

COMMITTEE REPORT

Team: West Area
Date: 22 June 2006

Ward: Rural West York
Parish: Askham Richard Parish Council

Reference: 06/00626/FUL
Application at: First Farm Main Street Askham Richard York YO23 3PT
For: Conversion of existing outbuilding to 1 no. dwelling
By: Mr And Mrs Bartram
Application Type: Full Application
Target Date: 22 May 2006

1.0 PROPOSAL

1.1 The applicant seeks planning approval to convert an existing outbuilding into 1 no. dwelling.

1.2 This application is the fourth of a series of applications;

04/11426/FUL - Conversion of outbuilding to dwelling - originally included sash windows overlooking the neighbouring cottage. The agent was advised that it would be recommended for refusal however he proposed rooflights to negate the overlooking problem and permission was granted.

04/03288/FUL - Installation of windows at first floor - this proposal effectively went back to the original proposal for three first floor windows overlooking the neighbour and was refused.

04/04217/FUL - Installation of three bedroom windows to south elevation (re-submission) - Refused 24th Feb 2005.

1.3 The proposed conversion will replicate the approval App. No 04/11426/FUL, in terms of design and layout, however the timber boarding approved at first floor level in the southern elevation will be replaced by two windows. The number of windows have been reduced in an attempt to address the reason for refusal stated in App. No 04/04217.

1.4 Cllr J. Hopton requested that the application comes to committee with a site visit.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

Air safeguarding Air Field safeguarding 0175

Conservation Area Askham Richard 0017

2.2 Policies:

CYGP1
Design

CYHE3

Conservation Areas

3.0 CONSULTATIONS

3.1 Highway Network Management - No Objections

3.2 Environmental Protection Unit - Concerns - request conditions

Concerned that noise created during construction will effect near by residents. Due to the current use of the buildings for agricultural purposes, there are concerns regarding contamination of the land, potentially being detrimental the health of occupants.

3.3 Urban Design and Conservation Section - No Objections - request conditions

3.4 Askham Richard Parish Council - Supports the application

3.5 6 letters of support have been received and give the view that the development would enhance the area. Two letters of objection have been received regarding the applicants' proposals. The letters raise concerns regarding drainage and overlooking issues.

4.0 APPRAISAL

PLANNING POLICY

4.1 Policy GP1 'Design' of the City of York Local Plan Deposit Draft 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.

4.2 Policy HE3 'Conservation Areas' states that within Conservation Areas proposals for the following types of development will only be permitted where there is no adverse effect on the character and appearance of the area.

- * demolition of a building (whether listed or not);
- * external alterations
- * changes of use which are likely to generate environmental or traffic problems.

4.3 Policy GB2 'Development in Settlements Washed Over' by the Green Belt states that within the defined settlement limits of villages in the Green Belt, planning permission for the erection of new buildings or the change of use, redevelopment or extension of existing buildings will be permitted provided:

- * The proposed development would be located within the built-up area of the settlement; and
- * The location, scale and design of the proposed development would be appropriate to the form and character of the settlement and neighbouring property; and
- * The proposed development would constitute limited infilling and would not prejudice the openness or the purposes of the Green Belt.

ASSESSMENT

4.4 Askham Richard is washed over by the Green Belt notation and therefore Policy GB2 applies. The site is within the settlement boundary and the built up area of the village. The proposal does not involve any extension or infilling and would not therefore affect the openness of the Green Belt or conflict with its purposes. The site also lies within the village Conservation Area. The proposals involve only limited alterations to the exterior of the building including the creation of additional rooflights and two new first floor windows. It is considered that the proposal would not harm the character or appearance of the Conservation Area, providing new materials, rooflights and joinery are appropriate.

4.5 The overlooking effect is reduced by removing the third first floor window but not negated entirely. Views would still be possible from the first floor window located above the front door over the rear garden of Metcalfe Cottage, impacting significantly upon the residential amenity currently enjoyed. It is considered that the proposal would still harm the privacy enjoyed by residents of Metcalfe Cottage and as such the proposal is contrary to Policy GP1.

5.0 CONCLUSION

5.1 It is considered that the proposal would harm the residential amenity of neighbouring properties in particular "Metcalfe Cottage" and is therefore contrary to Policy GP1 of the City of York Development Control Draft Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

- 1 In the opinion of the Local Planning Authority the proposed windows would allow direct views of the rear garden of Metcalfe Cottage and would severely harm the privacy and amenity enjoyed at that property. As such the proposal is contrary to Policy GP1'Design' of the City of York Development Control Draft Local Plan.

7.0 INFORMATIVES:

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