

COMMITTEE REPORT

Date: 17 October 2024 **Ward:** Fishergate
Team: East Area **Parish:** Fishergate Planning Panel

Reference: 24/01160/FUL
Application at: 43 Broadway West York YO10 4JN
For: First floor rear extension, recladding of existing 2no. dormers and installation of solar panels to rear roof
By: Mr and Ms Wood and Ravilious
Application Type: Full Application
Target Date: 18 October 2024
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 This application seeks permission for erection of a first-floor rear extension, the recladding of 2no. existing dormers and installation of solar panels to the rear roof at No.43 Broadway West. The host dwelling is a two-storey semi-detached property located within the Fishergate ward of York.

1.2 Relevant Property History - Single storey rear extensions, approved 07.01.2021, reference 20/00523/FUL.

2.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

2.1 The National Planning Policy Framework, December 2023 (NPPF) sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development. The NPPF forms a material consideration in planning decisions.

2.2 Paragraph 135 of the NPPF states that planning policies and decisions should ensure that developments will achieve a number of aims, including - be visually attractive as a result of good architecture, be sympathetic to local character and history, Including the surrounding built environment and landscape setting, and create places that are safe, inclusive and accessible and promote health and well-being with a high standard of amenity for existing and future users. Paragraph 139 of the NPPF says development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design. Significant weight should be given to development which reflects local

design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents.

Draft Local Plan 2018

2.3 The Draft Local Plan 2018 (“DLP 2018”) was submitted for examination on 25 May 2018. Formal examination hearings have now taken place and a response from the Inspector is awaited. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.4 Policy D11 (Extensions and Alterations to Existing Buildings) of DLP 2018 states that proposals to extend, alter or add to existing buildings will be supported where the design responds positively to its immediate architectural context, local character and history in terms of the use of materials, detailing, scale, proportion, landscape and space between buildings. Proposals should also sustain the significance of a heritage asset, positively contribute to the site's setting, protect the amenity of current and neighbouring occupiers, contribute to the function of the area and protects and incorporates trees. This policy, and the associated Householder SPD, are not subject to modifications and therefore carry significant weight.

House Extensions and Alterations Supplementary Planning Document (SPD)

2.5 The Supplementary Planning Document 'House Extensions and Alterations' dated December 2012 referred to in Policy D11 of the DLP provides guidance on all types on domestic types of development. A basic principle of this guidance is that any extension should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the road/streetscene it is located on. In particular, care should be taken to ensure that the proposal does not dominate the house or clash with its appearance with the extension/alteration being subservient and in keeping with, the original dwelling. The character of spacing within the street should be considered, and a terracing effect should be avoided. Proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook.

3.0 CONSULTATIONS

Fishergate Planning Panel

3.1 No comments received.

4.0 REPRESENTATIONS

Neighbour Notification

4.1 One representation of support received.

5.0 APPRAISAL

KEY ISSUES:

- Visual Impact on the Dwelling and Surrounding Area;
- Impact on Neighbouring Amenity.

ASSESSMENT:

The Application Property

5.1 No.43 Broadway West forms a right-hand semi-detached property located to an established residential street. The street and vicinity are characterised by residential properties of a largely similar character, although with a variety of enlargements having resulted in some variance to the appearance of dwellings over time. The character of the application property is typical of the street and neighbouring vicinity. The host is largely unaltered in its existing form as viewed from the streetscene, other than the presence of a side dormer. To the rear, the host comprises a single storey 'L' shaped rear extension, which would be developed on, in part, as a result of this proposal.

Visual Impact on the Dwelling and Surrounding Area

5.2 The application seeks permission for the erection of a flat roof first floor rear extension and the recladding of 2no. existing dormers. The works would provide an enlarged master bedroom to the first floor to include an en-suite and provision for an internal lift, providing for increased accessibility needs. Solar panels would be positioned on the flat roof.

5.3 The rear extension, at first floor level, would comprise a stepped design. At the boundary with the adjoined neighbour (No.41), the addition would develop off the rear elevation by approximately 1.9 metres, spanning a width of 3.5 metres across the rear before an increase in depth to approximately 2.9 metres. The addition would finish flush with the side elevation of the main house. This extension is seen to be positioned, in part, over a recently developed rear extension which was permitted in 2021. Beyond the addition at first floor level, the form and design of the previous addition at ground floor level remains the same. Materials indicated propose grey timber framed windows and brick to match the existing dwelling. The addition would comprise a flat roof form, finishing at the eaves of the existing main roof.

5.4 Other works proposed include the siting of a solar PV array to the flat roof form. These would be tilted off the plane of the roofscape, to a total height of

approximately 0.7 metres at their highest. 3no. units are proposed, each measuring a width of approximately 1.6 metres respectively.

5.5 Further, re-cladding of the host's existing 2no.dormers are proposed. The existing grey GRP style finish is proposed for replacement in hanging tiles to match the existing roof.

