

2.2 Policies:

CYH7
Residential extensions

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal

Integrated Planning Unit

State that 8% of homes in the neighbourhood are Houses in Multiple Occupation (HMO's) and 8% of homes within 100m of the application property are HMO's.

(Case officer response - This information is not strictly relevant as the application is not for a change of use, although does indicate that the number of HMO's in the area is slightly below the threshold set out in the approved Supplementary Planning Document on changes of use to Houses in Multiple Occupation).

3.2 External

Planning panel - No reply received.

Neighbours

2 objections were received from neighbours. The issues raised were:

- The proposal will lead to loss of sunlight and daylight to the kitchen, landing and bathroom of 113.
- The proposal will block any sun from the garden of 117.
- There are too many HMO's in the area. They are unkempt and additional rooms will exacerbate existing parking problems.
- The home and garden of the application property is perceived to be the poorly maintained and there have been blockages to the drains.
- The proposal is forcing families out of the area and no more than 10% of the street should be HMO's.
- It was stated that the roof space of the application property is being used as a bedroom with access via a loft ladder.

(Case officer response - The Council's Housing Standard's team investigated the use of the loft and concluded that it is not being used as sleeping accommodation).

4.0 APPRAISAL

4.1 The key issues in assessing the proposal are:

The impact on the streetscene.
The impact on residential amenity
Parking and highway safety.

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. The framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. One of 12 principles set out in paragraph 17 is 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.

4.3 Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. The NPPF states that there are three dimensions to sustainable development - an economic role, a social role and an environmental role. In considering proposals for new or improved residential accommodation, the benefits from meeting peoples housing needs and promoting the economy will be balanced against any negative impacts on the environment and neighbours' living conditions.

4.4 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.5 Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of the area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.6 Local Plan Policy GP1 'Design' states that development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and vegetation. The design of any extensions should ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

The impact on the streetscene.

4.7 The proposed change of the main side roof slope from a hip to a gable would not be in harmony with the established roof forms in the street, however, it is noted that such changes are normally permitted development when undertaken in isolation. It is not considered, therefore, that there are reasonable grounds to refuse this part of the application.

4.8 The proposed changes to the rear will not have a significant impact on the streetscene.

The impact on residential amenity

4.9 There is adequate separation to the front and rear.

Impact on 117 Broadway

4.10 This property is attached. It has been much extended with a two-storey side and rear extension and a large double attached garage to the side. It also has a single-storey rear extension approximately 3m in length adjacent to the proposed extension.

4.11 As the proposed single-storey part of the extension only exceeds the existing extension by approximately 0.5m it is not considered that it would have a significant impact on living conditions. The two-storey extension is set in approximately 2.6m from the property boundary. The centre point of the nearest bedroom window of number 117 is located around 1.8m from the property boundary. The proposal would therefore comply with the '45 degrees rule' which is often used to assess the acceptable degree of projection for this type of extension. The extension will reduce the amount of sunlight entering the house and garden to some degree, however, the extension has a relatively low ridge height and the roof is hipped.

Impact on 113 Broadway

4.12 This dwelling is separated from the application property by approximately 3m. It has windows serving non-habitable rooms on the side elevation (a lobby, pantry and landing). The nearest first floor rear opening serves a bathroom. The nearest ground floor rear opening serves a small kitchen.

The centre point of the kitchen window is around 4.5m from the extension. On balance it is considered the function of the impacted rooms and degree of separation is such as to avoid undue harm. The gable roof will reduce light to side openings, however, it is noted that the changes to the existing roof are permitted development.

4.13 The extension will block some morning sunlight reaching the patio area of 113, however as it would be to the east/north-east it is not considered that the harm caused would be unduly significant. It is noted that number 113 has a relatively long garden and most of it will not be impacted upon by the proposals.

4.14 The extension of the property will increase the number of occupants. The side garden boundaries in the rear garden are relatively dilapidated along the boundary with 117 and the front section of the rear garden adjacent to 113. It is considered reasonable to upgrade the boundaries to reduce the impact of the shared use on neighbouring properties. At the time of the site visit it was noted that the rear garden of the application property was poorly maintained. A management plan condition has also been included to help ensure that use of the enlarged property co-exists in an amicable manner with neighbouring properties. The applicant has stated that they are intending to renovate the house and accept the inclusion of the conditions relating to new fencing and the management of the HMO.

Parking and highway safety

4.15 The property has parking for two cars within the front garden. There is access to the rear garden for cycle parking.

5.0 CONCLUSION

5.1 For the reasons stated it is considered that the proposal would not cause undue harm to residential amenity and it is recommended that the application is approved.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing 118.001 Rev A received by the Local Planning Authority on 8 March 2012.
Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Prior to the extensions approved by this consent are occupied as a House in Multiple Occupancy, a management plan shall be submitted to and agreed in writing by the Local Planning Authority and shall be implemented as agreed unless otherwise agreed in writing by the Local Planning Authority. The Management plan shall relate to the following areas:

- i) Information and advice to occupants
- ii) Garden maintenance
- iii) Refuse and recycling facilities
- iv) Property maintenance

Reason: In the interests of the proper management of the property and the amenity of adjacent residents.

4 Prior to the use of the property as a House in Multiple Occupation details of the proposed garden boundary treatment between the rear garden boundaries of 115 Broadway and 113 and 117 Broadway shall be submitted to and agreed in writing by the Local Planning Authority. The boundary treatment shall be implemented in accordance with the approved details prior to the use of the property as a House in Multiple Occupation and shall remain as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of neighbour amenity

5 Prior to the occupation of the extensions hereby approved, covered cycle parking for the occupants of the property shall be provided in accordance with details that have been agreed with the Local Planning Authority. The cycle parking shall be retained and made available as agreed.

Reason: To meet the needs of the occupants and encourage sustainable travel modes.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the effect on residential amenity, car parking and the impact on the streetscene. As such the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

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

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

Length of extension reduced and conditions included relating to maintenance and new fencing.

3. NOTE:

The applicant should check with the Council's Housing Standards and Adaption's team whether a licence for a house in multiple occupation will be required for the use of the extended property.

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