

COMMITTEE REPORT

Date: 8 November 2012 **Ward:** Skelton, Rawcliffe, Clifton Without
Team: Householder and Small Scale Team **Parish:** Rawcliffe Parish Council

Reference: 12/03152/FUL
Application at: 21 Longwood Road York YO30 4UA
For: Two storey side and rear extension and single storey rear extension and erection of boundary wall (resubmission)
By: Mr & Mrs Hickman
Application Type: Full Application
Target Date: 23 November 2012
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 The application property is a two-storey detached dwelling located on a modern housing estate at Clifton Moor. The side of the property faces Longwood Road.

1.2 It is proposed to erect a part two-storey and part single-storey extension to the side of the property adjacent to Longwood Road. The extension projects approximately 4m past the rear elevation of the original house and wraps around the rear of the property.

1.3 As part of the proposals the rear side garden boundary wall is also proposed to remove 1m closer to the adjacent public footpath.

1.4 In August 2012 a similar planning application was refused by officers under delegated powers. The reasons for refusal related to (i) the impact on the sunlight reaching 19 Longwood Road and (ii) the view that the scale and position of the two-storey side extension was such that it would detract from the appearance of the area through making the site appear over-developed.

1.5 The current application differs from that which was refused in the following ways:

a) All of the extension facing Longwood Road was two-storey. The two storey element of this extension has now been set in by 1.1m.

b) The 2.2m deep two-storey rear extension adjacent to number 19 has been removed.

c) The side of the two-storey rear extension closest to Longwood Road has been moved to around 4m from the boundary. It was previously around 6m away.

1.6 It should be noted that when permission was original granted for the dwelling permitted development rights were removed for extensions.

1.7 The application is brought to committee at the request of Cllr McIlveen because of local concerns in respect to over-development.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYH7
Residential extensions

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal

None consulted.

3.2 External

Parish Council - Object, consider that the proposal is overdevelopment, oppressive and overbearing and will detract from neighbour's reasonable living conditions.

Neighbours - 19 Longwood Road

Do not wish to object but have concerns in respect to the loss of sunlight to their rear garden.

(Case officer response - The Daylight and Sunlight Assessment submitted with the application states that the extension would cast a shadow on part of the rear garden for two hours during the autumn and winter months. It is not considered that this is such as to cause undue harm).

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 the core 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 residential amenity.

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, and 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 extension is designed to be sensitive to the form of the original house. Subject to the use of matching materials, in isolation its appearance is considered acceptable.

4.8 The key issue is considered to be the relationship of the extension with the footpath adjacent to Longwood Road and whether the scale and footprint of the resultant building would conflict with the character of the surrounding area.

4.9 Longwood Road is part of a modern housing estate. There is some variety in the area in respect to the degree of open space and landscaping around buildings. For much of the long road it is the case that 1.8m-2m high brick walls predominate and to a degree present a relatively bland and unattractive frontage to passers by. Several properties on the south of the road have two-storey side elevations that adjoin the public footpath. It is the case however, that on the north-eastern section of Longwood Road where the application property is located, dwellings are generally set back from and face the street. There is also a reasonable degree of landscaping.

4.10 Longwood Road and Rivelin Way have several small 'clusters' of development that are set back slightly from the road. The individual clusters are separated from each other by dwellings or large garages located close to the road. 21 Longwood Road is one such property.

4.11 It is considered that when assessing the acceptability of the proposal within its context it should be largely viewed against the dwellings on the eastern side of Longwood Road rather than the properties opposite. It is considered that the space that exists between the house and the road is important for enhancing the public realm. The maintenance of the landscaping is presumably the responsibility of the owners, however, most properties maintain the landscaping between the homes and the road and this contributes significantly to the qualities of the area.

4.12 It is considered that the extension will change the character of the immediate area through the loss of open space; however, it is considered that incorporating a single storey element adjacent to the public footpath will help soften the impact of development. It is noted that a landscaped buffer will now remain to the side of the rear garden which did not exist on the scheme that was refused. It is the case that in the wider area several properties have a similar relationship to the footpath and on balance it is considered that the benefits gained from improving the accommodation now outweigh any harm caused to the character of the immediate area.

The impact on residential amenity

4.13 There is adequate separation to the front. 28 Rivelin Way to the rear is adequately oblique to avoid undue harm in respect to light, outlook and privacy.

4.14 The key issue is the impact on number 19 Longwood Road. This property is to the north. It has a 3 metre long conservatory erected to the rear elevation adjacent to the site of the single-storey extension.

4.15 Number 19 is set slightly forward of number 21. As such the single storey extension will extend beyond the original rear elevation of number 19 by around 5.5m. However as the property has a conservatory to the rear (the conservatory has a facing brick wall with high level windows) the extension will equate to a 2.5m projection when measured from the rear of the conservatory. As the proposed extension would be set approximately 1m off the side garden boundary and has a flat roof and 3m eaves height it is no longer considered that harm to sunlight or outlook would warrant a refusal.

4.16 The rear two-storey element is set off the boundary by approximately 4m and is hipped away from the boundary with a relatively low eaves height (3.8m). The two-storey extension will not be clearly visible from the ground floor of the original house as it will be screened by the existing conservatory that has been added. The proposal will impact on morning sunlight that comes through the conservatory roof; however, the separation to the two storey extension is such that it is considered adequately oblique to nearby ground floor openings so as not to cause unacceptable harm, in particular when applying the "45 degree" rule. When assessing the two-storey extension relative to diagrams indicating the passage of the sun, it would seem that the proposal will not significantly impact upon direct sunlight to the house and conservatory during the summer, however, during the autumn and winter months it will block sunlight coming through the roof of the conservatory to the ground floor rear opening for a maximum period of approximately 90 minutes during the morning. It is not considered that this harm would be so significant as to merit refusal.

4.17 The rear garden does not have a particularly open aspect because of the side elevation of 28 being close to part of the rear boundary. However, the proposed extensions are largely adjacent to the house and conservatory and will not cause undue harm to the enjoyment of the garden as a whole. During the spring and summer the extension will have little impact on sunlight reaching the relatively wide garden.

Parking and highway safety.

4.18 The property will retain sufficient parking and storage space. Although the remaining rear garden is relatively small it is considered adequate to meet the needs of the property.

5.0 CONCLUSION

5.1 The previous planning application was refused because of concerns in respect to the impact on the streetscene and neighbour's living conditions. It is considered that the amendments to the side and rear elevations are material to assessing the impact of the revised proposal. It is now considered that the harm caused from granting the development no longer significantly or demonstrably outweighs the benefits to the applicant from granting the application.

5.2 The application is therefore recommended for approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

2 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

3 Any hard surfaced areas to be created at the front of the property shall be made of porous materials, or provision shall be made to direct run-off water from the hard surfaced areas to a permeable or porous area or surface within the curtilage of the dwelling house.

Reason: In order to ensure that any such facilities are sustainably drained.

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

Plans 319/1000A and 319 101G received by the Local Planning Authority on 27 September 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 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.

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