

COMMITTEE REPORT

Team: East Area
Date: 13 July 2006

Ward: Strensall
Parish: Stockton-on-the-Forest Parish Council

Reference: 06/01169/FUL
Application at: 45 Stone Riggs Stockton On The Forest York YO32 9UH
For: Conservatory to rear and porch to front elevation
By: Mr N Popplewell
Application Type: Full Application
Target Date: 19 July 2006

1.0 PROPOSAL

The application site is a semi-detached dwelling on Stone Riggs in Stockton on the Forest. The dwelling has previously been developed through a porch canopy, side garage and single storey rear extension. This application seeks permission to alter the front canopy to create an enclosed porch and to erect a conservatory at the rear of the dwelling.

This application was requested to be heard at Planning Committee by Cllr. Kirk. The request to call the application in was due to a number of concerns. These included:

- The plot would appear to be overdeveloped
- The proposed conservatory would be built over the mains sewer and water supply line

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections

3.2 External

Stockton on the Forest Parish Council - No response received

Response to neighbour consultation letters - 1 piece of correspondence received from a resident of 46 Stone Riggs which is next door to the application site. The following points were raised:

- No objections to the front porch but it is somewhat large
- Opposed to the conservatory because when combined with the very large garage and extension which have already been constructed it is an overdevelopment of the site
- The conservatory if built would be over a sewer and water supply pipe, this was not permitted in the past

4.0 APPRAISAL

4.1 Key Issue(s): - Street Scene
- Neighbouring Amenity

4.2 The Application Site - 45 Stone Riggs is a semi-detached house in Stockton on the Forest. In 1986 planning permission was granted for a side garage and kitchen extension. In 1990 planning permission was granted for a lean to roof to form a covered area to the front elevation of the house. This application seeks permission to put a supporting pillar at both ends of the front canopy, brick under the existing bay window and to fill in a section of the canopy near the front door to create an enclosed porch. Also to be considered within this application is a proposed rear conservatory which measures approximately 3.5 x 3 m and 3.4 m in height to the ridge.

4.3 Draft Local Plan Policy CYGP1 states that 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) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 Draft Local Plan Policy CYH7 states that planning permission will be granted for residential extensions where: (a) the design and materials are sympathetic to the main dwelling and the locality of the development; and (b) the design and scale are appropriate in relation to the main building; (d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and (e) proposals respect the spaces between dwellings; and (g) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.21) A porch extension should be of a simple design and of a size which does not dominate the front elevation. The shape and materials should reflect the character of the main building, including the style of doors and windows. (1.22) Conservatories should be sited to the side and rear of dwellings. They should have pitched roofs where possible and should be constructed, as far as possible, from materials that match those used on the main house. Issues of privacy for neighbours and for users of the conservatory will be important and obscure glazing should be considered for windows that face neighbours property or gardens. Alternatively, solid sides to the conservatory can be used, or a permanent fence or wall constructed to the boundary.

4.6 Impact on the Street Scene - The canopy on the front elevation of the house has been in place for a number of years. It is considered that the proposed supporting pillars and brickwork under the bay window will have a small visual impact on the main house, as long as the brickwork matches that of the main house. The developments may give the dwelling a more cohesive feel. The new enclosed porch consists of two new front and side windows

and a door. The porch is small in scale and of simple design. It is considered that it will not significantly harm the character and appearance of the area or the dwelling itself. The proposed conservatory is at the rear of the dwelling and would not be highly visible from areas of public access.

4.7 Effect Upon Neighbouring Property - Due to the garage extension and shed currently on site the conservatory will not be prominent when viewed from 44 Stone Riggs. Given the scale of proposed development and the distance between numbers 44 and 45 Stone Riggs it is considered that the amenity of the neighbouring residents will not be significantly harmed. The dwelling which would be most likely to be affected by the conservatory is 46 Stone Riggs. The conservatory would be very close to the curtilage boundary with number 46. The outside wall of the conservatory is already in place and was erected under permitted development as it is under 2 m in height. Raised non-opening secondary windows would be above the blank wall and would provide the conservatory with light without significantly harming privacy for the residents of number 46. The conservatory would not appear overly large or overbearing and is unlikely to result in a significant reduction in natural light for 46 Stone Riggs given the modest height of the proposed conservatory and materials which would be used. It is considered that the proposed conservatory and porch would not harm the amenity which neighbours could reasonably expect to enjoy.

4.8 Concern has been raised that the conservatory, if approved, would be built on top of a sewer and water supply pipe. This issue has been raised with the applicants agent who was aware of the drains and has stated that the drains will be maintained and protected. This is not a planning issue and applications should not be refused on these grounds alone. The conservatory is exempt from building regulations as the floor area is no greater than 30 square metres and the roof and wall are glazed and separated from the house.

5.0 CONCLUSION

It is considered that the proposed alterations to the front elevation, including a porch, and the conservatory to the rear do not cause significant harm to the street scene or neighbouring amenity.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 PLANS1 Approved plans
Drawing No. 2080-1
- 3 VISQ1 Matching materials
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), the windows in the north elevation of the conservatory shall at all times remain fixed.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

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 impact on the street scene and the amenity of neighbours. As such the proposal complies with Policies GP1 and H7 of the City of York Draft Local Plan.

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