

## COMMITTEE REPORT

**Committee:** West & City Centre Area    **Ward:** Bishopthorpe  
**Date:** 22 March 2007    **Parish:** Bishopthorpe Parish Council

**Reference:** 06/00697/FUL  
**Application at:** 14 Copmanthorpe Lane Bishopthorpe York YO23 2QR  
**For:** Erection of detached dwelling  
**By:** Mr And Mrs M Cross  
**Application Type:** Full Application  
**Target Date:** 9 August 2006

### 1.0 PROPOSAL

1.1 The application is for a detached dwelling to the rear of 14 Copmanthorpe Lane with vehicular access to Kirkwell.

1.2 The site is part of the rear garden of 14 Copmanthorpe Lane. The site is surrounded by dwellings: Kirkwell is a street of semi-detached and detached dwellings in quite close proximity to each other built in the late 1990s. The other dwellings surrounding the site are semi detached dwellings and one detached all built mid 20th Century.

1.3 This application comes before committee at the request of Cllr. Livesley.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

Schools Multiple (Spatial)

2.2 Policies:

CYGP1  
Design

CYGP10  
Subdivision of gardens and infill devt

CYH4A  
Housing Windfalls

CYL1C  
Provision of New Open Space in Development

### **3.0 CONSULTATIONS**

#### **3.1 PUBLICITY DATES/PERIODS**

Neighbour Notification - Expires 07/07/2006

Site Notice - Expires 02/08/2006

Press Advert - N/A

Internal/External Consultations - Expires 07/07/2006

8 WEEK TARGET DATE 09/08/2006

#### **3.2 INTERNAL CONSULTATIONS**

HIGHWAY NETWORK MANAGEMENT - No objections

ENVIRONMENTAL PROTECTION UNIT - No objections

#### **3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS**

BISHOPTHORPE PARISH COUNCIL - Object

- Kirkwell has detached dwellings however this is unique to the surrounding streets
- Detrimental to the local character and amenity, gardens in the area are characterised by their length and the proposed dwelling would break this feature
- Minimum distance associated with privacy
- Issues of parking and traffic existing on Kirkwell

10 LETTERS OF OBJECTION

- Would exacerbate the problems of parking and access to Kirkwell
- Proximity to neighbouring dwellings
- Distance between windows of proposed dwelling and existing dwellings is under the minimum distance guidelines
- Is over development of the site which currently acts as a gap in a developed area, would result in overcrowding
- Concern about the disturbance construction would cause
- Impact on the environment of Kirkwell which is of a relatively high density
- The width of Kirkwell road is under the minimum highway standards
- No provision for turning vehicles within the site, would impinge on the driveway of 12 Kirkwell
- Would cause overlooking and a loss of privacy
- Its size and proximity to other dwellings would make the property overbearing
- Increase in density would be harmful to the character of the area
- Concern about the capability of the drainage system to accommodate another dwelling

### **4.0 APPRAISAL**

#### **4.1 RELEVANT SITE HISTORY**

05/02176/OUT - Outline application for erection of a single detached bungalow to the rear with access from Kirkwell - Withdrawn

## 4.2 ADDITIONAL PLANNING POLICY

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

## 4.3 KEY ISSUES

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

## 4.4 ASSESSMENT

### PLANNING POLICY

4.4.1 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.

4.4.2 Policy H4a 'Housing Windfalls' of the City of York Development Control Local Plan states that permission will be granted for new housing development on land within the urban area providing: it is vacant/derelict/underused or involves infilling, redevelopment or conversion; has good access to jobs, shops and services by non-car modes; and, is of an appropriate scale and density to surrounding development and would not have a detrimental impact on existing landscape features.

4.4.3 Policy GP10 'Subdivision of Gardens and Infill Development' of the City of York Development Control Local Plan states that permission will only be granted for the development or subdivision of gardens areas where it would not be detrimental to the character and amenity of the local environment.

