

COMMITTEE REPORT

Date: 9 January 2020 **Ward:** Fishergate
Team: East Area **Parish:** Fishergate Planning
Panel

Reference: 19/02145/FUL
Application at: 19 Blakeney Place York YO10 3HZ
For: Two storey side extension and installation of solar panels to front
By: Mr And Mrs Thompson
Application Type: Full Application
Target Date: 16 January 2020
Recommendation: Householder Refusal

1.0 PROPOSAL

1.1 The application site is no. 19 Blakeney Place, York, an end of terrace two storey dwelling house in a distinctive landscaped residential setting that has a spacious character and quality. The host dwelling dates from the later twentieth century and is of a modern style with a shallow pitched profiled metal roof and a tiled finish to the first floor of the front and rear elevations. The dwelling houses in Blakeney Place share a similar design, materials and external finishes and this contributes to the character of the development.

1.2 The proposals relate to a two storey side extension and the installation of solar panels to the front roof plane of the host dwelling and side extension. The proposals form a revised scheme and re-submission following the refusal of application ref. 19/00925/FUL for a two storey side extension and single storey rear extension,.

1.3 A call-in request was received from Councillor Dave Taylor for the application to be considered by the Area Planning Sub-Committee. Councillor Taylor advised that the grounds for refusal of the original scheme seemed unduly restrictive. The current application is considered to be similar to other extensions in the immediate area which have been given permission in the past. It would be preferable for the applicants to be able to present their design for examination by Members.

2.0 POLICY CONTEXT

Draft Development Control Local Plan 2005

H7 Residential Extensions

Emerging Local Plan Policies

D11 Extensions and Alterations to Existing Buildings

3.0 CONSULTATIONS

Fishergate Planning Panel

3.1 No response received.

4.0 REPRESENTATIONS

Neighbour notification

4.1 No responses received.

5.0 APPRAISAL

KEY ISSUES

- Design and visual impact on dwelling and surrounding area
- Neighbouring amenity

PLANNING POLICIES

National Planning Policy Framework

5.1 In the absence of a formally adopted local plan in York the most up to date representation of key relevant policy issues is the National Planning Policy Framework, February 2019 (NPPF). This sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development.

5.2 In NPPF Chapter 4 Decision-making, Paragraph 38 advises that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.3 In NPPF Chapter 12 Achieving well-designed places, Paragraph 127 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.

5.4 The NPPF also places great importance on good design. Paragraph 128 says that design quality should be considered throughout the evolution and assessment of individual proposals. Paragraph 130 says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Publication Draft York Local Plan 2018

5.5 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. 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).

The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications.

5.6 2018 Draft Plan Policy D11 (Extensions and Alterations to Existing Buildings) is relevant here. This says 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 design and the 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 protect and incorporates trees that are desirable for retention.

York Development Control draft Local Plan 2005

5.7 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 the policies should be afforded very limited weight except when they are in accordance with the NPPF.

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. Development proposals will be expected to 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. Development proposals will be expected to ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

5.9 Development Control Local Plan Policy H7 states that residential extensions will be permitted where; the design and materials are sympathetic to the main dwelling and the locality; the design and scale are appropriate to the main building; there is no adverse effect upon the amenities of neighbours; the proposals respect the spaces between dwellings; and the proposals would not result in an unacceptable reduction in private amenity space.

5.10 The Council has an agreed Supplementary Planning Document 'House Extensions and Alterations' (SPD), dated December 2012, which provides guidance on all types of domestic type 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 where it is located. 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 where required. Proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook.

ASSESSMENT

DESIGN AND VISUAL AMENITY

5.11 The host dwelling is a two storey, end of terrace house located in a distinctive residential landscaped setting that has a spacious character and quality. The host dwelling is of a modern style with a shallow pitched profiled metal roof and a tiled finish to the first floor of the front and rear elevations. There is an existing single storey offshoot to the side of the host dwelling that has a flat roof and reads as a secondary element. To the front of the dwelling, there is a small scale single storey addition with a flat roof; such forward projecting additions are present to the neighbouring houses in the terrace and appear to form part of the original design. The dwelling is located adjacent to a footpath to the west of the application site.

5.12 The current application is a re-submission of previous proposals that included a two storey side extension as part of householder planning application ref. 19/00925/FUL which was refused consent. In the current proposals, the two storey side extension would be approximately the same width as the existing single storey side extension. The proposed side extension would be approx. 2.1 metres greater in length than the existing side extension. The front elevation of the extension would be aligned with the front elevation of the two storey host dwelling. The eaves of the extension would line through with those of the host dwelling. The ridge level of the extension would be set down approx. 0.35 metres from the ridge of the host dwelling.

5.13 The side extension would have a grey coloured profiled metal roof finish to match that of the host dwelling. At ground floor level, the extension would be finished in brickwork to match that of the host dwelling, whilst at first floor level, the extension would be finished in a stained timber cladding to complement the existing green coloured concrete tile cladding present to the host dwelling. The windows would be composite aluminium and timber framed in a colour to be agreed. To the front roof plane of the extension and host dwelling it is proposed to install a solar panel array. The photovoltaic panels would be attached to the standing seam roof finish with metal clamps. Details of the design and finish of the photovoltaic panels have been submitted by the agent.

