

COMMITTEE REPORT

Date: 6 December 2012 **Ward:** Haxby And Wigginton
Team: Householder and **Parish:** Haxby Town Council
Small Scale Team

Reference: 12/03138/FUL
Application at: 29 Sandringham Close Haxby York YO32 3GL
For: Single storey rear extension with replacement attached garage to side (resubmission)
By: Mr P Brown
Application Type: Full Application
Target Date: 22 November 2012
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 This application seeks planning permission for a single storey rear extension, with replacement attached garage to side (re-submission) on a detached property at 29 Sandringham Close, Haxby.

1.2 Relevant property History: The application is a re-submission of application ref. 12/1153/FUL, which was refused on 06/07/2012 for the following reason:

" It is considered that the proposed extension by virtue of its height scale and proximity to the side boundary with 31 Sandringham Close would result in a significant loss of light to the side of the adjacent property which contain a number of window openings, and would overdominate the side elevation of that bungalow. The proposal would therefore have a detrimental impact upon the living conditions of the adjacent resident, contrary to the provisions of Council's Development Control Local Plan policy H7, which requires, inter alia, there to be no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy. "

The subsequent appeal was dismissed on 24/09/2012. This is discussed in the main body of the report.

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:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 Internal

None

3.2 External

3.2.1 Haxby Town Council - No objections 14.11.2012.

3.2.2 Neighbour Response - Letter objection received from 31 Sandringham Close 23.10.2012 - concerns regarding the previous refused scheme remain - the proposal will cause 'significant loss of light' and 'over-dominate the side elevation' of the adjacent bungalow.

4.0 APPRAISAL

4.1 Key issue(s): Effect upon neighbouring property and the street scene

4.2 Paragraph 17 of the National Planning Policy Framework (Core Planning Principles) contains useful guidance states that the planning system should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Draft 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.

4.3 Draft Local Plan Policy CYH7 states that planning permission will be granted for residential extensions where: (a) the design and materials are sympathetic to the main dwelling and the locality of the development; and (b) the design and scale are appropriate in relation to the main building; (d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and (e) proposals respect the spaces between dwellings; and (g) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.4 The Application Site - This application seeks consent for additional living accommodation in the form of wrap around extension to side and rear. It also proposes a canopy to front. The proposal incorporates a replacement attached garage; sitting room; and a sun room to rear. There is adequate off-road parking within the garage and on the front driveway. The proposals raises no issues in terms of cycle, or refuse storage.

4.5 Impact on the Street Scene - The side/rear extension will be visible from Sandringham Close. The revised scheme incorporates a hip to the roof and will soften its visual impact. The design, scale and choice of materials means it will not impact adversely on the street scene. The modest, ornate canopy, on the front elevation is a design feature which, if anything, will add to the visual quality of the street scene.

4.6 Impact on Neighbouring Properties - The only property potentially affected is that of no 31 Sandringham Close. A letter of objection has been received from this property re-iterating previous concerns. The concerns of this neighbour were upheld by both the planning sub-committee and the planning inspector. The original refusal considered the proposed extension would 'overdominate' the side elevation of this neighbouring property, and would result in 'significant loss of light' to this elevation. The appeal decision upheld this view, considering the extension; 'right to the boundary of the plot' would have a 'significant adverse visual impact' on the kitchen window of this neighbouring property, when looking towards the rear.

4.7 Revised Scheme - The substantive change from the previously refused scheme is the incorporation of a hip to the proposed extension. This significantly reduces the bulk and massing on the facing elevation, thus impacting far less on the outlook from the kitchen window of no 31 Sandringham Close. In addition, the height to eaves, at approx 2.6m, dramatically reduces the height of the extension, in close proximity to the shared boundary. The revised proposal would result in massing of a uniform height of approx 2.6m, set back approx 500mm from the shared boundary. The set back to the permitted development height of 4.0m, will be approx 3.0m from the shared boundary. The set back to the apex, at 4.8m, will be approx 4.0m from the shared boundary. As a consequence, significantly more light will now filter along the rear, through the corridor between the two properties.

4.8 Drain Straddling Shared Side Boundary - This constitutes a Building Control issue. An informative will be added to any consent, notifying the applicant to contact this section prior to any commencement of development.

5.0 CONCLUSION

5.1 The revised application is considered to adequately address the reasons for refusal of the previous scheme and is considered to be acceptable.

COMMITTEE TO VISIT

6.0 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:-

Drawing nos. 250-01A - 250-03A - 250-04A - Received 26th 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.

3 VISQ1 Matching materials -

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 occupants of neighbouring properties. Nor is it considered that the size, scale or design of the extension would have any detrimental impact on the street scene. As such the proposal complies with Policies H7 and GP1 of the City of York Draft Local Plan.

Contact details:

Author: Paul Edwards Development Management Assistant

Tel No: 01904 551642