

COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Micklegate
Date: 15 February 2006 **Parish:** Micklegate Planning Panel

Reference: 06/01199/FUL
Application at: 22 Bewlay Street York YO23 1JT
For: Rear dormer (reduction in size of existing unauthorised dormer)
By: Wills And Co Development Ltd
Application Type: Full Application
Target Date: 9 March 2007

1.0 PROPOSAL

1.1 The application seeks permission for the erection of a flat roof dormer to the rear of 22 Bewlay Street, which is a two storey terraced house. This application follows the refusal of planning permission, against officer advice, for the retention of the existing unauthorised flat roofed dormer at the City Centre Area Sub Committee on 4 May 2006 (06/00434/FUL). The applicant appealed the decision of the City Council but this appeal was subsequently dismissed. The appeal decision letter is appended to this report.

1.2 The original application was refused by Members for the following reasons:

“1 The rear dormer by reason of its design, size, appearance and prominence would harm the appearance of the host dwelling and the visual amenities of the area contrary to policies H7 and GP1 of the Development Control Local Plan Incorporating the 4th Set of Changes, the City Council's Supplementary Planning Guidance "Guide to Extensions and Alterations to Private Dwellinghouses" and national planning policy contained in Planning Policy Statement 1 "Delivering Sustainable Development".

2 Because of its height, size and design the rear dormer would result in nearby residential properties being overlooked and dominated by an overbearing structure thereby harming their living conditions contrary to policies H7 and GP1 of the Development Control Local Plan Incorporating the 4th Set of Changes.”

1.3 In dismissing the appeal the Inspector noted that “very few of the properties in this terrace, and that in Richardson Street backing on to the appeal site, have rear dormers...Thus the original character and appearance of this part of the area has been largely retained, presenting a harmonious and coherent design” (paragraph 8). Concluding that “the dormer is a discordant element that results in significant harm to the character and appearance of the individual building and the immediate surrounding area. Its size, scale, design form and materials fail to respect the design of the original building and its surroundings” (paragraph 9).

- 1.4 The Inspector noted other rear dormers in the surrounding area including ones at 8 and 31 Bewlay Street and accepted that a number of rear dormers, “of varying size, scale, design, form and materials have been erected in the wider surrounding area” (paragraph 12). However the Inspector came back to his observation that “the terrace including the appeal premises, and that in adjacent Richardson Street has largely retained its original attractive character, appearance and design – unlike most of the other locations where rear dormers have been referred to. I consider that it is important to ensure that these features are retained and that any alterations or additions should respect these matters.” (Paragraph 13).
- 1.5 In respect of the second refusal reason the Inspector did not support the Council’s decision concluding that “the distance between the dormer and the rear windows of the properties facing provides reasonable separation, and the rearmost windows of these properties tend not to be main habitable rooms.” (Paragraph 16).
- 1.6 The current application proposes to alter the width of the existing unauthorised dormer from 3.22m to 2.88m and its height from 2.11m to 1.76m which increases the distance from the flat roof of the dormer to the ridge of the main roof.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Floodzone 2

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 External

Neighbours – Two letters have been received, objecting to the application on the following grounds:

1. Loss of privacy
2. Not in keeping with the design of the Victorian houses on either Richardson Street or Bewlay Street.

Micklegate Planning Panel - No objections.

4.0 APPRAISAL

4.1 Key Issues

- Design
- Visual Impact
- Living conditions of nearby houses

4.2 The relevant City of York Council Draft Deposit Local Plan Policy is H7. This supports application for residential extensions where the design and materials are sympathetic to the main dwelling and locality, the design and scale are appropriate and there is no adverse effect upon the amenity which neighbouring residents could reasonably expect to enjoy. Further information is contained within the 'Guide to extensions and alterations to private dwelling houses.' The guide states that as a general rule dormers should not extend across more than one third of the roof span and should not dominate the existing roof. Materials must also match the existing and be of a similar scale and proportion to the original house. In addition dormers should not be higher than the ridge of the roof of the original dwelling and in most cases they should have pitched roofs.

4.3 The application site is a mid terrace property located off Bishopthorpe Road. The dormer window is located on the rear elevation, facing onto the rear courtyard, access road and the terrace properties fronting onto Richardson Street. The dormer as amended would have a width of 2.88m compared to its existing width of 3.22m and a height of 1.76m compared to the existing height of 2.11m. It would be set down from the ridge of the dwelling by 0.55m, the existing distance to the ridge is 0.2m. It would be constructed of lead with timber casement windows with hardwood cills.

4.4 Although smaller than the existing, the proposed dormer would not accord with the design guide especially in terms of its width which is over half of the width of the main roof. The dormer is located to the rear of the property, adjacent to a two storey rear projection, its reduction in size would reduce its dominance and its visibility in the wider street scene including views from Rowntree Park. Notwithstanding the comments of the appeal Inspector, the materials that the dormer has been constructed from are considered to be appropriate.

4.5 The dormer has introduced an additional window to the rear elevation but it is considered that there would not be any unacceptable overlooking due to the degree of separation between the application site and the neighbour to the rear, in the region of 20m from dormer to the rear projection.

5.0 CONCLUSION

5.1 The 'Guide to extensions and alterations to private dwelling houses allows for suitably designed rear dormers. The dormer as proposed is not in strict accordance with the design guide, but will have less impact than the existing dormer. The appeal Inspector was clear that he considered that the form of the existing dormer was unacceptable in its impact on the appearance,

character and design of the terrace and that any alterations or additions should respect these matters.

- 5.2 As mentioned in paragraph 1.1 above, officers recommended the original application for permission. Members undertook a site visit prior to the meeting. The officer's recommendation was overturned and the application refused. As the revised proposal is considered to be an improvement on that previously recommended for permission, officer's recommendation is for approval of the application.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 The alterations to the existing unauthorised dormer windows shown on drawing number W02/292/02 received 12 January 2007 shall be completed within 3 months of the date of this decision letter.

Reason: In the interests of the visual amenity of the area in accordance with policy GP1 and H7 of the Development Control Local Plan.

- 2 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 interests of acknowledged importance, with particular reference to the visual amenities of the area and the living conditions of nearby residents. As such the proposal complies with Policies GP1 and H7 of the City of York Local Plan Deposit Draft.

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