

COMMITTEE REPORT

Date: 10 November 2022 **Ward:** Clifton
Team: West Area **Parish:** Clifton Planning Panel

Reference: 22/01631/FUL
Application at: 56 Westminster Road York YO30 6LY
For: Single storey side and rear extension, loft conversion and dormer to rear, and raised terrace to rear following demolition of existing detached garage
By: Mr Jones
Application Type: Full Application
Target Date: 16 November 2022
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 This application seeks for permission for a single storey side and rear extension, box dormer to the rear, and raised terrace following demolition of an existing detached garage to the rear at No.56 Westminster Road. The host dwelling is a semi-detached property located in Clifton Area of York.

1.2 Following discussion with the agent, a revised plan was received which increased the height of the boundary treatment to the raised rear terrace by 0.5 metres.

2.0 POLICY CONTEXT

Publication Draft Local Plan 2018

D11 - Extensions and Alterations to Existing Buildings

Development Control Local Plan 2005

CYGP1 - Design

CYH7 - Residential Extensions

3.0 CONSULTATIONS

Clifton Planning Panel

3.1 Commented in support of the proposal.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1 - One letter of objection was received on behalf of the neighbouring residents at No.58 Westminster Road, raising the following concerns:

- The proposals constitute significant enlargement to the host dwelling, which would create a sense of enclosure to the garden amenity space and pathway access to the garden.
- The garden terrace would lead to overlooking and a loss of privacy.
- The difference in levels between the application property and No.58 would exacerbate the impact of the proposals.
- The proposals are out of character with the surrounding area and would erode the distinguished spacing between buildings.

5.0 APPRAISAL

KEY ISSUES:

- Visual impact on the dwelling and surrounding area;
- Impact on neighbouring amenity

RELEVANT PLANNING POLICY:

5.1 The most up to date representation of key relevant policy issues here is the National Planning Policy Framework, July 2021 (NPPF). This sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development.

5.2 Paragraph 130 states that planning policies and decisions should ensure that developments will achieve a number of aims, including:

- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- be visually attractive as a result of good architecture, layout and appropriate and effective landscaping

- are sympathetic to local character and history, including the surrounding built environment and landscape setting
- create places that are safe, inclusive and accessible and promote health and well-being with a high standard of amenity for existing and future users.

5.3 The NPPF also places great importance on good design. Paragraph 134 says development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design. Significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

5.4 The Publication Draft Local Plan ('2018 Draft Plan') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019, phase 2 of the hearings concluded in May 2022, phase 3 of the hearings took place in July 2022, with phase 4 commencing in September 2022. In accordance with paragraph 48 of the NPPF, the Draft Plan policies can be afforded weight according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- and the degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012 (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

5.5 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.

5.6 The York Development Control Draft 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 limited except when they are in accordance with the NPPF.

5.7 Development Control Local Plan Policy CYH7 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.

5.8 Development Control Local Plan Policy GP1 refers to design for all types of development. Of particular relevance here are the criteria referring to good design and general neighbour amenity.

5.9 The approved Supplementary Planning Document 'House Extensions and Alterations' dated December 2012 which provides guidance on all types of 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. Guidance in sections i, ii, iii, iv, v, vi, vii, x, xi and xii are relevant to the determination of the application.

The Application Property

5.10 No.56 Westminster Road forms the left-hand semi-detached property, located on an established residential street within Clifton. The application property backs on to the grounds of St Peter's School. The street is characterised predominantly by period semi-detached and detached properties, alike in their character and

appearance however varying slightly in their individual designs. Properties are largely evenly distributed with an established building line to the front.

Design and Visual Amenity

5.11 The application seeks permission for a single storey mono-pitch side and rear extension. The proposal would project 2.2 metres from the side elevation and span a depth of approximately 10 metres, with a 1.8 metre setback proposed from the front elevation. To the rear, the proposal would project 3.5 metres from the existing rear elevation and to a total width of 8.2 metres. The proposal would measure 2.5 metres in height to the eaves and 3.55 metres in total. The proposal comprises glazed doors and 1no. full height window to the rear, and 1no. door to the front facing elevation. No windows are indicated to the side elevation. 3no. rooflights are proposed to the rear roof pitch and 1no. to the side.