### VISUAL IMPACT ON THE DWELLING AND THE AREA

4.4.4 The proposed site is to the rear of 14 Copmanthorpe Lane, the plot measures 18m by 26m with a 5m by 8m chunk removed from the southwest corner of the plot. The dwelling is set back 4m from the boundary with Kirkwell, between 1.4m and 2m from the boundary with 2 New Lane and between 2.7m and 4m from the boundary with 1 New Lane. The proposed dwelling would be a dormer bungalow with vehicular access to Kirkwell. The dwelling would measure 15.5m in width including the attached garage and be 11.5m in breadth (at its widest point) the majority of the dwelling being 10m in breadth, and 6.6m in height to the roof ridge.

4.4.5 There is a spacious and semi-rural character within the surrounding area. Whilst it is considered that the site could accommodate a dwelling it is felt that the scale of the proposed is too large in terms of footprint and the appearance would be detrimental to the area: reducing the spacious character of the area; creating a built up cramped appearance within the site and in context with the surrounding buildings; and would appear as if the dwelling as been "shoehorned" into the site giving the overall appearance of overdevelopment. Therefore the large dormer bungalow design is not considered to be compatible with the neighbouring buildings and spaces.

#### IMPACT ON NEIGHBOURING PROPERTY

4.4.6 The impact of the proposed dormers in the elevation facing Kirkwell on the neighbouring properties on Kirkwell may potentially cause overlooking or the perception of overlooking leading to a loss of privacy. The dormer windows will be a distance of 17.5 metres from the dwellings on Kirkwell. The distance between the dwellings is borderline but the dormers could be considered to be overbearing by virtue of their proximity to the neighbouring properties. There would be no overlooking from Kirkwell to the principal rooms of the proposed dwelling due to screening from the hedge along the boundary.

4.4.7 The proposed dwelling is not considered to cause any loss of privacy or be overbearing to the neighbouring properties of 14 and 16 Copmanthorpe Lane due to distance and boundary treatment. The proposed dwelling would leave sufficient private amenity space for 14 Copmanthorpe Lane.

4.4.8 There would be no overlooking to the occupants of 1 New Lane although the occupants of the proposed bungalow may feel overlooked by the rear window of 1 New Lane. The proposed dwelling is not considered to have an overbearing or over dominant impact on the occupants of 1 New Lane, the proposed dwelling would be in close proximity however as the roof would be sloping away from 1 New Lane the impact would be reduced.

4.4.9 No.2 New Lane has extended to the rear and the windows of these extensions overlook the site. There are no windows in the proposed elevation facing these extensions apart from the conservatory at the end of the garage. Overlooking could be prevented by a condition on any planning permission for further planting along the boundary and/or obscure glazing in the conservatory elevation facing 2 New Lane. It could be argued that the impact on 2 New Lane specifically in the garden would be regarded as over dominant by virtue of the proximity of the of the proposed dwelling to the boundary however it is not considered that the loss of amenity is significant enough to warrant refusal.

#### IMPACT ON ROAD SAFETY

4.4.10 There have been a number of objections and all have expressed concern about the issue of traffic on Kirkwell and the problems with parking however Highways Network Management has raised no objections to the proposed plans.

### 5.0 CONCLUSION

5.1 The proposed dwelling by virtue of its scale, mass and design is considered to be detrimental to the character and amenity of the local environment, the proposed dwelling would have a cramped appearance on this site and when seen in context with the surrounding buildings resulting in overdevelopment of the site, and therefore is contrary to Policies GP1, H4a and GP10 of the City of York Development Control Local Plan (2005); and national planning guidance Planning Policy Statement 1 'Delivering Sustainable Development' and Planning Policy Statement 3 'Housing'. Refusal is recommended.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Refuse

- 1 The proposed dwelling by virtue of its scale, mass and design is considered to be detrimental to the character and amenity of the local environment, the proposed dwelling would have a cramped appearance on this site and when seen in context with the surrounding buildings resulting in overdevelopment of the site, and therefore is contrary to Policies GP1, H4a and GP10 of the City of York Development Control Local Plan (2005); and national planning guidance Planning Policy Statement 1 'Delivering Sustainable Development' and Planning Policy Statement 3 'Housing'.

### **7.0 INFORMATIVES:**

#### **Contact details:**

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