

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

CYHE3
Conservation Areas

3.0 CONSULTATIONS

INTERNAL

3.1 None

EXTERNAL

FISHERGATE PLANNING PANEL

3.2 No reply received up to date of writing. Any subsequent comments received will be reported.

RESPONSE TO NEIGHBOUR NOTIFICATION (CONSULTATION PERIOD EXPIRED 21.12.12)

3.3 One letter received from the occupiers of 17 Alma Grove expressing the following concerns:

- the existing rear yard is north facing, exceptionally shallow with restricted outlook
- there is only a very small sitting out area that gets any sunshine
- the extension would result in overshadowing and a feeling of enclosure
- a flat or shallow roof slope is suggested.

RESPONSE TO SITE NOTICE EXPIRED (CONSULTATION PERIOD EXPIRED 25.12.12)

3.4 No reply received up to date of writing. Any subsequent comments received will be reported.

4.0 APPRAISAL

4.1 Key Issues:

- Visual impact on the dwelling and the character and appearance of the surrounding conservation area;
- Impact on neighbouring properties

POLICY CONTEXT

4.2 The relevant development plan is The City of York Council Draft Deposit Local Plan, which was placed on Deposit in 1998. Reflecting points made, two later sets of pre inquiry changes (PICs) were published in 1999. The Public Local Inquiry started in 1999 but was suspended by the Inspector for further work to be done on the Green Belt. A Third Set of Changes addressing this further work was placed on deposit in 2003. Subsequently a fourth set of changes have been drafted and approved by Full Council on 12th April 2005 for the purpose of making Development Control Decisions, on the advice of the GOYH.

4.3 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.

4.4 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.

4.5 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.

4.6 NATIONAL PLANNING POLICY FRAMEWORK (NPPF), MARCH 2012, CHAPTER 12, PARAGRAPH 132 states that considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed by or lost through alteration or destruction of the heritage asset or development within its setting.

4.7 NATIONAL PLANNING POLICY FRAMEWORK (NPPF) MARCH 2012, CHAPTER 12 PARAGRAPH 134 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

4.8 DEVELOPMENT CONTROL LOCAL PLAN POLICY CYH7 states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours.

4.9 DEVELOPMENT CONTROL LOCAL PLAN POLICY CYGP1 states that development proposals will be expected to (i) respect or enhance the local environment, (ii) 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; (iii) 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; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks 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; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.10 DEVELOPMENT CONTROL LOCAL PLAN POLICY CYHE3 of the Development Control Local Plan states that within Conservation Areas, proposals for external alterations will only be permitted where there is no adverse effect on the character and appearance of the area.

4.11 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.12) Good design and a scale of development that respects the original dwelling and established pattern of development are essential to making a quality extension. An extension in the style of the existing dwelling is likely to be the most acceptable.

ASSESSMENT

IMPACT UPON THE APPEARANCE OF THE DWELLING AND SURROUNDING CONSERVATION AREA

4.12 When determining planning applications within conservation areas, the Council is under a statutory duty to consider the desirability of preserving or enhancing the character and appearance of the area. In this particular case, matching materials and fenestration are proposed, with all the existing upvc windows being replaced with timber, and all proposed windows also being of timber construction and of a more traditional design than those existing. Being sited largely to the rear, the extension will not be highly visible to public view, in particular the flat roof element which has been incorporated to avoid an existing first floor window on the rear elevation. The extension will also project to the side of the existing dwelling incorporating a monopitch roof, and being in line with the rear elevation will not be overly visually prominent. The existing hedge to the side along the common boundary with No. 19 Alma Grove will provide an element of screening. On this basis the proposal is considered to preserve the character and appearance of the Conservation Area.

4.13 Adequate amenity space will remain within the side garden area, along with cycle parking provision in the existing detached garage together with adequate refuse storage area.

IMPACT UPON NEIGHBOURING AMENITY

4.14 The scheme approved in 2006, referred above, included a single storey pitched roof rear extension. This projected to the rear by approx. 4.5 metres along the common boundary with No. 17 Alma Grove and incorporated a pitched roof; with an eaves height of 2.7 metres. This extension now proposed would project to the rear approx. 4 metres and incorporates a flat roof element along this common boundary with a height of approx 2.7 metres. The pitched roof element would be set off the side boundary by approx. 2 metres. A 1.8 metre high fence is currently sited along the common boundary along with the existing conservatory-style structure which would be removed.

4.15 At approximately 4 metres, the projection along the common boundary with no. 17 Alma Grove is significant, however taking into account the fact that this element incorporates a flat roof, it is not considered to be unduly harmful to the outlook or light for these neighbouring residents.

4.16 A small window is to be incorporated within the rear elevation, though this will face towards a detached outbuilding at No. 16 Levisham Street to the rear, so will not result in loss of privacy. Again, the high level of the proposed rear rooflights will avoid loss of privacy to neighbours.

Some overshadowing to the rear yard of No. 18 Levisham Street may occur, although the hipped design of the roof and relatively modest height will help to mitigate this, and the separation distance of approx. 8.5 metres between the extension and the rear elevation of this neighbouring dwelling is considered adequate to avoid significant loss of outlook.

4.17 Sufficient separation space and boundary treatment is in place to avoid any loss of amenity to residents at 19 Alma Grove and also to 20 and 22 Levisham Street.

5.0 CONCLUSION

5.1 It is considered that the proposal would not be unduly harmful to the living conditions of nearby neighbours or the character or appearance of the dwelling within the surrounding conservation area. Approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

2 VISQ1 Matching materials -

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

Drawing nos 098_AL (0)005; 098_AL (0)006; 098_AL (0)007; 98_AL (0)008;
098_AL (0)011 received 20.11.2012

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

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 impact on the residential amenity of neighbours and the impact on the character and appearance of the conservation area. As such the proposal complies with Policies H7, HE3 and GP1 of the City of York Development Control Local Plan, the City of York Supplementary Planning Guidance to Householders (Approved March 2001) and paras 132 and 134 of the National

Planning Policy Framework.

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) and taken account of all relevant local policies, and 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 identify solutions to problems arising from the proposed development.

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