

2.2 Policies:

Publication Draft Local Plan 2018

D1	Placemaking
D4	Conservation Areas
D11	Extensions and Alterations to Existing Buildings

Draft Development Control Local Plan 2005

CYGP1	Design
CYHE2	Development in historic locations
CYH7	Residential extensions

3.0 CONSULTATIONS

EXTERNAL

Skelton Parish Council

- 3.1 Skelton Parish Council objected to the scheme on the following grounds;
- Harm to the Conservation Area - the proposed extension would be visible from the road, and would extend into and narrow the adjacent lane, causing harm to the rural character that is a characteristic of Skelton's Conservation Area.
 - Overdevelopment - the extension would combine with the existing two storey extension at the property and fill the curtilage of the property, with a detrimental overall scale and footprint.
 - Impact on Neighbouring Properties - the proposal would impact on the residential amenity of the neighbours, narrowing the access enjoyed by the residents and leading to unsafe car manoeuvres.

Neighbour Notification/Publicity

- 3.2 Five letters of objection were received to the original proposals:
- Access - the extension would block access to the properties at the rear of the site, by narrowing the lane to the eastern side of the host dwelling. Access issues during construction were also highlighted.
 - Inaccurate Plans - some of the submitted drawings had mislabelled neighbouring properties
 - The proposed extension would impair and restrict visibility for vehicles entering and exiting the rear area, and would cause problems for emergency vehicle access.

- Loss of privacy - the rear door of the proposed extension would directly overlook Little Dorrit.
- Overdevelopment - the extension would increase the dominance at the rear of the property and would harmfully reduce the buffer between the host dwelling and the existing communal access. It would take away any opportunity to upgrade the external space in a way that could enhance the visual amenity of the Conservation Area.

3.3 Following the submission of revised plans to reduce the width of the proposed extension, one letter submitting further comments was received:

- Access - manoeuvres to exit the lane should the scheme be built, and also whether the adjacent hedge would have to be removed.

4.0 APPRAISAL

KEY ISSUES

4.1 Impact on the dwelling and character of the conservation area; access and highway safety; impact on neighbour amenity.

Policy Context

4.2 The application site is within Skelton Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the conservation area.

4.3 The National Planning Policy Framework (NPPF) February 2019 sets out the Government's overarching planning policies, and at its heart is a presumption in favour of sustainable development. Decision-makers at every level should seek to approve applications for sustainable development where possible. The presumption in favour of sustainable development may not apply if it is considered that any harm to heritage assets are identified. The NPPF also places great importance on good design. Paragraph 128 says that design quality should be considered throughout the evolution and assessment of individual proposals. Paragraph 130 says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

4.4 Section 16 of the NPPF, 'Conserving and Enhancing the Historic Environment', states that it is desirable to sustain and enhance the significance of heritage assets, and that new development should make a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the

significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset the greater the weight should be). This is irrespective of the level of harm from any proposal. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

4.5 The Publication Draft Local Plan 2018 for the City of York ('2018 Draft Plan') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan;
- The extent to which there are unresolved objections to relevant policies;
- The degree of conformity of the relevant policies in the emerging plan with policies in the previous NPPF (published March 2012). (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

4.6 Policy D1 (Placemaking) of the 2018 Draft Plan seeks development proposals to improve poor existing urban and natural environments, enhance York's special qualities, better reveal the historic environment and protect the amenity of neighbouring residents. Development proposals that fail to make a positive contribution to the city or cause damage to the character and quality of an area, or the amenity of neighbours will be refused. Policy D4 (Conservation Areas) explains that proposals which preserve or enhance the special character of the conservation area will be supported. Policy D11 (Extensions and Alterations to Existing Buildings) states that proposals to extend, alter or add to existing buildings will be supported where the design responds positively to its immediate architectural context, local character and history in terms of the use of materials, detailing, scale, proportion, landscape and space between buildings. Proposals should also sustain the significance of a heritage asset, positively contribute to the site's setting, protect the amenity of current and neighbouring occupiers, contribute to the function of the area and protect and incorporate trees.