5.14 With regard to design and visual amenity, the front elevation and front roof slope of the extension would be aligned with the front elevation of the host dwelling such that the extension would read as a continuation of the original house, rather than as a subservient, secondary addition, contrary to paragraphs 7.4 b) and 12.3 of the SPD. The side extension is proposed to extend to the side garden boundary, yet the first floor or all of the extension is not set back a minimum of 0.5 metres from the front elevation of the original house, contrary to paragraph 12.5 of the SPD. The solar panel array would span the front roof plane of the host dwelling and side extension reading as a continuous form at roof level. Although the side extension would be set down at ridge height, this would not significantly reduce the mass of the extension in public views to the front elevation of the dwelling from the south and south east in Blakeney Place.

5.15 The host dwelling is located at the end of the terrace, with the side gable facing the front elevation of the dwellings to the west at nos 20 and 21 Blakeney Place and open plan gardens between. It is considered that the form and mass of the two storey side extension would detract from the spacious landscape character of the setting of the host dwelling contrary to paragraphs 7.1 and 7.2 of the SPD. It is considered that the extension would detract from the existing pattern of the buildings and the spacing between them in this part Blakeney Place, contrary to paragraph 7.4 a) of the SPD. The two storey side extension would be located adjacent to the footpath to the west. It is considered that the mass of the side extension would appear dominant and overbearing relative to the footpath contrary to paragraph 12.7 of the SPD and would detract from the spaciousness of the area.

5.16 Therefore, it is considered that the proposed two storey side extension would read as a dominant mass that would not appear subservient to the existing house and the extension would be detrimental to the existing pattern of buildings and the spaces between them in Blakeney Place. The proposals are considered contrary to guidance in the SPD are not considered acceptable with regard to design and visual amenity.

IMPACT ON NEIGHBOURING AMENITY

5.17 With regard to the impact of the proposals on neighbour amenity, the side/gable elevation of the extension would be located about 12.0 metres from the front elevations of neighbouring dwelling houses to the west at nos 20 and 21 Blakeney Place. The ground floor front living room windows of these dwelling houses would look out over the open plan gardens onto the west gable elevation of the two storey side extension. It is considered that the scale and mass of the side extension would appear dominant and detract from the outlook of neighbouring

residents from the front living rooms of the houses at nos 20 and 21 Blakeney Place, contrary to paragraphs 5.1 and 6.1 of the SPD. The two storey side extension would lead to an increase in the density of the built form and detract from the existing feeling of openness between the dwellings to the west and the host dwelling in Blakeney Place, contrary to paragraph 5.2 of the SPD.

5.18 It is considered that the form and mass of the two storey side extension would be detrimental to the existing pattern of the buildings and the landscaped spaces between them, contrary to paragraph 7.4 a) of the SPD. The mass of the side extension would appear dominant and overbearing to users of the adjacent footpath and would detract from the spaciousness of the area resulting in harm to the levels of amenity that neighbouring residents could reasonably expect to enjoy, contrary to paragraph 12.7 of the SPD. Therefore, it is considered that the proposals would lead to harm to the amenity of neighbouring residents in Blakeney Place.

6.0 CONCLUSION

6.1 For the reasons stated, the proposals for the two storey side extension are not considered acceptable and would fail to comply with the NPPF, Policy D11 (Extensions and Alterations to Existing Buildings) of the Publication Draft City of York Local Plan 2018, Policies GP1 (Design) and H7 (Residential Extensions) of the Development Control Local Plan and City of York Council's Supplementary Planning Document (House Extensions and Alterations).

COMMITTEE TO VISIT

7.0 RECOMMENDATION: Householder Refusal

1 It is considered that the form and mass of the two storey side extension would fail to read as a subservient addition to the original dwelling house. The form, mass and position of the two storey side extension would be detrimental to the pattern of the existing buildings and the spacing between them in this part of Blakeney Place. The side extension would appear cramped and visually intrusive immediately adjacent to the public footpath and would fail to respect or relate to the well balanced and spacious existing layout in Blakeney Place which remains largely unaltered from its original layout and design. As such the proposals represent poor design which conflict with paragraph 127 c) and paragraph 130 of the National Planning Policy Framework, Policy D11 of the Publication Draft York Local Plan 2018, Policy GP1 (criterion b and i) and H7 (criterion d) of the 2005 Development Control Draft Local Plan and advice contained in the City of York Council House Extensions and Alterations Draft Supplementary Planning Document, approved in

December 2012, in particular paragraphs 7.1, 7.2, 7.4 a) and b), 12.3, 12.5 and 12.7.

2 The mass of the side extension would appear dominant and overbearing to users of the adjacent footpath and detract from the outlook to the principal front elevations of the neighbouring houses to the west at nos. 20 and 21 Blakeney Place resulting in harm to the levels of amenity that these neighbouring residents could reasonably expect to enjoy. As such the proposals result in harm to residential amenity which is in conflict with paragraph 127 c) of the National Planning Policy Framework, Policy D11 of the Publication Draft York Local Plan 2018, Policy GP1 (criterion b and i) and H7 (criterion d) of the 2005 Development Control Draft Local Plan and advice contained in the City of York Council House Extensions and Alterations Draft Supplementary Planning Document, approved in December 2012, in particular paragraphs 5.1, 5.2, 6.1, 7.4 a) and 12.7.

8.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in an attempt to achieve a positive outcome:

- The agent was advised of the issues relating to the proposals in terms of design and visual amenity and the impact of the proposals with regard to neighbour amenity and the setting of the host dwelling in Blakeney Place.

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