought in respect to restrictions that apply with regard to the acceptable height and materials.

13.2 In assessing proposed extensions beyond 3 and 4 metres the council will have regard to a number of factors including the impact on sunlight, the relationship to windows and the height of the structure. Where a planning officer is uncertain in respect to the acceptability of a proposal he or she will typically try and gain information in respect to the function and layout of the neighbours' affected room(s). Key issues to consider will include whether the affected room has windows on more than one elevation and whether the ~~rooms~~ shape/size [of the room](#) and the location of windows is

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

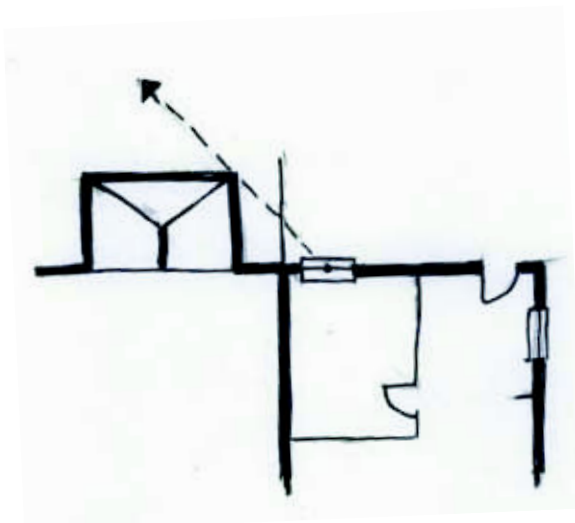
such that the proposed extension would be particularly prominent from much of the room. [Care will need to be taken to ensure that neighbouring gardens](#)~~Where a neighbouring property has a small garden, care will need to be taken to ensure that it retains~~ [retain](#) adequate levels of sunlight and openness. In most cases it is good practice to try and keep the eaves height of extensions as low as possible.

- 13.3 Conservatories are usually to the rear and therefore have similar requirements to single-storey rear extensions. Privacy (for users of the conservatory and for neighbours) is often of greater importance than for other rear extensions. Privacy can be protected by [the use of, for example](#), blank side walls, obscure glazing (frosted glass), [high level windows along sensitive elevations](#), or by screening along shared garden boundaries.

Two-Storey

- 13.4 [Unless located on a corner, rear](#) extensions are usually screened [from the street](#) by the [existing](#) house. ~~and therefore have less impact on the street scene than side extensions.~~ However, the additional mass of an extension does have an impact on the space around buildings (including gardens) and can have a significant affect on adjoining occupiers.
- 13.5 Two-storey extensions on terraced properties with small rear gardens will generally not be acceptable due to the impact on the neighbouring property and sometimes almost complete loss of amenity space for the house to be extended.
- 13.6 On detached and semi-detached houses a two-storey rear extension may be acceptable subject to the usual [area character townscape](#) and amenity principles, referred to previously being satisfied. When deciding the acceptable projection of two-storey extensions a starting point will be the '45 degrees rule'. [As shown in diagram 9](#) ~~†~~ this involves drawing a line from the centre point of the nearest ground floor habitable room window towards the proposed extension. Extensions that project beyond a 45 degrees line will normally be unacceptable unless it can be clearly shown they will not unduly harm the living conditions of the affected property. [The 45 degrees rule does not take account of the extension's impact on direct sunlight. Advice in respect to this is contained in paragraph 4.](#)

Diagram 9 - The 45 degrees 'rule'.



The dashed line is at an angle of 45 degrees drawn from the centre of the nearest ground floor window towards the location of the neighbouring two-storey side extension. Extensions that project beyond this line will normally be unacceptable. To avoid cutting through this line the extension can be reduced in length and/or moved further from the neighbouring window.

xii) *Dormer windows and Roof Extensions*

- 14.1 The roof of a building is an important and prominent element of its design. Unsympathetic roof extensions can have a dramatic affect on a building's visual appearance. When integral to a dwelling or located on a steep roof slope dormers can add visual interest and rhythm to a street. However, if poorly located or designed, dormers can make a building appear 'top-heavy', cluttered and harm its balance, or symmetry.
- 14.2 Dormers can also detract from the living conditions of neighbours. The loss of privacy can be of concern - particularly where they overlook previously sheltered areas of nearby gardens. Regard should also be given to the impact that large dormers can have on neighbours' light or outlook.
- 14.3 In some instances dormers proposed to the side or rear of a property might not require planning permission. It is strongly advised that people check with the council in respect to the need for consent before pursuing such works.
- 14.4 Proposals to raise the roof of a dwelling to create adequate internal roof space will normally be refused unless the building is detached and/or such works can be undertaken without creating a structure that is out of character with neighbouring properties. Care should also be taken to ensure that the works do not block undue sunlight from solar panels on roofs of nearby properties.

