

COMMITTEE REPORT

Date: 8 December 2021 **Ward:** Bishopthorpe
Team: West Area **Parish:** Bishopthorpe Parish Council

Reference: 21/02101/FUL
Application at: 18 Beech Avenue Bishopthorpe York YO23 2RJ
For: Two storey side extension, single storey rear extension, porch to front and dormer to rear
By: Ms Sarah Creaser
Application Type: Full Application
Target Date: 25 November 2021
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 No. 18 Beech Avenue Bishopthorpe is a 2 storey semi-detached house located within a residential street of similar properties. The current proposals seek to gain planning permission for a 2 storey side and single storey rear extension along with a dormer window to the rear.

1.2 The application has been called in to sub-committee at the request of Councillor Galvin on the grounds of road safety, residential amenity and visual amenity.

2.0 POLICY CONTEXT

Draft Development Control Local Plan (2005)
CYH7 Residential Extensions

Publication Draft Local Plan (2018)
D11 Extensions and alterations to existing buildings

3.0 CONSULTATIONS

Bishopthorpe Parish Council

3.1 No objection, so long as the second storey windows facing towards the neighbours at the rear are fitted with glass with an obscurity rating of 5. This is to maintain their privacy.

4.0 REPRESENTATIONS

Neighbouring Notification and Publicity

4.1 Two objections were raised to the application on the following grounds:

- Concerns regarding over dominance,
- privacy issues with regards to neighbouring amenity,
- potential future change of use,
- development that is not in keeping with the area,
- use of materials that are not appropriate,
- the development not being sympathetic to the host dwelling,
- lack of bin storage,
- lack of access to the rear of the property,
- dormers that are inappropriately designed and
- concerns were raised regarding any additional parking.

4.2 Following the submission of amended plans objectors considered that their concerns had not been resolved and that concerns remained regarding loss of privacy and over dominance from the proposed development.

5.0 APPRAISAL

KEY CONSIDERATIONS

- Impact upon the residential amenity of neighbouring properties
- Visual impact on the surrounding area

RELEVANT PLANNING POLICY

5.1 The National Planning Policy Framework, July 2021 (NPPF) sets out the Government's planning policies and at its heart is a presumption in favour of sustainable development. Paragraph 130 states that planning policies and decisions should ensure that developments will achieve a number of aims, including:

- function well and add to the overall quality of the area, not just for the short
- term but over the lifetime of the development
- be visually attractive as a result of good architecture, layout and appropriate
- and effective landscaping
- are sympathetic to local character and history, including the surrounding built
- environment and landscape setting
- 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.

5.2 The NPPF also places great importance on good design. Paragraph 134 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:

- a) development which reflects local design policies and government guidance on

design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

5.3 The Publication Draft Local Plan ('2018 Draft Plan') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. In accordance with paragraph 48 of the NPPF, the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012.

5.4 Policy D11 (Extensions and Alterations to Existing Buildings) 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.

5.5 The Development Control Local Plan ('DCLP') was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications, although it is considered that their weight is limited except when they are in accordance with the NPPF.

5.6 Policy CYH7 of the DCLP 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.

5.7 The approved Supplementary Planning Document 'House Extensions and Alterations' dated December 2012 ('SPD') 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. Proposals should not unduly affect

neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook.

ASSESSMENT

Design and Impact on the Streetscene

5.8 The proposal seeks to gain planning permission for a 2 storey side, single storey rear and dormer window to the rear of house. The side extension is to project out 3.4 metres at the widest part of the extension which is to the rear and the front will have a width of 2 metres and have a length of 9.3 metres. The eaves height at the front of the side extension will be 5.1 metres and the ridge height will be 7.6 metres. The rear eaves height will be 4.2 metres, this will be to the first floor. The rear single storey part of the side extension will have an eaves height of 2.2 metres. The separate heights take into account the sloped rear roof and the pitched roof that has been added to the rear of the side extension. This is separate to the rear extension. The rear extension will project out 4.3 metres, have a width of 5 metres and have an eaves height of 2.5 metres. The dormer will have a length of 6.4 metres and will be contained within the existing roof space of the dwelling. The original proposal was a slightly larger development however following amendments being secured the scheme has been reduced in size.

