

COMMITTEE REPORT

Date: 2 February 2012 **Ward:** Osbaldwick
Team: Householder and Small Scale Team **Parish:** Osbaldwick Parish Council

Reference: 11/02965/FUL
Application at: 295 Hull Road Osbaldwick York YO10 3LB
For: Two storey rear and single storey side extensions
By: Mr A Sullivan
Application Type: Full Application
Target Date: 4 January 2012
Recommendation: Approve

1.0 PROPOSAL

THE SITE:

1.1 Members will recall that a decision on this application was originally deferred at the meeting of the East Area Planning Sub-Committee meeting held on 5th January 2012 to allow neighbours to be formally consulted following the submission of a revised drawing (DRWG NO 067.001) showing off street parking and lockable cycle and bin storage as requested by officers. As a result of the reconsultation, three letters received from the occupiers of 293, 297 and 299 Hull Road. These are referred to in the "Representations" section of the report.

1.2 The application relates to a detached dwelling fronting onto a small cul-de-sac adjacent the main Hull Road dual carriageway. The dwelling incorporates an attached flat roof garage on the side elevation, which projects beyond the rear elevation of the property. The dwelling is set back from the public footpath, with of a side driveway providing off street parking and a grassed area in front of the principal elevation. The property has a large enclosed rear garden.

THE PROPOSAL:

1.2 Planning permission is sought to erect a single storey side and rear extension after demolition of the existing flat roof garage and rear extension. The extension would measure approximately 9.0 metres in total length (extending approximately 2.2 metres beyond the rear building line) by approximately 3.5 metres in width, set back from the principal elevation by approximately 1.2 metres. The extension would have a pitched roof of approximately 3.7 (max) in height reducing to approximately 2.2 metres (max) at the eaves height. In addition the application seeks planning permission for the erection of a two storey rear extension. This proposal would be set down from the ridge by approximately 1.8 metres forming a pitched roof, projecting approximately 2.1 metres in length into the rear garden. The proposed

extension would provide an extension to an existing small third bedroom at first floor level and larger kitchen area on the ground floor. The application proposes to use brick work and roof tiles that match the appearance of the existing dwelling.

REVISED PLANS:

1.3 The application is subject to revised plans submitted on 20th December 2011 (drawing number 067.001 revision C) to show off street parking for two cars to the side and front of the property. The revision includes an area shown for access into the rear garden and appropriate lockable cycle and bin storage.

1.4 The proposed application has been supported by a Design and Access Statement. And a Flood Risk Assessment confirming that the proposal is not situated within the indicative flood plains.

PROPERTY HISTORY:

1.5 No relevant property history documented.

ADDITIONAL INFORMATION:

1.6 The application has been called in to the East Area Committee for a decision by Councillor Mark Warters for reasons stated in para 3.5 (letter on file). A site visit took place on 4 January 2012.

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:

THIRD PARTIES:

3.3 Osbaldwick Parish Council:

Parish object on the following grounds:

Overdevelopment resulting in the availability of 5 bedrooms and use of dwelling as a H.M.O.

Loss of car parking by enclosure of garage and being close to the doctors' surgery would result in on street parking.

3.4 Neighbour consultation letters sent 16.11.11 objection responses received from the following neighbours:

293 Hull Road

297 Hull Road

291 Hull Road and petition including the following addresses:

293 Hull Road

297 Hull Road

299 Hull Road

285 Hull Road

287 Hull Road

283 Hull Road

- The objections relate to the following matters.
- Property to be occupied by students.
- Lack of car parking spaces - cars parked on the road causing a traffic hazard.
- Over development/ out of character of the existing dwelling.
- Loss of light into rear garden areas.
- Drainage problems with the additional amount of people living in the house.
- Reduction in property value.

3.5 Councillor Objections:

Councillor Warters has raised concerns on the following issues:

- Neighbour Amenity.
- Over development

3.6 Additional neighbour consultation letters sent on 5th January 2012 for comments on the revised plan (detailing off street parking and lockable suitable cycle and bin storage) (DRWG NO 067.001). Three letters received from the occupiers of 293 Hull Road and 299 Hull Road on the following issues:

293 Hull Road:

- Dispersal of surface water.
- Bin store - concerns that the bin store would not be used for its relevant purpose. Existing concerns regarding rubbish been left at the front of the house.

299 Hull Road:

- Cul - de - Sac busy with cars because of the Doctors Surgery.
- Parked cars making it difficult to turn around in the road.
- Approval of the application would result in additional people with more cars.

297 Hull Road

- Garden turned in to a car park would be unsightly.
- Layout of parking area would not allow cars to exit or enter driveway freely.
- Access to cycle storage at various unsociable hours would create additional noise.
- Use as HMO is unacceptable

These issues have been considered within the officer's report.

4.0 APPRAISAL

4.1 KEY ISSUES:

- Impact on amenity of neighbours.
- Impact on street scene.
- Off street parking and Cycle storage.

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 - "Residential Extensions" states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours.

4.4 DRAFT LOCAL PLAN POLICY CYGP1 - "Design" sets out a series of criteria that the design of development proposals would be expected to meet. These include requirements 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 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.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.12) Good design and a scale of development that respects the original dwelling and established pattern of development are essential to making a quality extension.