14.5 Dormers should be designed so that they do not dominate the roof. The style, materials and shape of dormers should relate to the appearance of the house, including the position of existing windows. For bungalows, a single well proportioned flat roofed front dormer might be acceptable on the front roof slope providing it is set in comfortably from the edges and ridge of the roof. For this to be the case the roof pitch of the existing house will have to be relatively steep. When located on bungalows with a shallow roof pitch, dormers are unacceptable on the front roof slope as to create adequate head height they will inevitably dominate the roof slope and make the building appear 'top heavy'. In streets where there are few or no front dormer windows it is unlikely that new dormers will be allowed on the front elevation unless it can be clearly shown that they will not detract from its character. In respect to privacy, separation distances set out in the 'General Advice' section should be adhered to.

Diagram 10 – Front dormers on bungalows

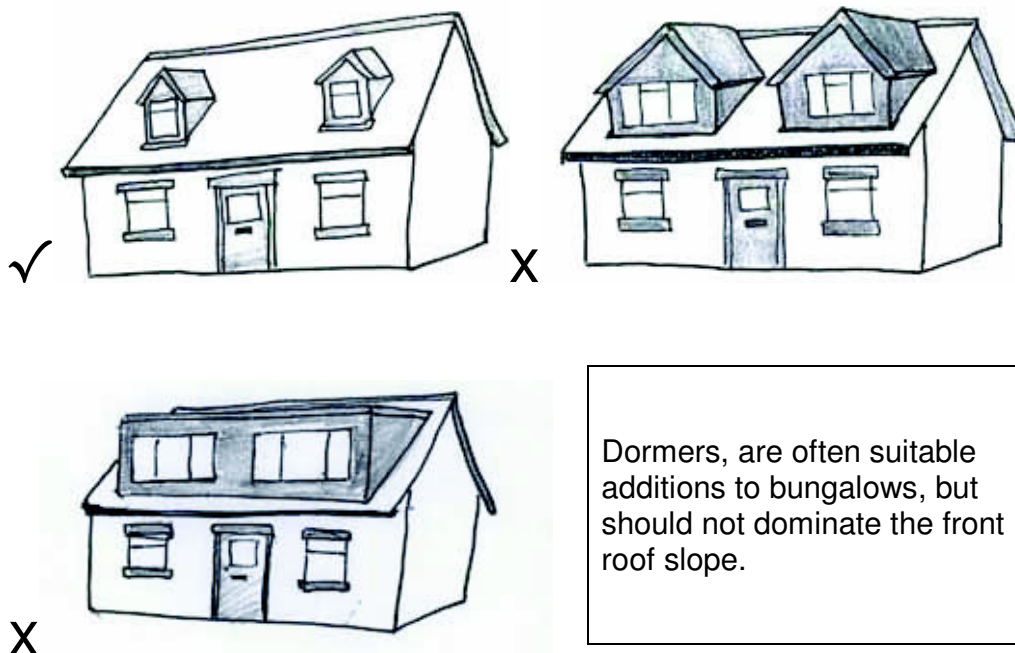


Diagram 11 - Front dormers on houses

Dormers will appear out of place and unduly prominent on the front roof slope of most two-storey houses, unless the dormer is very modest in size and characteristic of the street, or characteristic of the type of house on which it is proposed.



xiii) Detached Garages and other Outbuildings

15.1 Garages and other outbuildings can have as much impact on the overall visual appearance of a property as any other addition. Wherever possible they should reflect the style, shape and architectural features of the original building and not be detrimental to the space around it. Care should be taken to avoid the loss of vegetation and retain space for planting that can often soften a building's impact. Outbuildings should clearly be smaller in scale to the house. Particular problems occur with large double garages, which can appear out of scale with adjacent dwellings and gardens. Special care must be taken to disguise or reduce their bulk. In most instances it will be better to use twin doors with a central column instead of one large double door which can appear 'industrial' in appearance and overpower the rest of the building.

15.2 Outbuildings should normally not be in front of dwellings unless, within the development, there is an irregular arrangement of buildings. Doors should be in keeping with the character of the building and not obstruct the public highway. There must be enough space on the driveway in front of a proposed garage for a car to be parked without any part of it overhanging

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

the footpath or road. It will also be necessary to ensure that the garage door can be opened when a car is parked in front of it. Typically a minimum drive length of 5.5m will be sought in front of garages.

- 15.3 Garages and other outbuildings must not have a detrimental impact on the residential amenity of neighbours.

xiv) *Granny Annexes*

- 16.1 Any new building work related to the construction of 'granny annexes' should comply with guidance contained within this document. 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. Proposals to use an annex for a separate dwelling not occupied by family members or for self contained holiday accommodation will only be acceptable where such proposals comply with national and local policies that relate to new dwellings or flat conversions.

