

COMMITTEE REPORT

Date: 4 October 2018 **Ward:** Huntington/New Earswick
Team: Householder and Small Scale Team **Parish:** Huntington Parish Council

Reference: 18/01878/FUL
Application at: 14 Hopgrove Lane North York YO32 9TF
For: Single storey rear extension (resubmission).
By: Mr & Mrs Myers
Application Type: Full Application
Target Date: 8 October 2018
Recommendation: Householder Refusal

1.0 PROPOSAL

1.1 This application seeks permission for a single storey rear extension to 14 Hopgrove Lane North. It is a resubmission of application 18/01878/FUL which was withdrawn earlier this year due to officer concerns regarding green belt policy.

1.2 The host dwelling is a detached two-storey house. The property is situated in a semi rural location on Hopgrove Lane North situated within a linear row of different styles of residential dwellings overlooking open fields. The site is located within the City of York Green Belt.

1.3 Relevant Planning History

- 3/66/853/FA - two-storey rear extension - approved
- 3/66/853A/FA - detached garage - approved
- 07/02921/FUL - two-storey rear extension - refused as it was considered it would not constitute limited infilling and thus would detrimentally impact on the greenbelt. Additionally, it was thought the scale of development immediately adjacent to the rear of 15 Hopgrove Lane was excessive and would be overbearing.

1.4 Planning permission was refused in November 2016 for an extension comprising a 30% increase in footprint at no. 7 Hopgrove Lane North. The subsequent appeal was dismissed by the Planning Inspector on the grounds that the extension would result in inappropriate development (due to its scale) and would impact on openness - planning ref: 16/02122/FUL.

1.5 The application has been called to committee by Cllr. Cullwick due to the amount of support from neighbouring residents.

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:

Draft Development Control Local Plan 2005

CYGP1 Design

CYH7 Residential extensions

CYGB4 Extension to existing dwellings in GB

Emerging Local Plan policies

D11 Extensions and Alterations to Existing Buildings

GB1 Development in the Green Belt

3.0 CONSULTATIONS

Huntington Parish Council

3.1 No comments received.

Neighbour Notification and Publicity

3.2 Ten letters of support have been received from neighbouring properties.

4.0 APPRAISAL

KEY ISSUES

- Visual impact on the dwelling and the area
- Impact on the openness of the Green Belt
- Impact on neighbouring property

PLANNING POLICY

Yorkshire and Humber Regional Spatial Strategy (RSS)

4.1 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS). Policies YH9(C) and Y1 (C1 and C2) establish the general extent of the York Green Belt. The policies state that the detailed inner and the rest of the outer boundaries of the Green Belt about 6 miles from the city centre should be defined to protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

National Planning Policy Framework (2018)

4.2 National Planning Policy Framework (2018) Paragraph 145 states that the construction of new buildings is inappropriate in the green belt with one of the exceptions being the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original dwelling. Paragraph 143 states that inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances. Paragraph 144 requires substantial weight is given to any harm in the green belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations.

Publication Draft Local Plan 2018

4.3 The Publication Draft Local Plan 2018 was submitted for examination on 25 May 2018. The emerging Draft Local Plan policies can be afforded weight at this stage of preparation, and subject to their conformity with the NPPF. The evidence base underpinning the emerging Local Plan is capable of being a material consideration in the determination of planning applications.

4.4 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 protects and incorporates trees.

4.5 Policy GB1 (Development in the Green Belt) states that within the green belt, development will only be permitted where the scale, location and design of development would not detract from the openness of the green belt, it would not conflict with the purposes of including land within the green belt and it would not prejudice or harm those elements which contribute to the special character and

setting of York. Importantly it should also be for one of the specified purposes which includes limited extension, alteration or replacement of existing buildings.

Development Control Local Plan 2005

4.6 The draft Development Control Local Plan was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications although it is considered that their weight is very limited except when they are in accordance with the NPPF. Draft Local Plan Policies GP1 (Design) and H7 (Residential Extensions) require that residential extensions appear subservient to the main dwelling, do not detract from the street scene and do not cause significant harm to residential amenity with regards to loss of light, privacy or outlook. Policy GB4 (Extensions to Existing Dwellings) supports residential extensions where they would not cause undue visual intrusion, would be appropriate in terms of design and materials and would be small scale compared to the original dwelling. A figure of 25% is given as a guide for the purposes of assessing planning applications, where proposals to extend a dwelling by more than 25% of its original footprint would be considered a large scale edition and resisted accordingly.

Supplementary Planning Document 'House Extensions and Alterations' 2012

4.7 The Council have an approved Supplementary Planning Document 'House Extensions and Alterations' dated December 2012 which provides guidance on all types on domestic types of development. 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/streetscene it is located on. In particular, care should be taken to ensure that the proposal does not dominate the house or clash with its appearance with the extension/alteration being subservient and in keeping with, the original dwelling. The character of spacing within the street should be considered and a terracing effect should be avoided. Proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook.