VISUAL AMENITY

4.6 The proposed two storey rear extension would be set down from the ridge by approx 1.8 metres projecting approximately 2.2 metres out from rear elevation. The width would be approximately 3.3 metres, situated within a generous rear garden area. The design of the extension would incorporate a pitched roof, which matches the existing dwelling and would slope away from the shared boundary, reducing its massing and dominance for the neighbour at 263 Hull Road. The additional windows would follow the pattern of the existing windows serving a bedroom at first floor and kitchen extension on the ground floor. The applicant intends to use materials that match the existing dwelling. Therefore, taking account of the position at the rear and the relatively modest size it is not considered that the extension would significantly detract from the character or appearance of the existing dwelling.

4.7 The single storey extension on the side and rear elevation would occupy the area between the existing dwelling and the common boundary with the dwelling at no 263, replacing an existing flat roof garage and rear extension. The development would sit comfortably with the host dwelling, positioned on the existing driveway, located approximately 7.2 metres from the public footpath. It is noted that there are a number of side extensions within the surrounding area.

RESIDENTIAL AMENITY

293 Hull Road

4.8 In terms of residential amenity the closest neighbour to the development is the property at 293 Hull Road. The rear garden of this property has been visited. This property has a modest extension at ground floor level which incorporates an external rear access into the kitchen area closest to the shared boundary. The two storey rear extension would be situated approx 3.9 metres from the shared boundary at 293, and is considered to be designed appropriately with a set down from the host roof. In terms of loss of light it is not considered that the proposal would have any significant additional impact on the amount of sunlight entering the adjacent property, which is located to the west. Furthermore, no principal rooms or garden areas would be materially affected. In terms of overlooking and loss of privacy the window proposed on the rear elevation would not create any additional overlooking than the present situation.

4.9 The side and rear extension would be separated from the side kitchen window at no. 293 by a 1.8 metre boundary fence. The property is located to the west, and it is not considered that there would be any material impact on light or outlook, nor would the extension have an unduly overbearing impact due to it being single storey. The position, size and scale of the replacement rear extension is not considered to have an unduly detrimental impact on the amenity of the adjacent neighbours in terms of loss of light or overshadowing.

297 Hull Road

4.10 The occupiers of 297 Hull Road are separated from the two storey extension by extensive boundary treatment. The single storey side and rear extension would not be visible from living areas of this property.

THIRD PARTY OBJECTONS:-

OCCUPATION OF STUDENTS:

4.11 Consultation responses from the surrounding residents mainly relate to the extension resulting in the provision of additional occupation by students. The layout of the extended property would provide an extension to the existing small third bedroom and kitchen area, therefore it is not envisaged that there would be additional people living at the dwelling. However, it is the case that the occupation of the property by up to six individuals living together as a single household would not currently require planning permission. Should the property be occupied by more than six people, either now or in the future, and then there is a possibility that the property would fall within the "Class C4" use class and planning permission may then be required. It is considered that this matter can be addressed by means of an informative on the decision notice.

LACK OF PARKING/ON STREET PARKING

4.12 These concerns raised by the local residents are appreciated in this location, however the proposal conforms to the Council's maximum car parking standards and therefore no objections could be sustained on these grounds. In addition, there are no car parking restrictions on Hull Road and the width of the highway allows cars to be parked on the roadside whilst also allowing cars to pass. The position of the allocated car parking spaces on the drive way and in front of the house could require an extension to the existing dropped kerb, which would require separate consent from the Council's Highways team. In addition there is a gap of 900mm at the side of the property adjacent to 297 Hull Road for access into the rear garden where a lockable timber shed would be provided to accommodate cycles. The provision of car and cycle parking can be covered by condition.

OVERDEVELOPMENT

4.13 In terms of the amount of development proposed to the property, it is considered that the projection of the two storey rear extension is a relatively modest addition to the size of the main house and its relatively large garden. It is also the case that in isolation this extension could be erected within permitted development limits without the need for planning permission. This is because permitted development rights allows for the erection of two storey rear extensions incorporating a length no more than 3 metres so long as they are more than 2.0 metres from the shared boundary. In terms of the single storey extension the total proposed length adjacent to the shared boundary would be in the region of 9.0 metres. This amounts to an additional 4.0 metres in length on the side elevation forward of the location of the existing attached garage. Therefore when considering the orientation and separation distances, it is unlikely that the extension would be seen as over development of the side elevation. Again, the majority of the single

storey extension (other than the corner section that projects from the rear of the property) could also be constructed under permitted development.

DRAINAGE

4.14 There is no specific evidence that the proposed development would result in drainage problems. The site is not within an area that has been identified as being at risk of flooding. Drainage issues on small scale developments such as this are a matter that would be dealt with under the Building Regulations.

PROPERTY DEVALUATION

4.15 The devaluation of property is not a material planning consideration.

5.0 CONCLUSION

5.1 It is considered that the proposal is acceptable in terms of size and scale and would not cause undue harm to the living conditions of nearby neighbours. Thus the proposal would comply with policies H7 (Residential Extensions) and GP1 (Design) of the Draft Local Plan.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years -
- 2 PLANS1 Approved plans - Drawing Number 067.001 Revision D received 22.12.2011
- 3 VISQ1 Matching materials -
- 4 HWAY18 Cycle parking details to be agreed -
- 5 HWAY19 Car and cycle parking laid out -

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.

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