16.2 Concerns can exist in respect to flood risk to occupiers of ground floor granny annexes proposed in Flood Zones 2 and 3. Where there is no internal door linking a granny annex with the rest of an existing house a Flood Risk Assessment appropriate for a new dwelling will be needed to assess flood risk to occupiers of the annex.

xv) *Boundaries*

- 17.1 Fences and walls though relatively minor alterations can have a very great impact on the appearance of a street. When considering erecting a new boundary structure it is important to look at others in the road and consider what height, design and materials are characteristic of the area. Boundary types normally differ according to the age of the property and whether the street is in an urban, sub-urban or village location - a boundary that is appropriate around a Georgian townhouse close to the city centre will normally appear out of place in front of a suburban semi (and vice versa).

17.2 In most cases a boundary lower than 1 m will not require planning permission. Boundaries between 1 and 2 metres that adjoin a highway (which includes a footpath adjacent to the road) will typically need permission. Some post-war areas of York have open plan restrictions and permission will be needed for all front boundaries. If in doubt about the need for planning permission you should always contact the council.

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

~~Normally fences and walls that are to the front of a house should not exceed 1 – 1.2 metres in height. High front boundary walls and fences can make a street appear unwelcoming and block what is often the most attractive view of a garden and property. Where a higher screen is required to the front, a hedgerow would be the most appropriate solution. Boundaries formed from vegetation have the additional benefit that they can help support birds and other wildlife.~~

- 17.3 ~~Where a side or rear garden boundary adjoins a road a 1.8 – 2.0m brick wall will normally be acceptable. Wooden fences will be appropriate where they are characteristic of the area and they are of a robust design. Care should be taken to ensure that a boundary does not obscure sight lines for vehicles entering or exiting a property or turning a corner.~~

~~High front boundary walls and fences can make a street appear unwelcoming and block what is often the most attractive view of a garden and property. Where a higher screen is required around a front garden, a hedgerow would be the most appropriate solution. Boundaries formed from vegetation have the additional benefit that they can help support birds and other wildlife.~~

~~Where a side or rear garden boundary adjoins a highway (which includes a footpath adjacent to the road) a 1.8 – 2.0m brick wall will normally be acceptable if it is in keeping with the surroundings. Wooden fences will be appropriate where they are characteristic of the area and they are of a robust design. Care should be taken to ensure that a boundary does not obscure sight lines for vehicles entering or exiting a property or turning a corner.~~

- 17.4 ~~In most cases a boundary lower than 1 m will not require planning permission. Boundaries between 1 and 2 metres will typically need permission where they adjoin a road. Some post-war areas of York have open plan restrictions and permission will be needed for all front boundaries. If in doubt about the need for planning permission you should always contact the council.~~

xvi) *Extensions in the Green Belt*

- 18.1 Much of the open land in the City of York council area is classified as Green Belt. A key function of this land is to retain openness between built up areas and safeguard the historic setting of the city. If you are intending to extend a home that is located within the Green Belt it is important that you have regard to national and local policies on development in such areas.

- 18.2 If a home is located in the Green Belt outside a settlement any planning application to extend the original footprint by more than 25% has

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

~~traditionally been considered to be a disproportionate addition and resisted accordingly. it has traditionally been unacceptable to extend it by more than 25% of its original footprint.~~ It is the case, however, that changes to national permitted development legislation in 2008 meant that in ~~some many~~ instances homes in the Green Belt could be extended by more than 25% without requiring planning permission. If planning permission is needed for an extension in the Green Belt and the extension would increase the footprint of the dwelling by more than 25%, the council will when making a decision~~When assessing a planning application to extend a home by more than 25% of its original footprint, the Council will, in making a decision,~~ have regard to what alternative extensions or outbuildings could ~~reasonable~~ be undertaken without the need to apply for planning permission. In some instances it might be more beneficial to be acceptable to approve an extension above 25% of the footprint of the home if a refusal may result in the house owner undertaking a less favourable development using permitted development rights. Where a large extension is approved in the Green Belt a condition may be included to ensure providing the owner agrees to a condition that no further extensions (or outbuildings) are erected using permitted development rights.

18.3 Some areas of the Green Belt 'wash-over' defined settlements. In these situations limited infilling will typically be allowed. Limited infilling is considered to be development that takes place within built up areas and preserves the general character of the locality.

18.4 All proposals for extensions in Green Belts will also need to have regard to other guidance within this document. It is particularly important in the Green Belt that extensions do not cause homes to become significantly more prominent within the landscape. Proposals at first floor level or changes to the roof are particular sensitive in this respect.