APPRAISAL

4.8 The proposals seek to construct a single storey rear extension to join the existing two storey rear extension to the detached garage structure. The extension would measure 6.3m in length, 4.9m in width with a total height of 3.2m. The extension would provide an open plan living/dining room. The extension would be constructed in matching materials and would include the provision of a toilet in the existing garage structure including the insertion of a small rear facing window.

4.9 The extension would be located at the rear of the dwelling which is situated within an area of residential dwellings which have long rear gardens with noticeable

extensions, out-buildings and detached structures. From the street frontage the enlargement would be obscured from view behind the garage and existing dwelling. On this basis the size and scale would not be obvious from the street.

Impact On Neighbour Amenity

4.10 Regarding the impact on 13 Hopgrove Lane North, the extension would lie to the north of No.13 thus there would be no significant impact on light. While the overall enlargement of No.14 would be of significant length along the shared side boundary the proposed eaves height of 2.2m with the roof sloping gently away from the boundary would prevent the proposal from appearing overbearing. Moreover, 13 Hopgrove Lane North has a small outbuilding adjacent to the proposed site thus the proposal would be somewhat concealed from principal rooms and garden areas of No.13.

4.11 The extension would be separated from 15 Hopgrove Lane North by the host property's garage. Given the proposed extension will not exceed the height of the existing extensions it is not considered there would be any new impact on No. 15.

Parking and Storage

4.12 There will be sufficient external amenity space to the rear, following the development and the proposal has no implications in terms of off-road parking. While loss of access to the rear is undesirable the garage/store is considered to provide adequate storage space for bins and cycles.

Development In The Green Belt

4.13 The NPPF establishes that disproportionate additions over and above the size of the original building constitutes inappropriate development. Policy GB1 of the Publication Draft Local Plan relates to the development in the Green Belt and sets out the circumstances where planning permission for development will be granted. This includes circumstances in which proposals do not detract from the open character of the Green Belt and would not conflict with the purposes of including land within the Green Belt and it is, among other purposes, limited extension, or alteration of an existing dwelling.

4.14 Draft Local Plan (2005) policy GB4 indicates that an increase of the footprint of the host dwelling by 25% would normally be acceptable. However no reference is made within this policy to the overall scale of the development. With the introduction of the Publication Draft Local Plan it is considered that policy GB4 should be given very limited weight when assessing the acceptability of development proposals in the green belt.

4.15 The proposed extension, along with the existing kitchen and garage extensions represents a 198% increase in the original footprint of the dwelling. This figure far exceeds the 25% figure provided in policy GB4. Whilst there is no percentage figure given in the Publication draft Local Plan policy GB1 or within the NPPF, the NPPF requires any extensions to buildings to be proportionate, and that they should not significantly exceed the size of the original building. Given the combined increase in extensions to the host dwelling it is considered that its scale taken together with the existing extension would result in inappropriate development which by definition would be harmful to the green belt.

4.16 It is acknowledged that the extension would not be overly visible from the street scene, or from the open fields opposite the site to the south/west, and due to the mature trees to the rear of the site would also not be visible from the fields to the rear. However to allow the increase of development purely because it could not be readily seen would go against the main aim of Green Belt policy which is to prevent urban sprawl and to keep land permanently open. Therefore in conjunction with the existing extensions to the host property it is considered that any further extensions would, by definition, affect the openness of the green belt. This view is supported by the Inspectors decision for no. 7 Hopgrove Lane North which stated that by increasing the footprint and massing of the building, the proposal would reduce its openness to some extent, which would therefore result in harm to the openness of the green belt. This is especially true in this case, as a detached structure would be joined to the host dwelling, increasing its mass as one much larger, sprawling extension to the dwelling when viewed from neighbouring plots.

4.17 Whilst it is also acknowledged that this application has had a lot of support from neighbouring residents, this support does not outweigh the harm to the green belt by way of inappropriateness and openness. There are no special circumstances to outweigh this harm.

5.0 CONCLUSION

5.1 The scale of the extension is such that combined with the existing extensions, it would result in a disproportionate addition that would be inappropriate development in the green belt which is, by definition, harmful to the green belt. This in turn would impact on the openness of the green belt. As this harm is not outweighed by any other considerations, the proposal is recommended for refusal as contrary to the National Planning Policy Framework, policy GB1 of the Publication Draft Local Plan and policy GB4 of the draft Development Control Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Refusal

1 The extension would link the detached garage to the already extended host
Application Reference Number: 18/01878/FUL
Page 6 of 7

building. The scale is such that combined with the existing extensions, it would be considered a disproportionate addition which would result in inappropriate development in the Green Belt. In addition the increased development would, by definition, reduce the openness of the green belt, contrary to paragraph 133 of the NPPF which specifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The proposals would therefore fail to accord with Paragraphs 133, 144 and 145, of the National Planning Policy Framework, Policy GB1 of the Publication Draft Local Plan (2018) and policy GB4Draft Development Control Local Plan (2005).

7.0 INFORMATIVES:

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 (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. Due to the nature of the scheme, it was not possible to suggest an acceptable alternative that would satisfy relevant green belt issues. This resulted in planning permission being refused for the reasons stated.

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