

REVISED PLANS:

1.4 The original submitted plans (Drwg No076.001) included the conversion of the existing garage into a habitable room, however this was considered unacceptable because this design would remove the only available storage space for cycles and bins at the front of dwelling. There is no access to the rear of the dwelling other than through the main house. A revised plan was submitted (Drwg No076.001 A) showing a cycle store within the front garden. This location could not be supported because of the potential visual intrusion on the street scene. It was also considered that its siting would create a difficulty when manoeuvring into the off street parking place proposed in the front garden. A final revised plan has been submitted 20th February 2012(Drwg No076.001 B) which indicates the garage would remain. This plan is to be used in accordance with application brought to committee.

PROPERTY HISTORY:

1.5 Single storey pitched roof extensions to front and rear and pitched roof to existing garage (ref: 07/01832/FUL) approved 24/09/2007.

1.6 This application has been brought before East Area Planning Sub-Committee by Councillor Barnes on the following issues.

- Representations from residents concerned of impact
- Possible 'terracing' of semi-detached housing
- Lack of amenities available within a HMO
- Lack of parking available for '6' bedrooms within the grounds of property
- Density of development too many bedrooms available within small area of street – thus infrastructure effected in terms of waste, noise, etc.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

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

2.2 Policies:

CYGP1-Design

CYH7 - Residential extensions

3.0 CONSULTATIONS

3.1 None

External:

3.2 Hull Road Planning Panel:

Objections received on the following issues:

Overdevelopment with potentially resulting in a 9 bedroom property (1 bed - loft, 5 beds on the first floor and 5 beds on the ground floor.

3.3 Neighbour response from the occupiers of 90 Newland Park Drive objections on the following issues.

- Size and scale would appear oppressive and over bearing when viewed from the front and side for the dwellings at 91 and 95 Newland Park Drive.
- The current infrastructure on Newland Park Drive and Thief Lane is under considerable pressure. The sewerage system has already multiple problems with overflowing into the road.
- Additional on street parking making the road unsafe to cross and drive down in places.

4.0 APPRAISAL

4.1 Key Issues:-

- Impact on street scene-
- Impact on neighbours.

THE RELEVANT POLICES AND GUIDANCE

4.2 PLANNING POLICY STATEMENT 1 sets out the Government's overarching planning policies. It sets out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take the opportunities available for improving an area should not be accepted.

4.3 DRAFT LOCAL PLAN POLICY CYH7 - states that residential extensions will be permitted where (a) the design and materials are sympathetic to the main dwelling and the locality (b) the design and scale are appropriate to the main building (d) there is no adverse effect upon the amenities of neighbours.

4.4 DRAFT LOCAL PLAN POLICY CYGP1 - sets out a series of criteria that the design of development proposals are expected to meet. These include requirements 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; (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; (e) 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 (i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that two/first floor storey side extensions states that two - storey side extensions should be set down from the original roof line and set back behind the building line. Furthermore the scale of the new extension should not dominate the original building resulting in a 'terracing effect' by closing the gap between the application property and neighbouring property.

VISUAL AMENITY

4.6 In terms of visual amenity the extension would occupy the full width of the driveway up to the site boundary, adjacent to 91 Newland Park Drive. This dwelling has an attached garage and rear extension situated in juxtaposition to the host garage. The submitted drawings show that the proposed extension would be appropriately designed with a set down from the host roof and a set back from the front wall, which provides a visual break in the development in accordance with the Council's Supplementary Planning Guidance in relation to house extensions. As such the extension would appear as a secondary element to the dwelling, thus reducing the impression of terracing within the street. The extension would continue at first floor level beyond the rear elevation into the rear garden by approx 2.3 metres, designed with a further set down from the main ridge, spanning approximately 4.8 metres on the rear elevation situated within an ample sized rear garden. The additional windows at first floor height would follow the similar pattern to the existing window layout serving new bedrooms over looking an ample sized rear garden. On this basis, with the use of matching brick and tiles, the proposal is considered to be of a mass and design that is compatible to the design of the dwelling and immediate surrounding area.