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

Annex: Contacts and Additional Information

3.1 Key Council Contacts

A) Development Management

The Council's Development Management section make recommendations on planning applications and can offer advice on whether planning permission is required for a proposal and whether a proposal is likely to receive consent.

There is a charge for most services that are provided and requests for advice must be submitted on forms that can be obtained from the Council or downloaded from our website.

The following site can be useful for assessing whether your works will require planning permission. (<http://www.planningportal.gov.uk/permission/house>). If you think that your works will not require permission it is recommended that you double check in writing with the Council before progressing.

The contact details for the Development Management Service are:

Plans Processing Unit
City of York Council, 9 St Leonard's Place, York YO1 7ET
tel: (01904) 551553

email: [**planning.enquiries@york.gov.uk**](mailto:planning.enquiries@york.gov.uk)

website: <http://www.york.gov.uk/environment/Planning/>

A) Building Control

You will probably need Building Regulations approval for most works or changes of use that you carry out to a building.

It is useful to have written confirmation that your proposal doesn't need planning permission or building regulations consents, especially when it comes to selling your property. This confirmation shows any prospective purchaser that you haven't carried out any unauthorised work.

The contact details for the [City of York Council](#) Building Control Service are:

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

Building Control, City of York Council,
7 St Leonards Place, York YO1 7ET

Site inspection tel: (01904) 551354 or 551333

email: [**building.control@york.gov.uk**](mailto:building.control@york.gov.uk)

Website: http://www.york.gov.uk/environment/Building_control/

3.2 Further Information

A) Map Based Information

It is important that you check whether your property is in a conservation area or flood zone 2 or 3. Information can be found at the following map based site.

<http://localview.york.gov.uk/Sites/lv/>

Information showing York's **Greenbelt** can be seen at:

http://www.york.gov.uk/environment/Planning/Local_Plan/View_the_local_plan/

Please see under 'Local Plan Proposals Map' heading.

B) *Village Design Statements [\(VDS\) and Neighbourhood Plans](#)*

The following villages currently have Village Design Statements:

Askham Bryan; Askham Richard; Copmanthorpe; Dunnington; Heslington; Holtby; Knapton; Murton; Poppleton; Rufforth; Skelton; [Wheldrake](#).

These documents have been produced by the local community. [They set out advice and guidelines that seek to ensure that new development harmonises with its surroundings and makes a positive contribution to the local environment. If you live in a location with a Village Design statement one of the villages it is important that you consider the advice contained within the document when preparing a planning application will be relevant to your proposal.](#) The documents can be viewed at:

http://www.york.gov.uk/environment/Planning/guidance/Village_design_statements/

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

c) *The Party Wall Act 1996*

The City Council does not adjudicate in disputes over property ownership/boundaries. Where an applicant or neighbour requires information in respect to issues such as building on property boundaries or seeking access to a neighbour's land it is recommended that they initially view the Party Wall Act for advice.

An explanatory booklet about the Act is available from City Strategy at 9 St Leonard's Place, or at:

<http://www.communities.gov.uk/publications/planningandbuilding/partywall>

3.3 Submitting a Planning Application

Planning applications for house extensions usually take around 7 weeks to be decided. The Council will normally contact neighbours to give them the opportunity to comment on the proposals. The vast majority of decisions are taken by planning officers under 'delegated' authority, however, those that are contentious or unusual will sometimes be decided by elected Members at regular planning sub-committee meetings.

The current fee for submitting a planning application for a house extension or alteration is £150. Applications must be submitted on appropriate forms and be supported by plans and drawings of an acceptable standard. Further advice on how to submit a planning application is available at the following link:

http://www.york.gov.uk/environment/Planning/Planning_applications/309159/

3.4 Sustainability

A number of elements of this guidance note on house extensions support proposals to make better use of resources and discourage harm to the natural environment. For example, it sets out the importance of ensuring that proposals leave space to store cycles and rubbish/recycling, do not increase flood risk and retain appropriate levels of garden space and landscaping.

The council has also produced a specific guidance note purely on sustainability for various forms of development. The note contains much useful advice and can be seen at the following website link:

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

http://www.york.gov.uk/environment/Planning/guidance/Design_and_construct_draft_SPG/

3.5 Conservation Areas

Information in respect to the location of conservation areas in the City of York area can be found at the following link. Information is also available in respect to the specific characteristics of each of the conservation areas.

http://www.york.gov.uk/environment/conservation/Conservation_areas/

3.6 Drainage

The following drainage advice could prove useful when planning to undertake works:

Environment Agency advice on planning applications:

<http://www.environment-agency.gov.uk/research/planning/82584.aspx>

Advice on improving the flood performance of new buildings:

<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

Advice on the permeable paving of front gardens:

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

3.76 Policy Background

National Planning Policy Framework:

In March 2012, the Government produced the National Planning Policy Framework (NPPF) – this sets out the Government’s approach and policies to development, and replace PPG’s and PPS’s. In terms of guidance in relation to house extensions and alterations, the following sections of the NPPF are particularly relevant:

- Section 7 – Requiring good design;

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

- [This section considers the importance of high quality design, which contributes to making places better for people. It goes beyond purely aesthetic considerations and considers the connections between people and places and the integration of new development into the natural, built and historic environment.](#)
- [Section 9 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 90 states that the extension of a building will not be inappropriate in the respect to Greenbelt policy providing it does not result in disproportionate additions over and above the size of the original building.](#)
 - [Section 10 – Meeting the challenge of climate change, flooding and coastal change;](#)
[This section aims to make developments more sustainable, helping to mitigate climate change, by maximising renewable and low carbon energy development. It also aims to reduce flood risk.](#)
 - [Section 12 - Conserving and enhancing the historic environment;](#)
[This section aims to reduce the impact of developments on the historic environment by taking full account of heritage assets. It considers that great weight should be placed on the asset's conservation. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.](#)
 - [Plan-Making](#)
[This section considers the plan making process – of particular relevance to the Draft SPD is paragraph 153, which states that SPD's should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.](#)

[At a local level, the draft SPD encompasses the general approaches and visions set out in the City of York Local Plan \(4th Set of Changes, April 2005\). The Local Plan 4th Set of Changes were approved for Development Management purposes in April 2005 and the policies most relevant are copied in the section below.](#)

[The draft SPD is also in conformity with the LDF Core Strategy Submission \(Publication\) document \(September 2011\), particularly policies](#)

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

[CS5 \(Urban Design and the Historic Environment\), CS7 \(Balancing York's Housing Market\), and CS21 \(Sustainable Design and Construction\).](#) Although the document has been withdrawn, it indicates the Council's interpretation of a number of evidence base documents in policy terms, and has been subject to consultation. These evidence base documents include:

- [2011 Strategic Housing Market Assessment.;](#)
- [2011 Strategic Flood Risk Assessment.;](#)
- [Waste Management Strategy;](#)
- [Climate Change Framework and Action Plan;](#)
- [Other SPD's, such as the 'Controlling the Concentration of Houses in Multiple Occupation' and 'The subdivision of dwellings'.](#)

[These national and local policies seek to ensure that new extensions, whilst meeting the needs of occupiers, do not detract from the appearance of the local area, or conflict with issues of importance including flood risk, energy use and the protection of the natural environment.](#)

Local Development Framework (2011)

~~The Local Development Framework (LDF) is the plan for the future development of York. It will be a blueprint for the economic, social and environmental future of York which will provide the framework for implementing the Council's aims and objectives that affect the use of land and buildings.~~

~~The Core Strategy lies at the heart of the LDF. Its purpose is to set out a vision, strategic objectives, targets and policies to guide where development goes in a way that will ensure the protection and enhancement of the City's historical and green assets whilst ensuring that carefully designed new developments are brought~~

~~The emerging Core Strategy is at an advanced stage in its production and it is anticipated that it will be examined in early 2012.~~

Strategic Objective — York's Special Historic and Built Environment

~~To continue to protect, preserve and enhance York's exceptional historic legacy, including its architecture and archaeology, significant views, landscape setting and the distinctive characteristics of York's villages and neighbourhoods. The Local Development Framework (LDF) will ensure that all new development~~

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

~~delivers the highest quality standards in urban design, architecture and public realm, delivering its share of exceptional contemporary development that will be equally valued by future generations.~~

~~*Strategic Objective – The Role of York’s Green Belt*~~

~~To set a permanent Green Belt for York that will not need to be reviewed for at least 20 years which will preserve the setting and special character of York, including retaining and protecting special features such as the strays, green wedges and views of the Minster. The Local Development Framework (LDF) will also address, within the York context, the other purposes of Green Belts set out in *Planning Policy Guidance 2 (1995)*.~~

Draft Local Plan 4th Set of Changes (2005)

The City of York Draft Local Plan (fourth set of changes) was approved in April 2005. ~~is currently the main Council document setting out the policies that will be used when assessing planning application for house extension and alterations in York. The policies in the Local Plan form a framework for the advice contained in the guidance note.~~ The content of the policies that are likely to be most relevant for your proposals are copied below:

H7: Residential Extensions

Planning permission will be granted for residential extensions where:

- a) the design and materials are sympathetic to the main dwelling and the locality of the development; and
- b) the design and scale are appropriate in relation the main building; and
- d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and
- e) proposals respect the spaces between dwellings; and
- g) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

GP1: Design

Development proposals will be expected to:

- a) respect or enhance the local environment;
- b) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials;

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012 \(Draft Nov 2011\)](#)