4.7 Draft Local Plan policy GP1 states that, with respect to Design, 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, the rural character and setting of villages 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.

4.8 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for development management purposes in April 2005. It does not form part of the statutory development plan and its policies carry very limited weight. Draft Local Plan Policy H7 concerns Residential Extensions, and states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality of the development; (ii) the design and scale are appropriate in relation the main building; (iii) there is no adverse effect on neighbour amenity; (iv) proposals respect the spaces between dwellings; and (v) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling. Policy HE2 specifically states that within conservation areas proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

4.9 The Council have an agreed Supplementary Planning Document 'House Extensions and Alterations' (dated December 2012), which provides guidance on all types on domestic type development. It offers overarching general advice relating to such issues as privacy, overshadowing, oppressiveness and general amenity as well as advice which is specific to the design and size of particular types of extensions, alterations and detached buildings. A basic principle of this guidance is that any extension should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the road/street-scene it is located on. Furthermore, proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook. Section 13 contains advice relating to rear extensions; Paragraph 13.2 advises that regard must be paid to the impact of a single-storey rear extension on sunlight, its relationship to windows and the height of the proposed structure.

4.10 Skelton Village Design Statement, 2008 (VDS) identifies those features of the village, its setting, layout and architecture which define the special character of Skelton and which should be protected for future generations. Design guidelines seek to preserve the character and appearance of the conservation area and state that infill development and extensions should respect the character and amenity of the surroundings and neighbour amenity.

Design and Character and appearance of the conservation area

4.11 The proposed extension is felt to adequately respect the character and amenity of its surroundings; it is considered In keeping with the host dwelling in terms of scale and design, and is not considered to represent any form of overdevelopment of the rear of the property. About half of the small existing rear amenity area would be retained. The proposal utilises matching materials and is only partially visible from the main public highway; it is not considered to harm the character of the dwelling nor the character and appearance of the conservation area.

Access and highway safety

4.12 The extension has been set further in from side elevation, and by virtue of its revised depth and eaves height is not felt to be unacceptably overbearing at this boundary. It is not considered that the proposal would narrow the adjacent lane, and the dimensions of the structure would not lead to any impact on vehicles using the adjacent lane above that already caused by the existing side elevation of the dwelling. Any reduction in access would be limited to where the currently open rear curtilage would be developed. The loss of this is not considered to be an unacceptable reduction in the access to the rear and would not have an impact on highway safety.

Impact on neighbour amenity

4.13 Given the existing characteristics of the rear area it is not considered that the extension would unacceptably overlook the property to the rear, and would not lead to any significant reduction in the levels of privacy currently afforded to neighbouring properties.

5.0 CONCLUSION

5.1 The proposal is not considered to harm the character and appearance of the conservation area, nor would it result in harm to residential amenity or highway safety. The proposal complies with National Planning Policy Framework (2019), policies D1, D4 and D11 Publication Draft Local Plan 2018, policies GP1, H7 and HE2 of the 2005 City of York Draft Local Plan, advice contained within Supplementary Planning Document 'House Extensions and Alterations' (Dec. 2012), and guidance provided by the Skelton Village Design Statement.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plan:-

Drawing No. 2018/60/01 Rev A

Drawing No. 2018/60/03 Rev A

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:

Application Reference Number: 19/00384/FUL

Item No: 4d

Page 6 of 7

Notes to Applicant

1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Revised plans were sought and received to reduce the impact of the proposed extension on visual and neighbour amenity.

2. THE PARTY WALL ETC ACT 1996

The proposed development may involve works that are covered by the Party Wall etc Act 1996. An explanatory booklet about the Act is available at:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

Furthermore the grant of planning permission does not override the need to comply with any other statutory provisions (for example the Building Regulations) neither does it override other private property rights (for example building on, under or over, or accessing land which is not within your ownership).

Contact details:

Author: Sam Baker
Development Management Assistant

Tel No: 01904 551718