5.9 Section 12 of the SPD provides guidance about the design of side extensions, how proposals should be subservient to the original house and the avoidance of a terracing effect where this would have negative impacts on the wider street scene. The side extension is set off from the boundary, set back from the front of the house and is set down from the original roof height. It is not felt that there would be any overdevelopment of the site and that due to the offset nature of 16 Beech Avenue and the divergent boundary there will not be a terracing affect created.

5.10 The porch to the front is felt to be in keeping with the surrounding area and is fairly modest in size. The porch will project out 1.1 metres and have a width of 2.3 metres. There will be a pitched roof on the porch and windows inserted into the front and sides along with a door. Section 11.1 of the SPD states that porches should be well set back from the road. In this case the porch is well set back from the street.

5.11 The proposed extension and dormer window will be clearly visible from properties in The Orchard to the rear. The original proposal was considered too large and over bearing. Section 14.5 of the SPD discusses how dormers should not be unduly large or over dominant. However, the revised scheme that was submitted with the smaller dormer and matching materials will be more appropriate when viewed from the existing street scene.

5.12 The materials that had been originally proposed were not suitable or in keeping with the existing area. Timber cladding had been proposed for the dormer, however

following amendments being secured the materials would now match the existing property, with the extension to be built in brick and the dormer to have tiles which match the existing roof.

Neighbouring Amenity

5.13 Concerns were raised by the neighbours that their amenity would be affected by the proposed development. Of particular concern was the issue of potential overlooking of properties in The Orchard from the proposed dormer window. Section 3 of the SPD recommends a minimum of 7 metres from a first floor rear floor window to the neighbouring garden to the rear and 21 metres between a proposed first floor rear window and the house to the rear. The distance between the rear wall of 6 The Orchard and the dormer window is 32 metres. When this is applied to the dormer there is adequate distance between the dormer location and 6 The Orchard. No 8 The Orchard has a separation distance from the proposed dormer to the rear wall of the house of 29 metres. From the elevation of the rear extension to the rear wall of 8 The Orchard is 25 metres and to 6 The Orchard the distance is 27 metres. These additional rear windows in the dormer and the side extension are not considered to result in a significant loss of privacy to the neighbouring properties.

5.14 The properties to the sides are not considered to be detrimentally impacted by the extension. No. 16 Beech Avenue is offset and angled away from 18 Beech Avenue it is felt that this offsetting affect will also reduce any impact from the extension. There is a side window towards the front of 16 Beech Avenue in the side elevation however it is felt that the proposals will not impact on this window.

Parking and Access

5.15 Notwithstanding the creation of an additional bedroom there would remain adequate space for parking on the front drive. The addition of the porch is not seen to detract from the available drive space. A 0.8m wide gap is retained to the side of the property to provide access to the rear of the property for bin and bike storage. The SPD provides that it is good practice to retain a 0.9 metre gap however it is felt that in this case there is still adequate access to the rear.

6.0 CONCLUSION

6.1 The proposed scheme would respect the general character of the building and local area and cause no significant harm to neighbouring amenity. It is considered that it complies with the National Planning Policy Framework and local policies in the 2018 Draft Plan, Development Control Local Plan 2005 and the City of York Council's Supplementary Planning Document (House Extensions and Alterations).

7.0 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: DWG: BA-02D

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

3 The materials to be used externally shall be as stated on the planning application form.

Reason: To achieve a visually acceptable form of development.

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) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

The original proposals were not in accordance with the councils development policies. Through negotiations with the agent amended plans were submitted that were more in keeping with the council's planning policies.

Contact details:

Case Officer: Joseph Bourke

Tel No: 01904 551346