- c) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment;
- d) where appropriate incorporate informative landscapes design proposals, where these would clearly have an influence on the quality and amenity and/or ecological value of the development;
- e) retain, enhance and/or create urban spaces, public views, skyline, landmarks, the rural character and setting of villages and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view;
- f) design outdoor lighting schemes, which are energy efficient and provide the minimum lighting level required for security and working purposes, taking into account any adverse impact on residential amenity, the character of the area and night sky illumination and ecological systems;
- g) provide and protect private, individual or communal amenity space for residential and commercial developments;
- h) provide individual or communal storage space for waste recycling and litter collection;
- i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures;
- j) accord with sustainable design principles (GP4a) and incorporate the principles of the Building for Life Standard as a fundamental part of the design;
- k) provide disabled toilets/parent baby changing facilities in public, non-residential buildings;
- l) Where opportunities exist, new open space/landscape treatment should be incorporated to close gaps between green corridors and take account of ecological principles through habitat restoration/creation.

GB4: Extensions to Existing Dwellings in the Green Belt

The extension and alteration of dwellings in the Green Belt and open countryside will be permitted providing the proposal:

- a) would not cause undue visual intrusion; and
- b) is appropriate in terms of design and materials; and
- c) is small scale

GB2: Development in Settlements "Washed Over" by the Green Belt

Within the defined settlement limits of villages in the Green Belt, planning permission for the erection of new buildings or the change of use, redevelopment or extension of existing buildings will be permitted provided:

- a) the proposed development would be located within the built-up area of the

City of York Council: [Draft Supplementary Planning Document: House Extensions and Alterations: September 2012](#) (~~[Draft Nov 2011](#)~~)

settlement; and

b) the location, scale and design of the proposed development would be appropriate to the form and character of the settlement and neighbouring property; and

c) the proposed development would constitute limited infilling and would not prejudice the openness or the purposes of the Green Belt.

This page is intentionally left blank

Consultation comments on House Extensions and Alterations SPD

| Respondent | Comments | Officer Response | Potential change to SPD |
|-------------------------|--|--|---|
| North Yorkshire Council | <p>The draft document would not seem to pose any significant strategic issues for the County Council, and indeed the principle of ensuring the continued supply of good quality family and starter homes in the City whilst balancing the needs of students and other communities is generally supported. Therefore as an officer, response on behalf of the County Council and from a strategic planning perspective, I do not wish to raise any objections or make any further detailed comments in relation to any of the three consultation documents.</p> | Noted. | None |
| English Heritage | <p>We would broadly endorse the advice which the document provides for those considering making alterations to their dwellings and welcome the inclusion of reference to the additional requirements that might arise for those considering such works which might affect a Listed Building or where the property is in a Conservation Area. However, the SPD would benefit from inclusion of the following:-</p> <ul style="list-style-type: none"> · Given the both the number of Listed Buildings currently being used for residential purposes and the even greater number of properties which lie within one of the City's numerous Conservation Areas, the document ought to include a specific Section which provides more guidance to those considering making alterations to such buildings. This would include links to where further advice might be obtained and the key documents that might help them. · There is no mention of archaeology. For many extensions within the City Centre, an archaeological evaluation may be required. | <p>The SPD covers more general scenarios rather than the very individual assessments that typically relate to proposals in conservation areas and for listed buildings. A section on listed buildings or conservation areas may prove confusing to readers in respect to creating a 'two tier' assessment of applications.</p> <p>The benefits from producing a separate note for listed buildings and conservations areas will be considered.</p> <p>A link will be included in the annex to existing council advice in respect to conservation areas and listed buildings.</p> <p>Applicants will be informed when an archaeological evaluation is required. It is</p> | <p>None</p> <p>Link to online CYC Conservati on area advice added to annex.</p> |

| | | | |
|--------------------|---|---|------|
| | <p>· For those cases where the alterations or extensions are likely to require planning permission, it would be helpful to include a Section which sets out the information that they will need to provide as part of their applications.</p> <p>We agree that an SEA would not be required for this document since the SPD does not provide a framework for other plans and strategies and is unlikely to have any significant environmental effects.</p> | <p>noted that most of the city centre is in a conservation area and it is made clear in the introduction (1.2) that in such locations additional criteria could apply.</p> <p>The document is not intended to provide a guide to the information that is needed when submitting an application. The council has an existing short document covering this and a link and short summary covering this aspect is contained in the annex (p25).</p> <p>Noted.</p> | None |
| Richard Beaton | <p>There does appear to me to be a major aspect of local development, which has a profound (and not always positive) effect on villages like this, which is missing from the list, and that is the question of infill development, or housing density.</p> <p>When gardens and remaining plots of land are built on (we have been here for nearly 30 years) there is often a very unattractive crowding together of two or three dwellings where only one was before, with the resulting loss of trees and hedging, and an increase in traffic. We live on the infamous 'rat-run' between the A59 and the ring road, and increases in housing density can only add to what is already an unpleasant (and at times dangerous) volume of traffic on Long Ridge Lane.</p> | <p>The SPD only relates to house extensions rather than new dwellings. The benefits from producing an SPD on new housing schemes will be considered.</p> | None |
| The Coal Authority | <p>Having reviewed your document, I can confirm that we have no specific comments to make on this document at this stage.</p> | Noted. | None |
| Jeff Porter | <p>I see no indication that your current proposals bear much if any relation to the national Permitted Development rules changes that were announced in October 2008 in England.</p> <p>Those changes seemed to me to be a more liberal and less nit-picking way</p> | <p>The guidance has been written to take account of the changes to permitted development legislation. The changes have removed the requirement for planning permission for some works, however,</p> | None |