5.6 The first floor addition, contained to the rear and away from public view, would be of a simple form. Paragraph 7.4f) of the Household SPD states that extensions to dwellings should generally have a roof pitch and/or style that reflects that of the existing house. In this instance, although somewhat contrived by virtue of its flat roof form, its modest overall scale and height in relation to the host is subsequently not considered not to unduly dominate the existing dwelling or result in harm to the character of the streetscene. Materials would match those of the existing dwelling. Windows and openings would be in scale with the extension, also matching the proportions and style of existing windows, in compliance with paragraph 7.4b) of the Household SPD which states that extensions should normally appear subservient to, yet in keeping with, the original building, and windows should be in scale with the extension and match the proportions, style and method of opening of existing windows. Policy D11 of the DLP 2018 gives weight to the addition or alteration of existing buildings to help meet the changing needs of its occupiers, provided such changes do not cause harm to the character of a place or to local residential amenity.

5.7 Other works proposed are considered to form acceptable works to the host. The dormers' recladding would be in-keeping with the appearance, scale, design, and character of both the existing dwelling and streetscene. The solar panel array, although forming a visually noticeable element to the rear by virtue of their projection above the flat roof form, would be contained to the rear and of a limited extent. In addressing the importance of climate change, Paragraph 157 of the NPPF states that the planning system should support the transition to a low carbon future. Their siting would not result in any undue harm with respect to their visual impact or design to the appearance of the host or wider streetscene.

5.8 Sufficient rear amenity space is seen to be retained, with no net increase to the number of bedrooms. Provision for parking and storage would be unimpacted, with pedestrian side access the same as existing.

Impact on Neighbouring Amenity

5.9 The extension would be situated in closest proximity to No.41 Broadway West, as adjoined to the east of the host. Paragraph 13.6 of the SPD states that, particularly within the context of semi-detached houses, when deciding the acceptable projection of two-storey extensions a starting point will be the '45 degrees rule', which considers the resultant provision of outlook available at the

centre point of the nearest adjacent opening towards the extension proposed. 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 rear extension, which would develop adjacent to the boundary at first floor level, is anticipated to result in some loss to the immediate outlook available to the adjacent first-floor bedroom opening to the rear over the existing conditions. However, at a maximum depth of 1.9 metres, with a 45-degree field of view as maintained, with good outlook sustained beyond the addition. Paragraph 4.2 of the SPD states that when assessing proposals care will be taken to ensure that they do not cause undue harm to neighbours' light. The elevation, south facing, may see some minor loss of direct sunlight for a limited period in the mid-late afternoon in high summer, although which would otherwise be largely unaffected at all other periods of the day. The conditions for rear ground floor openings would remain much unchanged over the existing conditions, which sit alongside the existing single storey rear projection of the host. New openings proposed would not cause any loss of privacy over the existing openings present at the host. No representation has been received from the occupier of this property, and on balance it is considered that the works would not unduly harm the amenity of this property, especially so given the flat roof form and close relationship with the form of the existing house.

5.10 No.45 Broadway West, to the west of the host, would be largely unimpacted following development of the works, given its reasonable separation, non-adjoined, to this site boundary. Paragraph 5.2 of the SPD states that regard will be had to the established character of an area and the existing feeling of openness, with it important that neighbours' do not feel unduly hemmed in by proposals. The first-floor addition to the rear, although constituting some change over the existing conditions by virtue of the formation of some additional mass at first-floor level, would be set away from the nearest habitable openings of this property, with the nearest window serving a bathroom, although in any case retaining acceptable outlook akin to the existing conditions. To the ground floor, by virtue of an existing detached garage and rear extension at No.45, these openings would be set away from new development at the host, beyond its mass.

5.11 The nearest dwellings to the south are positioned a substantial distance away from the rear elevation of the host, and thus would be unimpacted following development of the works. Contained to the rear, the works would not be visible to those properties to the north of the host.

6.0 CONCLUSION

6.1 The works proposed will respect the general character of the building and area and the impact on the amenity of neighbouring residents would be acceptable. It is considered it complies with national planning guidance, as contained in the National Planning Policy Framework, City of York Council Draft Local Plan 2018, and the City

of York Council's Supplementary Planning Document (House Extensions and Alterations).

7.0 RECOMMENDATION: Householder Approval

1 The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

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

Proposed Plans, Elevations and Site Plan - Dwg. No: 3-020, dated 25.06.2024.

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

8.0 INFORMATIVES:

Notes to Applicant

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

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

2. THE PARTY WALL ETC ACT 1996

The proposed development may involve works that are covered by the Party Wall etc Act 1996. An explanatory booklet about the Act is available at:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

Furthermore the grant of planning permission does not override the need to comply with any other statutory provisions (for example the Building Regulations) neither does it override other private property rights (for example building on, under or over, or accessing land which is not within your ownership).

Contact details:

Application Reference Number: 24/01160/FUL

Item No: 4c

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