

COMMITTEE REPORT

Committee: West & City Centre
Date: 16 November 2006

Ward: Rural West York
Parish: Copmanthorpe Parish
Council

Reference: 06/02263/FUL
Application at: 27 Station Road Copmanthorpe York YO23 3SY
For: Conservatory to side and erection of 0.5m high timber panel on top of existing boundary wall (resubmission)
By: Mr S Stericker
Application Type: Full Application
Target Date: 12 December 2006

1.0 PROPOSAL

1.1 The application is for a conservatory to the side of a recently built bungalow (Approved as part of application 05/00765/FUL for 3 dwellings by Sub Committee 22/09/05).

1.2 A previous application for a conservatory on this site (06/01210/FUL) came before West and Centre Planning Sub Committee and was refused 17/08/06. This application differs from the previous in that the roof would be obscure glazing, and the erection of a timber panel on top of the existing wall.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 15/11/2006

Site Notice - N/A
Press Advert - N/A
Internal/External Consultations - Expires 15/11/2006

8 WEEK TARGET DATE 12/12/2006

3.2 INTERNAL CONSULTATIONS

LANDSCAPE ARCHITECT - The development does not involve the immediate removal of any of the three trees on the site that are subject to a TPO (ref: CYC 207). The proposal does not lend itself to the retention or replacement of trees and shrubs, which provide amenity to the approved development and screening between properties on Station Road and St Giles Way. Concerned about the pressure to reduce or remove the protected trees in the future as they grow to shade the conservatory and shed seasonal fall. It is an unsuitable development due to inappropriate location of the building and the treat to trees. The loss of trees would be detrimental to character and amenity of locality.

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

COPMANTHORPE PARISH COUNCIL - No response to date

NEIGHBOUR CONSULTATIONS - No response to date, any received will be reported verbally to committee

4.0 APPRAISAL

4.1 RELEVANT SITE HISTORY

06/01210/FUL - Conservatory to side - Refused

The proposed conservatory by virtue of its design and proximity to the boundary of the property is considered to cause visual intrusion and loss of privacy to the occupiers of adjacent properties

05/00765/FUL - Erection of three detached houses (revised scheme) - Approved (Committee 22/09/05)

05/00272/FUL - Erection of three detached houses and one bungalow - Withdrawn

4.2 ADDITIONAL PLANNING POLICY

CYC Supplementary Design Guidance - A guide to extensions and alterations to private dwelling houses, 2001
Copmanthorpe Village Design Statement, 2003

4.3 KEY ISSUES

1. Visual impact on the dwelling and the area
2. Impact on neighbouring property

4.4 ASSESSMENT

PLANNING POLICY

Policy GP1 'Design' of the City of York Development Control Local Plan includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

Policy H7 'Residential Extensions' of the City of York Development Control Local Plan 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 area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

VISUAL IMPACT ON THE DWELLING AND THE AREA

The proposed conservatory would be attached to the side elevation of 27 Station Road. The proposed conservatory would be 4.5 metres in length and 3.5 metres in width, and the height would be 3.1 metres to the ridge. At its narrowest point the proposed conservatory would be 1 metre from the boundary. The eaves of the proposed conservatory are lower than the eaves of the dwelling. The boundary wall, and the trees to the front of the dwelling provide screening and would lessen their impact on the visual amenity of the area and the dwelling.

The proposed conservatory would not affect the trees with TPOs at present, however there is a concern that in the future the occupants of the dwelling may request works to the trees because of their impact of seasonal fall etc on the proposed conservatory. An informative could be placed on a planning permission alerting the existing/future occupants of 27 Station Road saying that any future application for works to the trees with TPOs would not be viewed favourably by the CYC. There is also concern about the works access to the site and its impact on the TPO trees this could be solved by a condition for hand digging of the foundations and a method statement of the proposed works would be required.

IMPACT ON NEIGHBOURING PROPERTY

It is not considered that the proposed conservatory would cause any loss of privacy to the occupants of 20 and 22 St Giles Way; the conservatory would be screened by the tall boundary wall and would be barely visible from 20 and 22 St Giles Way. In addition a proposed timber panel would be fixed to the top of the wall giving an additional 0.5 metres in height. The applicants also propose to plant a pyracantha

hedge to provide screening for themselves and the occupants of 22 St Giles Way. The proposal leaves room for only a tight hedge to provide screening and separation between the development and 22 St Giles Way, the screening effects of which should not be relied upon to determine the decision because the authority would realistically have no control of this element in the long term. The timber panel would prevent overlooking and loss of privacy from 22 St Giles Way together with the proposed roof of the conservatory being obscure glazing. There is a difference in the ground levels between 27 Station Road and the dwellings on St Giles Way. 27 Station Road is set down from the neighbouring dwellings on St Giles Road, the proposed conservatory would also be set down lessening any impact on the neighbouring dwellings. It is not considered to cause any loss of light by virtue of its height and distance to neighbouring dwellings and is in keeping with the Copmanthorpe Village Design Statement (2003), specifically design guidelines 1, 2 and 4 relating to extensions.

5.0 CONCLUSION

5.1 The proposed conservatory to the side and erection of 0.5m high timber panel on top of the existing boundary wall would comply with planning policy, and the visual and residential amenity requirements of the area. Approval is recommended.

6.0 RECOMMENDATION: Approve

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

Drawing Number 1B, received 17 October 2006;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

- 2 TIME2 Development start within three years
- 3 VISQ1 Matching materials
- 4 The trees in the front garden which is subject to a tree preservation order (TPO) shall be protected during the development of the site by the following measures: -
Prior to commencement on site, of demolition, clearance, site preparation, building or other development operations, including the importing of materials and any excavations, protective fencing to BS5837 Part 8 shall be erected around the trees. Before commencement on site the protective fencing line shall be shown on a plan and agreed with the local authority and subsequently adhered to at all times during development to create exclusion zones.

None of the following activities shall take place within the exclusion zone: excavation, raising of levels, storage of any materials or top soil, burning, parking or manoeuvring of vehicles, mechanical cultivation. There shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches, pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

- 5 Prior to the commencement of the development hereby permitted a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall provide details of precautions to be taken to protect the safety of the trees, the access to the site and the route to be taken by vehicles and people transporting the construction materials. Construction activity shall be completed in accordance with the approved Statement.

Reason: to protect the amenity and safety of the trees close to the site.

- 6 During all construction works on site, including the provision of services, and the excavation of trenches for foundations hand excavation shall be undertaken. All roots, exceeding 5cm in diameter, shall be left bridging trenches and any pipes and cables shall be inserted under the roots.

Reason: In order to protect trees on the site from damage caused by mechanical diggers close to their roots.

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 the residential amenity of the neighbours, the visual amenity of the dwelling and the locality. As such, the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan (2005); national planning guidance contained in Planning Policy Statement 1 "Delivering Sustainable Development"; and supplementary design guidance contained in the City of York's "A guide to extensions and alterations to private dwelling houses" and the Copmanthorpe Village Design Statement (2003).

2. Any future applications for works to the trees subject to a TPO (ref:CYC 207) due to their impact on the proposed conservatory is unlikely to be looked upon favourably.

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