| | | | |
|---------------------------------|--|---|---|
| | <p>of dealing with the whole business of people wanting to build extensions to their homes. Your current proposals, on the other hand, seem to me to be a step back to a pre-October 2008 position in which a raft of detailed and traditional regulations make it appear as if you are as determined as planners have ever been to make building an extension fraught with difficulty. Does this mean that you have abandoned the more liberal spirit of the national October 2008 PD rules? What weight do those 2008 changes have in planning decisions in York?</p> | <p>regulations in respect to some developments such as single storey rear extensions and outbuildings are now more stringent. The SPD seeks to strike a reasonable balance between assessing proposals using numerical standards and looking at the specific character of each site. Hopefully the SPD will provide more certainty for applicants and their neighbours and improve the quality of development.</p> | |
| <p>Wheldrake Parish Council</p> | <p>P7 v): "Townscape" not relevant to villages. Suggest " Area Character and Street Scene" instead;</p> <p>P8 & 24: Suggest additional statement relating to checking for additional villages on the Website (Wheldrake VDS is near completion);</p> <p>P8 7.4): Suggest delete "townscape" – second line (see above);</p> <p>P9 h): Instead of first line – "Existing trees should be retained when ever practicable";</p> <p>P12 10.2): Substitute " harvesting" for recycling (second line);</p> <p>P12 10.3): Suggest "will" rather than "can" (first line) and delete "Permission would be unlikely to be given":</p> | <p>Agree with comment. Instead of the word 'Townscape', 'Character and Street Scene' would better reflect the range of environments within the Council area.</p> <p>Agree, this will be updated.</p> <p>Agree – see above.</p> <p>Do not feel that a change in wording would significantly change the interpretation. It should be noted that limited protection can be given to trees that are not protected by a TPO or located in a conservation area.</p> <p>Agreed.</p> <p>Hard surfacing of a small area of a front garden does not need planning permission.</p> | <p>Wording changed</p> <p>Wording changed</p> <p>Wording changed</p> <p>None</p> <p>Wording changed</p> <p>None</p> |

| | | | |
|--|--|--|---|
| | <p>P13 11.3): Substitute “may” for “sometimes do” (first line):</p> <p>P14 12.3): Suggest delete “and should not unduly block sunlight reaching solar panels on existing properties “ At end of section add “The potential shadowing effect of the extension on existing solar panels should be taken into account”:</p> <p>P15 12.7): Be consistent with dimensions in the document – metres or cm?</p> <p>P15 12.8): What if there is a change of neighbours? Suggest delete “unless neighbours.....” etc;</p> <p>P17 13.3): Last section – suggest “ also high level glazing”;</p> <p>P17 13.6): Substitute “area character” for “townscape” . Last line, substitute “within” for “ of”:</p> <p>P21/22 xv): First line - suggest “Fences and walls may have a significant impact.....”</p> <p>P21/22 xv): Third line - after “boundary” add “structure”;</p> <p>P21/22 xv): Suggest change 17.4 to 17.2 and first line add boundary “fence or wall” lower than.....:</p> <p>P21/22 xv): Third line add – “where they adjoin a highway (which includes a foot way adjacent to the road);</p> | <p>No change necessary. The wording provides adequate clarity.</p> <p>No change necessary. The wording provides adequate clarity.</p> <p>As both are metric this is considered acceptable.</p> <p>It is acceptable to overhang a neighbouring property if the owner of the land agrees and it otherwise meets planning requirements.</p> <p>Agreed.</p> <p>Agree replace the word townscape. Unsure what refer to with reference to ‘within’ .</p> <p>No change necessary. It is considered that the significant impact that boundary changes can have should be emphasised.</p> <p>Agreed.</p> <p>Swap paragraphs – Agreed.</p> | <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>Wording changed</p> <p>Wording changed</p> <p>None</p> <p>Wording changed</p> <p>Wording changed</p> |
|--|--|--|---|