5.12 To the roof, a box dormer is proposed to the rear pitch. The dormer would measure 5.75 metres in width and 2.6 metres in height, projecting approximately 3.95 metres from the pitch of the original roof. A Juliet balcony with glass balustrade and double doors is proposed to the rear, 1no. window to the side gable and 2no. rooflights to the front elevation.

5.13 The proposal also comprises demolition of a detached rear garage, to form a raised terrace to the same footprint and elevation. Due to the elevated height, a store would be retained beneath the terrace, as accessed from the rear garden. A glass balustrade is proposed fronting the amenity space of the host dwelling, with a 1.4-metre-high boundary wall fronting the adjacent neighbour.

5.14 The proposals would provide an enlarged kitchen, utility, and living space, and store accessed from the principal elevation. To the first floor and loft space, an enlarged bathroom, additional shower room and 1no. additional bedroom are proposed. Materials indicated are red brick, clay tiles, and UPVC, to match the appearance of the existing dwelling.

5.15 The single storey rear enlargement would not be open to public view. The proposal would span the entire width of the application site to the rear, however, would project to a modest depth, similar to the adjoined neighbour, and would retain ample rear amenity space. The rear amenity space is situated at a lower level to the main dwelling. Paragraph 7.1 of the SPD states that extensions should normally be in-keeping with the appearance, scale, design, and character of both the existing

dwelling and the streetscene. It is viewed that the enlargement's scale and projection would not appear out of proportion or scale with the host dwelling and is viewed as in-keeping and proportionate with the dwelling and surrounding area, not dominating the house or clashing with its appearance.

5.16 The side projecting element as proposed would result in the loss of through-access to the rear garden for the host dwelling, however the enlargement incorporates a suitably sized store as accessed from the front elevation in addressing the need to provide storage for cycles as referenced in paragraph 12.8 of the SPD. Acceptable provision for car parking and the storage for bins to the front garden would also be retained. The side enlargement is modest in its eaves and total height and would not cause an imbalance to the host dwelling or street scene. Paragraph 12.3 states that side extensions should normally be subservient to the main house. The enlargement would be erected to a setback position from the principal elevation and would have a roof pitch and style that is sympathetic with and reflects that of the original house, in compliance with paragraph 7.4(f) of the SPD. It is not viewed that element of the scheme would not cause a visual terracing-effect or deteriorate the spacing between buildings to a harmful degree.

5.17 The rear terrace proposed would be formed following demolition of the existing detached garage set to the rear of the dwelling and adjacent with the boundary at No.58 Westminster Road. Paragraph 7.4(g) of the SPD states that where possible the opportunity should be taken to improve the appearance of an existing building, particularly by the removal/replacement of unsightly alterations or extensions that have been added in the past. It is viewed that removal of the existing garage would improve character and openness to the rear of the application site. The terrace would conform to the same footprint and elevation as the existing structure to be removed, incorporating a glazed balustrade fronting the rear amenity space, and brick wall fronting the boundary. Formation of the terrace is considered appropriate in the context of the dwelling and surroundings and would be in-keeping with the host dwelling following demolition of the garage. The terrace is not considered to cause any adverse impact to the streetscene or character of the area and would be contained to the rear and not open to public view.

5.18 The proposed dormer would take up a large proportion of the rear roofscape however would not be particularly prominent in public views. It should be noted that under the General Permitted Development Order 2015, a dormer similar to that proposed in its size and siting would be permissible without the need for Planning Permission. As such, the fallback position is that this is a material planning

consideration, and the dormer as proposed is viewed as an acceptable element of the scheme. In its design, the form of fenestration is viewed to conform well with the existing dwelling, and materials would be in-keeping and sympathetic with the host dwelling, in accordance with paragraph 7.4(d) and (e) of the SPD which states that external materials should match that of the existing dwelling, and openings should be in scale with the extension and match the proportions, style, and method of opening of existing windows. Its scale would be proportionate to similar enlargements at surrounding properties, and therefore would not form an incongruous addition to local context or appear overbearing to the host dwelling. 1no. new window is indicated to the side elevation. This is modest in its size and sited appropriately to the elevation, alike to the form of another window present to the first-floor side elevation.