RESIDENTIAL AMENITY

4.7 The proposed first floor extension would abut the boundary of the adjacent dwelling at no 91 Newland Park Drive, however as previously mentioned this property has a pitched roof garage on the side elevation separating the proposed extension from no 91. On the basis that the size and scale of the single storey extension at no 91 would exceed the length of the existing extension at application site, it is not considered that the proposal would have any significant additional impact on the amount of sunlight entering the adjacent property. No principal rooms or garden areas would be materially affected.

4.8 In terms of the dwelling on the opposite elevation at 95 Newland Park Drive, whilst the rear extension would move closer to shared boundary it would be a distance of approx 5.8 metres from the shared boundary. Therefore, taking in to account the separation distance of the extension and the orientation of the rear gardens, it is not considered that the proposal would overshadow the habitable room windows on the rear elevation of the neighbouring dwelling.

4.9 In terms of the dwellings on the rear boundary on Thief Lane the application site has an ample sized garden providing good separation from these properties and therefore the extension would not significantly harm the outlook or create an over bearing, dominant impact for the residents on the shared boundary. Furthermore notwithstanding this there are already existing rear windows overlooking these properties and gardens so overlooking and privacy issues will be no more harmful than the existing arrangement.

THIRD PARTY OBJECTIONS:-

OVERDEVELOPMENT/AMOUNT OF ADDITIONAL BEDROOMS

4.10 The size and scale of the extension would leave an acceptable distance from the main living areas of the adjacent properties and is considered to be subservient within the surrounding area, as such would not constitute as overdevelopment. Furthermore, the amount of bedrooms proposed would allow up to six individuals living together as a single household would not require planning permission (use class C4). Should the property be occupied by more than six people, either now or in the future, and then there is a possibility that the property would fall outside the class C4 and planning permission may then be required. It is considered that this matter can be addressed by means of an informative on the decision notice.

LACK OF PARKING/ON STREET PARKING

4.11 These concerns raised by the local residents are appreciated in this location, however the proposal conforms to the Council's maximum car parking standards

and therefore no objections could be sustained on these grounds. In addition, there are no car parking restrictions on Newland Park Drive and the width of the highway allows cars to be parked on the roadside whilst also allowing cars to pass.

DRAINAGE

4.12 There is no specific evidence that the proposed development would result in drainage problems. The site is not within an area that has been identified as being at risk of flooding. Drainage issues on small scale developments such as this are a matter that would be dealt with under the Building Regulations.

5.0 CONCLUSION

5.1 It is considered that the proposal is acceptable in terms of size and scale and would not cause undue harm to the living conditions of nearby neighbours. Thus the proposal would comply with policies H7 (Residential Extensions) and GP1 (Design) of the Draft Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

2 PLANS1 Approved plans - Drwg No076.001 B

3 VISQ1 Matching materials -

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), unless otherwise agreed in writing with the Local Planning Authority the proposed ground floor store shall not be externally altered or converted to living accommodation.

Reason: To ensure that there is adequate cycle parking/storage space at the property and any proposals to increase living accommodation can be assessed on their merits.

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 amenity and living conditions of adjacent occupiers and the impact on the street scene. As such the proposal complies with Policies GP1 "Design" and H7 "Residential Extensions" of the City of York Local Plan Deposit Draft and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

2. Informative:

2. If you intend on existing the existing width of the dropped crossing it is advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

3. The proposed development may involve works that are covered by the Party Wall etc Act 1996. 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>>

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).

4. It should be noted that the occupation of the property by up to six individuals living together as a single household would currently not require planning permission, as at the date of this permission. However, should the property be occupied by more than six people, either now or in the future (whether as a result of this development or not), then there is a possibility that the property would fall outside the "Class C4" use class and planning permission may then be required. In those circumstances further advice should be sought from the Local Planning Authority.

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