

COMMITTEE REPORT

Date: 13 September 2023 **Ward:** Rawcliffe And Clifton
Without

Team: West Area **Parish:** Rawcliffe Parish Council

Reference: 23/00864/FUL
Application at: Rushbrooke 21A Holyrood Drive York YO30 5WB
For: Conversion of existing two storey side annexe to main house to form 1no. separate dwelling (part retrospective)

By: Mr Ray Thompson
Application Type: Full Application
Target Date: 6 July 2023
Recommendation: Approve

1.0 PROPOSAL

THE SITE

1.1 The application site 21A Holyrood Drive comprises of the existing semi-detached two storey property along with a large two storey side extension which has planning permission to be used as an ancillary annexe. The site is located on the corner of Holyrood Drive and Conway Close and includes a small open plan garden to the front and an enclosed garden to the rear.

PROPOSAL

1.2 This application seeks part retrospective planning permission for the conversion of the attached annexe into 1no. separate dwelling. The proposal includes the conversion of the garage into a lounge and the introduction of a new driveway to the main dwelling along with landscaping to the front of the proposed dwelling. The conversion of the garage has already taken place without permission with the original garage door being replaced by a window. It is noted the previous permission for the annexe itself included a condition which stated the garage should be retained.

CALL-IN

1.3 The application has been called-in by Councillor Waudby on the grounds of street-view, parking and overdevelopment.

RELEVANT PLANNING HISTORY

1.4 Application 13/02346/FUL - two storey side extension to create annexe – Approved September 2013.

2.0 POLICY CONTEXT

Publication Draft Local Plan 2018

D1 - Placemaking

D11 - Extensions and Alterations to Existing Buildings

T1 - Sustainable Access

3.0 CONSULTATIONS

CYC Highway Development Control

3.1 No objections subject to conditions.

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3.2 Do not object to the application but seek careful review of the parking provision for this new dwelling, to ensure that the neighbours do not suffer from a loss of parking space(s) or amenity.

4.0 REPRESENTATIONS

4.1 None received.

5.0 APPRAISAL

KEY ISSUES:

- Principle of development
- Visual impact
- Impact on amenity
- Access and Parking

RELEVANT PLANNING POLICY:

National Planning Policy Framework

5.1 The National Planning Policy Framework, July 2021 (NPPF) sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development.

5.2 Paragraph 111 states development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.3 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.

5.4 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 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.

Draft Local Plan

5.5 The Publication Draft Local Plan 2018 was submitted for examination on 25 May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

5.6 Policy D1 (Placemaking) seeks development proposals to improve poor existing urban and natural environments, enhance York's special qualities, better reveal the historic environment and protect the amenity of neighbouring residents. Development proposals that fail to make a positive contribution to the city or cause damage to the character and quality of an area or the amenity of neighbours will be refused. The policy is given moderate weight in decision making as it has been subject to modifications to ensure consistency with the NPPF and to enhance clarity for decision making purposes.

5.7 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. The policy is given significant weight in decision making as it has been subject to full examination and no modifications are proposed.

5.8 Policy T1 (Sustainable Access) states development will be permitted where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it, including those with impaired mobility, such that it maximises the use of more sustainable modes of transport. The policy is given moderate weight in decision making as it has been subject to modifications to ensure consistency with the NPPF and to enhance clarity for decision making purposes.

PRINCIPLE OF DEVELOPMENT:

5.9 Section 5 of the NPPF seeks to address the Government's objective of significantly boosting the supply of homes. Paragraph 69 notes that small and medium sites can make an important contribution to meeting the housing requirement of areas. Local planning authorities should give great weight to the benefits of suitable sites within existing settlements for homes.

DESIGN AND VISUAL AMENITY:

5.10 Visually, the proposal does not seek to make significant changes to the existing annexe with the only proposed external change to the building being the garage door to a window and associated brickwork. This work has already taken place and apart from the fact the brick detailing above the window extends further than the opening, the final finish is considered to be acceptable with regard to its use of matching brickwork and window which mirror the appearance of the existing extension causing no visual harm to the building.

5.11 There is visual harm brought about by the existing front hardstanding which is considered to be out of keeping with the small open plan front gardens on display throughout the street. However, this is proposed to be softened by the introduction of additional landscaping at the front which will also prevent the parking of vehicles on the highway. While the proposed landscaping is not significantly large, it is considered to improve the appearance of both the proposed dwelling and the streetscene by reducing the existing concrete driveway's harsh appearance.