| | | | |
|---|---|---|---|
| | <p>P21/22 xv): Suggest change 17.2 to 17.3 and delete the first line – i.e. to start “High front boundary walls……”:</p> <p>P21/22 xv): “Where a side or rear....” should follow on as part of 17.3:</p> <p>P22 xvi): 18.2 – This seems to be contradictory because it suggests that extensions over 25% may be permitted without application, but then goes on to indicate that a planning application will be required.</p> <p>P22 xvi): 18.3 – Not clear what is meant by “limiting infilling” (Note that in Wheldrake such infilling has not been limited to the Conservation Area – so this could be added)</p> | <p>Agreed.</p> <p>Agreed - Wall height figure deleted.</p> <p>No change – the paragraph relates to side and rear boundaries.</p> <p>Agree, change in wording needed to make it clearer.</p> <p>Agree – it would be helpful to clarify the meaning of ‘limited infilling’.</p> | <p>Wording changed</p> <p>Wording changed</p> <p>None</p> <p>Wording changed</p> <p>Wording changed</p> |
| Tom Langan Earswick Parish Council | Control | Noted. | None |
| Strensall with Towthorpe Parish Council | Fully supportive of the conditions outlined in this document. If these conditions had been applied previously, not many of the extensions on Fosslands, Earswick would have been approved. | 1.3 - States that permitted development rights can vary with the property. 1.2 - States that additional criteria will typically apply in conservation areas. Much of the document will however still be relevant. | None None |
| Environment Agency | Strensall With Towthorpe Parish Council agrees with the content of this SPD which will prove to be great value to residents, architects, parish councillors and planning officers. However, we would wish to point out that within the document, there does not appear to be any reference to properties which are within conservation areas or may have permitted development rights removed. | Agreed wording changed and additional information/link added in respect to flood risk. | Wording changed /added |

| | | | |
|--|--|---|--|
| | <p>advisory comments for domestic extensions as mentioned in your SFRA 2011 (paragraph 4.1.b). Our external web link for flood risk standing advice is: http://www.environment-agency.gov.uk/research/planning/82584.aspx</p> <p>Paragraph 10.2 refers to using rainwater recycling and other sustainable approaches as a method of surface water drainage method which is a vague description of sustainable drainage systems (SUDS). We believe that there should be specific guidance given e.g. <i>'Improving the Flood Performance of New Buildings'</i> by the Department for Communities and Local Government (CLG). This guidance has been developed specifically for the design and construction of new buildings and extensions covered by the Building Regulations in England and Wales. It can be found on the following link: http://www.communities.gov.uk/publications/planningandbuilding/improvingflood</p> <p>It should be noted that whilst the proposals for a rainwater harvesting tank are beneficial for the environment from a water quality and resources perspective, these systems cannot wholly be counted on as SUDS to store and reduce surface water runoff. This is because they have to be assumed to be full/ half filled at the time of a rainfall event and so would have no/ limited storage capacity.</p> <p>We support paragraph 10.3 and that permission would be unlikely to be given for a non-permeable surface. SUDS can be incorporated into individual gardens diverting rainwater away from buildings into storage areas. The Department for Communities and Local Government (CLG) has produced guidance on permeable paving of front gardens which can be found on the following link: http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens</p> <p>Paragraph 16.1 relating to granny annexes, we would like to point out that</p> | <p>Agreed wording changed and additional information/link added in respect to reducing flood risk.</p> <p>Agreed - Rainwater harvesting considered as a means of saving water rather than reducing flood risk.</p> <p>Comment noted additional link included.</p> | <p>Wording changed /added.</p> <p>Wording changed</p> <p>Link added</p> <p>Wording</p> |
|--|--|---|--|

| | | | |
|-------------------------------------|---|--|----------------------------|
| | <p>development of granny annexes <u>does not fall</u> into our flood risk standing advice of householder and other minor extensions. In accordance to our flood risk matrix, a self contained annex is classified as 'operational development with a site area less than one hectare'. We expect to see Flood Risk Assessment submitted in line with our guidance to demonstrate that the granny annexe can be developed safely in particular, addressing the provision of a safe refuge for single storey buildings.</p> | <p>Agreed - Information in respect to the need for a flood risk assessment for self contained annexes added.</p> | <p>changed/ added</p> |
| <p>Heslington Village Trust</p> | <p>The Trust supports both the overall objectives of the SPG and the detail. The Trust however would like to see greater prominence given to the requirement for developers to adhere to the policies expressed in the Village Design Statements where they have been adopted as Supplementary Planning Guidance, as in the case in Heslington.</p> | <p>Agreed</p> | <p>Wording changed</p> |

This page is intentionally left blank