

COMMITTEE REPORT

Date: 8 September 2011 **Ward:** Hull Road
Team: Householder and Small Scale Team **Parish:** Hull Road Planning Panel

Reference: 11/01957/FUL
Application at: 87 Newland Park Drive York YO10 3HR
For: First floor side extension and single storey rear extension
By: Mr Mark Harris
Application Type: Full Application
Target Date: 12 September 2011
Recommendation: Approve

1.0 PROPOSAL

THE SITE:

1.1 The application site consists of a traditional semi - detached hipped roof dwelling set back from the public highway and positioned within an area of similar property types. The front elevation of the dwelling incorporates projecting bay windows at both ground and first floor levels. The property hosts an integral garage which projects a modest distance beyond the rear elevation. The rear garden is of an ample size enclosed by a mixture of hedging and panelled fencing.

THE PROPOSAL

1.2 This application seeks planning permission to extend the dwelling at first floor level above the existing attached garage a depth of approximately 7.5 metres. The application is subject revised plans on officers request, which have altered the design to incorporate a set down from the main ridge of approximately 400mm and a set back from the principal elevation by approximately 1.1 metres measured from the bay windows (Plans submitted on 15th August 2011 drwg no H005/01&03). In addition the proposal seeks planning permission for a single storey rear extension, comprising of a continuation of the existing mono pitched roof extension and additional hipped roof conservatory style extension set off the boundary. The total height is approximately 3.4 metres by approximately 6.4 metres at the longest depth.

PROPERTY HISTORY

1.3 Erection of a single storey side and rear extension approved 08.01.08 (ref: 07/02679/FUL).

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 Internal:

None

3.2 External:

3.3 Hull Road Planning Panel - No objections.

3.4 Neighbour responses received from: 85, 86 ,88,and 90and Newland Park Drive
Objections relate to:

- Property to be occupied by students exceeding 6 people.
- Rubbish/Noise.
- Loss of car parking spaces.

Occupiers of 85 Newlands Park Drive have made additional comments regarding the single storey extension:

4.0 APPRAISAL

4.1 Key Issues:-

- Impact on street scene
- Impact on neighbours.

THE RELEVANT POLICES AND GUIDANCE

4.2 PLANNING POLICY STATEMENT 1 sets out the Government's overarching planning policies. It sets out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take the opportunities available for improving an area should not be accepted.

4.3 DRAFT LOCAL PLAN POLICY CYH7 - states that residential extensions will be permitted where (a) the design and materials are sympathetic to the main dwelling and the locality (b) the design and scale are appropriate to the main building (d) there is no adverse effect upon the amenities of neighbours.

4.4 DRAFT LOCAL PLAN POLICY CYGP1 - sets out a series of criteria that the design of development proposals are expected to meet. These include requirements to (a) respect or enhance the local environment, (b) 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; (c) 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; (e) retain, enhance and/or create urban spaces, public views, skyline, landmarks 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 (i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that two - storey side extensions should be set down from the original roof line and set back behind the building line. Furthermore the scale of the new extension should not dominate the original building resulting in a 'terracing effect' by closing the gap between the application property and neighbouring property.

VISUAL AMENITY

4.6 In terms of visual amenity the revised drawings submitted show that the proposed extension would now be appropriately designed with a set down from the host roof and a set back from the front wall, which provides a visual break in the development in accordance with the Council's Supplementary Planning Guidance in relation to house extensions. The extension would occupy the full width of the driveway up to the site boundary, adjacent to 85 Newland Park Drive. This dwelling has an attached garage situated in juxtaposition to the host garage. It is considered that the space above the adjacent garage, and the variation in building line, would reduce the impression of terracing and that in street scene terms the proposal is acceptable. The applicant intends to use materials that match the existing dwelling.

4.7 The single storey extension at the rear would be sited on part of an existing single storey mono –pitched roof not exceeding approximately 3.0 metres. The additional extension would incorporate a hipped roof sloping away from the shared boundary and full glazed door on to the rear garden, projecting an additional distance of approx 3.0 metres from the existing rear wall, with a total height of 3.5 metres reducing to 2.5 metres at the eaves. The scale, massing and design of the extension are considered to be satisfactory.