5.12 A proposed new driveway is to be added to the front of the host dwelling due to the existing parking area falling within the new dwelling's site. As described above, open plan front gardens are a key characteristic of the street and due to this, any additional alterations to the front garden should be minor so as not to cause any detrimental harm to the streetscene. The proposed new parking space for the host dwelling will retain a large section of the front garden with only a small section converted into paving to allow a car to be parked at the front. This proposed parking space is considered to significantly reduce the overall impact on the streetscene and through the use of conditions, it is felt an appropriate material that is in keeping with the street can be used for the driveway which will further lessen its impact. It is also noted that a new driveway could be added under permitted development and given highways have no objections to the driveway or increased dropped kerb, it is felt it would be unreasonable to refuse the proposed new driveway especially given its minimal visual impact on the street.

5.13 Overall, the visual impact associated with the conversion of the annexe to a residential dwelling in its own right is considered to improve the current annexe's frontage and none of the works are deemed to lead to any detrimental impact on the overall appearance of the streetscene.

IMPACT ON AMENITY:

5.14 The new dwelling would provide sufficient light, space and outlook. Garden space is provided to the rear which includes storage space for both bins and bicycles. There are no significant residential amenity considerations arising from the proposal.

ACCESS AND PARKING:

5.15 The proposed dwelling, retains the host dwelling's off-street parking and access which are considered acceptable for the proposed dwelling. The new landscaping to the existing concrete frontage will be conditioned to remain so as to prevent parking on the highway. The new driveway to the host dwelling and extended dropped kerb are acceptable causing no harmful highway issues and with this in mind the scheme would comply with paragraph 111 of the NPPF and draft Local Plan Policy T1. New rear access to both the host property and the proposed dwelling are provided in the form of rear gates in the existing boundary wall and allows for both bins and bicycles to be accessed and moved to and from the site.

6.0 CONCLUSION

6.1 Subject to the recommended conditions it is considered that the development will provide reasonable living accommodation in a sustainable location. The design

and form of the new dwelling reflects the general character of the immediate area. The proposal complies with draft policies D1, D11 and T1 of the draft Local Plan and with the policies contained within the NPPF.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plan.

Location Plan - Drg. No: HDD/01/A

Proposed Floor Plans and Elevations - Drg. No: HDD/04

Proposed Parking Arrangement Plan - Drg. No: HDD/06/A

Proposed Secure Cycle Details Together With Locations of Bin Storage - Drg. No: RTHD/05

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 newly formed driveway shall be made of porous materials or provision shall be made to direct run-off water from the hard surfaced areas to a permeable or porous area or surface within the curtilage of the dwelling house.

Reason: To avoid increasing flood risk.

4 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with details which will have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the egress of water and loose material onto the public highway.

5 The building shall not be occupied as a self-contained dwelling until such time as the proposed cycle stores shown on the approved drawing have been sited within the rear gardens of nos. 21a and the new dwelling and made available for use. The cycle stores shall thereafter to retained for such use.

Reason: In the interests of the amenity of future occupants of the property and the amenity of the occupants of neighbouring properties.

6 The building shall not come into use as a self-contained dwelling until the area shown on the approved Proposed Parking Arrangement Plan Drg. No: HDD/06/A as

landscaping has been installed and laid out in accordance with the approved plan, and thereafter such areas shall be retained as landscaping and used solely for such purposes.

Reason: In the interests of the visual amenities of the area and highway safety.

7 The building shall not come into use as a self-contained dwelling until the new driveway to the front of no.21a has been constructed in accordance with the approved Proposed Parking Arrangement Plan Drg. No: HDD/06/A. Notwithstanding the provisions of Article 3 Schedule 2 Part 1 Class F of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) the driveway shall not be altered without the prior written approval of the local planning authority.

Reason: In the interests of the visual amenities of the area and highway safety.

8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, AA, B, D, E and F of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenity and living conditions of neighbours and the avoidance of over-development the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015.

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 advised the agent that off-street parking was required for the original dwelling given its exiting off-street parking was to be lost through the creating on the proposed dwelling. The agent addressed this through the creation of a new driveway at host property and also through this revision improved the current driveway which is now to be associated with the proposed dwelling. In addition to this, the agent was advised cycle storage was required for both properties, details of

adequate storage facilities were submitted. Due to these amendments a positive outcome was achieved.

2. You are advised that prior to starting on site, consent will be required from the Highways Authority for the works being proposed under the Highways Act 1980.

- Works in the highway (Section 184) - streetworks@york.gov.uk

3. Informative regarding Electric Vehicle (EV) Charge Points

The Government's Electric Vehicle Homecharge Scheme' offers a grant to reduce the cost of installing a home electric vehicle charge point. For more information see the Office for Zero Emission Vehicles' (OZEV) website at:

<https://www.gov.uk/government/collections/government-grants-for-low-emission-vehicles>. All electrical circuits/installations should comply with the electrical requirements in force at the time of installation.

Contact details:

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