5.19 The overall design, scale and materials of the proposals put forward within this application are considered appropriate with the existing dwelling and the proposal is not considered to cause any adverse impact to the streetscene or character of the area, in accordance with paragraph 7.1 and 7.2 of the SPD.

Neighbour Amenity

5.20 The side and rear enlargement would sit adjacent with the boundary of No.58 Westminster Road. No.58 is set slightly lower than the application property. The height of the side and rear enlargement would not unduly impact amenity to this side elevation, comprising a low eaves and total height. No windows are proposed to the side elevation of the enlargement, there is an inset door to the ground floor side of No.58 which does not appear to serve a habitable room. The side extension would not unduly harm amenity in terms of the space between dwellings. To the first-floor side elevation of No.58 are 2no. windows, however, these would be situated above the roof pitch of the side enlargement proposed and would not be adversely impacted by loss of light over their existing provision in accordance with paragraph 5.2 of the SPD which states that assessment should consider the impact that a proposal will have on the established character of an area and the existing feeling of openness. To the rear, the kitchen of No.58 is served by a bay window which wraps round to partially face the boundary. This window retains good outlook to the rear and would not be adversely impacted by the side and rear projections of the proposal. Its outlook as existing is partially restricted by the detached rear garage which would be removed as part of the scheme. The rear terrace in replacement to the existing garage would retain the same siting and elevation as garage, however the main structure's removal would somewhat increase levels of openness to the

rear. In terms of privacy, the boundary treatment indicated to a height of 1.4 metres is not viewed to cause adverse harm in regard to overlooking or loss of privacy over the existing conditions to the side of the host dwelling, with this area likely to be utilised for seating. Additional second floor windows proposed at the host dwelling are not considered to result in additional undue loss of privacy, over and above those existing windows already in place at the host. The dormer, due to its fair distance from the main rear amenity space and windows to habitable rooms of No.58, would not impact amenity to the neighbouring property in regard to loss of light or dominance.

5.21 The proposal is not considered significant in terms of the impact on neighbouring amenity to No.54 Westminster Road. No.54 comprises a similar array of enlargements to those proposed, including a single storey rear projection and rear box dormer. As such, the proposal would not cause any adverse harm, not projecting beyond these existing forms at the neighbouring property. Additional windows proposed at the host are not considered to result in additional undue loss of privacy.

6.0 CONCLUSION

6.1 The proposed works will respect the general character of the building and area and the impact on the amenity of neighbouring residents would be acceptable. It is considered it complies with national planning guidance, as contained in the National Planning Policy Framework, Publication Draft York Local Plan 2018, City of York Council Development Control Local Plan 2005 and the City of York Council's Supplementary Planning Document (House Extensions and Alterations).

7.0 RECOMMENDATION: Householder Approval

1 The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Ground Floor Plan Proposed - Dwg. No: 2205-D-20-021A; First Floor Plan Proposed

- Dwg. No: 2205-D-20-022A; Second Floor Plan Proposed - Dwg. No: 2205-D-20-023B; Roof Plan Proposed - Dwg. No: 2205-D-20-024; Elevations Proposed - Dwg. No: 2205-D-22-024E; Site Plan Proposed - Dwg. No: 2205-D-90-003

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The materials to be used externally shall match those as stated on the planning application form submitted with this application, and as demonstrated on the plan reference '2205-D-22-024E'.

Reason: To achieve a visually acceptable form of development.

8.0 INFORMATIVES:

Notes to Applicant

Contact details:

Case Officer: Owen Richards

Tel No: 01904 552275