RESIDENTIAL AMENITY

4.8 The proposed first floor extension would abut the boundary of the adjacent dwelling at no 85 Newland Park Drive. However this property has a pitched roof garage on the side elevation, so separating the main house from the site of the extension. To the rear the land slopes down towards the gardens of Thief Lane and therefore the property is higher than those on Thief Lane. However, the application site has an ample sized garden providing good separation from these properties and therefore the extension would not significantly harm the outlook or create an over bearing, dominant impact for the residents on the shared boundary. Notwithstanding this there are already existing rear windows overlooking these properties and gardens so overlooking and privacy issues will be no more harmful than the existing arrangement.

4.9 The single storey extension would contain full height openings overlooking the rear garden, screened by the existing 1.8 metre boundary fence adjacent to the dwelling at 85 Newland Park Drive. It would not would result in an unduly oppressive and overbearing impact on the occupiers of the adjacent property or result in an additional increase of over shadowing and loss of daylight over and above the existing situation. The dwellings to the rear on Thief Lane are separated by larger than average gardens separated by extensive boundary treatment.

THIRD PARTY COMMENTS

4.10 Occupation by Students - Consultation responses from the surrounding residents mainly relate to the extension resulting in the provision of additional bedrooms to the property and occupation by students. However provided that facilities within the property such as kitchens and bathrooms are shared, and the property is occupied as a single dwelling by no more than six people, then there would be no material change of use for which planning permission would be required. The layout of the extended property incorporates six bedrooms with communal kitchen and living areas, with two bathrooms. The application before the Council is not for a conversion of the dwelling to self contained student flats; it is for an extension to a residential dwelling and has to be considered on that basis. Should the property be occupied by more than six people, either now or in the future, then the property would be likely to fall outside the "Class C4" use class for

which planning permission would be required. It is considered that this matter can be addressed by means of an informative on the decision notice.

4.11 Loss of parking: Local residents have raised concerns regarding concerns of loss of parking. However, there are no car parking restrictions on Newland Park Drive and the width of the highway allows cars to be parked on the roadside whilst also allowing cars to pass.

4.12 Rubbish/Noise: Issues relating to noise, untidy land, rubbish and late night noise from students could be dealt with under separate legislation such as the Environmental Protection Unit.

4.13 Occupiers of 85 Newlands Park Drive have made additional comments regarding the single storey extension relating to loss of light/ bulky appearance. It is appreciated that the extension at approximately 6.0 metres would be long, however it is not considered that the proposal would create any additional loss of light than that of the existing conservatory situated on the side boundary. Also taking into consideration the northern orientation of conservatory the separation distances, achieved within the site together with the existing boundary treatment, it is felt that the proposal would not cause any significant detriment to the residential amenity of neighbouring property.

5.0 CONCLUSION

The design and materials are considered acceptable therefore the proposal is unlikely to detract from the character and appearance of the residential area. The neighbouring gardens are well screened and it is not considered that the development will appear overbearing or give rise to any unreasonable loss of amenity to adjoining residents. Approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years -
- 2 PLANS1 Approved plans - Revised plans dated 15.08.11 (drwg no H005/01&03)
- 3 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 amenity and living conditions of adjacent occupiers and the impact on the street scene. As such the proposal complies with Policies GP1 "Design" and H7 "Residential Extensions" of the City of York Local Plan Deposit Draft and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

2. INFORMATIVE:

It should be noted that the occupation of the property by up to six individuals living together as a single household would currently not require planning permission, as at the date of this permission. However, should the property be occupied by more than six people, either now or in the future (whether as a result of this development or not), then there is a possibility that the property would fall outside the "Class C4" use class and planning permission may then be required. In those circumstances further advice should be sought from the Local Planning Authority.

3. 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 from City Strategy at 9 St Leonard's Place or at:

<<http://www.communities.gov.uk/publications/planningandbuilding/partywall>>

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: Sharon Jackson Development Management Assistant

Tel No: 01904 551359