

COMMITTEE REPORT

Committee: East Area
Date: 11 April 2007

Ward: Hull Road
Parish: Hull Road Planning Panel

Reference: 07/00379/FUL
Application at: 43 Yarburgh Way York YO10 5HD
For: Two storey side extension and change of use from single dwelling house to house in multiple occupation
By: Mrs S Clarkson
Application Type: Full Application
Target Date: 2 May 2007

1.0 PROPOSAL

This application seeks planning permission for a two storey pitched roof side extension and the conversion of the dwelling to a house of multiple occupation (HMO). The house currently has four bedrooms with the proposal bringing the property up to seven bedrooms. The existing side garage would be removed to make way for the side extension.

This application is being heard at Committee after being called in by Cllr Moore and Cllr Simpson-Laing. A separate application is being heard for a single storey side extension (07/00376/FUL) at this property and it is worth noting that an application is currently being considered for a HMO at 41 Yarburgh Way (07/00212/FUL).

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

CYH8
Conversion to flats/HMO/student accom

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - Cycle storage should be provided, 1 space per bedroom.

Environmental Protection Unit - No objections.

3.2 External

Hull Road Planning Panel - Object on the following grounds:

- the proposal is for a multi occupancy dwelling which is a commercial venture and has no place in a residential community, the only existing business situated on Badger Hill are the shops which serve the residents of Badger Hill, this proposal does not serve a purpose;
- it is considered to be a gross overdevelopment by the massive design and would produce a terracing effect between the neighbouring property. It is important that the space between properties is retained;
- there is not sufficient parking for the number of tenants, as a result parking spaces may be taken up in front of the shops at a considerable inconvenience to shoppers;
- the length of the proposal is disproportionate in relation to the dimensions of the existing property;
- the proposed development projects some distance to the rear resulting in the removal of amenity space;
- the paving of the front garden to provide parking spaces detracts from the visual amenity of the area and provides insufficient space for the possible number of vehicles;
- the proposed cycle store at the front of the property will be an eyesore to all people passing by;
- the site plan does not agree with the floor plans;
- there is no bin storage provided, bins are likely to therefore be stored at the front of the property and will be an eyesore to all people passing by;
- a new access would be required in order to utilise the parking space;

Neighbours - Three letters of objection received from 28 and 30 Yarburgh Way and 35 Deramore Drive. The following points were raised:

- the Badger Hill Estate is becoming a campus due to the large number of students in the area;
- there is already an overflow of parked cars from the shops in the area and student cars would make the problem worse;
- the continued creation of HMO's can have a detrimental impact on the value of properties in the area;
- neighbouring houses are already student lets and if approved this would create too high a concentration of students in a small area changing the character of the street and causing noise and parking issues;
- the high number of student lets in the area is having an effect on the local primary school which is having to cope with a reduced intake;

- the houses are being extended to such a size that family's are never likely to move back into these properties which could have a detrimental impact on the value of local houses;
- student houses are often not very well maintained which is making the estate unsightly;
- if it is a student house they are likely to spend more time in the house than a family would leading to more overlooking of neighbouring properties.

4.0 APPRAISAL

4.1 Key Issues:

- Visual Impact on the Street Scene
- Living Conditions of Neighbours

4.2 Local Plan Policy GP1 states that development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings. The design of any extensions should ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.3 Local Plan Policy H7 states that the design and materials should be sympathetic to the main dwelling and the locality of development. The design and scale should be appropriate in relation to the main building and there should be no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy.

4.4 Local Plan Policy H8 states that planning permission will only be granted for the conversion of a dwelling house to a HMO where: the dwelling is of sufficient size (min 4 bedrooms); external alterations would not harm the character or appearance of the building or area; adequate off and on street parking and cycle parking is incorporated; there would not be an adverse impact on neighbouring amenity; and adequate provision is made for the storage and collection of refuse and recycling.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that side extensions should be sympathetically designed to appear subservient to the main house.

4.6 Visual Impact on the Street Scene - The front of the proposed side extension has been designed to appear in keeping with the main property and the character of the area. The extension appears well proportioned with windows being of a similar style to the main house. 41 and 45 Yarburgh Way have been extended in a similar way at the side and it is considered that from the road side at Yarburgh Way the character of the area would not be significantly harmed. However the rear of the proposed side extension has a flat roof which would appear incongruous and would harm the appearance of the dwelling. The rear of the property backs onto Hull Road and this is therefore an important elevation visually.

4.7 Living Conditions of Neighbours - The proposed HMO would convert a four bedroom property into a seven bedroom HMO. Whilst the house is detached there would only be approximately a metre between this property and 41 and 45 Yarburgh

Way. A high level of occupancy and activity is likely from a seven bedroom HMO and within this location with it being closely bordered on both sides it has the potential to create an unacceptable level of noise and disturbance. It is considered that the proposal constitutes an overdevelopment of the site and an intensity of use of the property which is disproportionate to its original purpose within its setting.

4.8 41 Yarburgh Way only has one window within its side elevation which faces the application site. This window appears to be secondary in nature and it is considered that the impact of the extension on this window would not significantly harm the living conditions of residents living at number 41. The two storey side extension is of significant length and protrudes out from the rear of the main house by approximately 4.8 m and is approximately 0.6 m from the shared curtilage boundary with 41. It is considered that the structure would appear dominant and overbearing when viewed from the rear windows and rear garden of 41 Yarburgh Way.

4.9 Car and cycle storage - Whilst the proposed paving over of the existing 'green' front garden is regrettable this could be done without planning permission and so no objection could be sustained regarding this issue. The proposed number of car parking spaces complies with the Council's maximum car parking standards. Cycle storage would be in the form of seven ground fitted metal hoops. It is considered that these are not acceptable at the front of a residential accommodation. Bicycles stored within the front garden would not be screened from the street and are therefore not as secure as if they were away from view of public areas. The cycle storage would also not be covered which may dissuade residents from owning a bicycle and leaving it open to the elements. It is considered that the proposed cycle store would not reduce dependency on the car, as cycle use would not be an attractive alternative.

4.10 Neighbour concerns - Letting out a dwelling to students rather than young professionals or a family is no different in planning terms. It is therefore not within the remit of the planning system to control student occupancy levels of the Badger Hill Estate. The fact that students may occupy a house is not a planning consideration. Neither is it a planning issue how a development affects the value of other houses in the area. It has to be judged whether significant harm would be caused to the living conditions of neighbours through potentially high occupancy levels.

5.0 CONCLUSION

- The proposed flat roof element of the extension would add an incongruous design feature to the property.
- The structure would appear dominant and overbearing for neighbours.
- The change of use to a HMO has the potential for a significant amount of noise and disturbance due to the location of the property close to 41 and 45 Yarburgh Way.
 - The proposed cycle store is not suitable for a residential property.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

- 1 It is considered that the proposed extension and conversion from private dwelling house to a house of multiple occupation would harm the living conditions which neighbours could reasonably expect to enjoy because of the potential noise and disturbance from the high level of occupancy and activity. The application site is located close to neighbouring properties and therefore there is a high potential for the living conditions of neighbours to be harmed. The proposal constitutes an overdevelopment of the site and an intensity of use of the property which is disproportionate to its original purpose within its setting.
- 2 The proposed side extension protrudes out approximately 4.8 m at two storey level from the rear of the main house. This adds a large structure close to the shared property curtilage boundary with 41 Yarburgh Way. It is considered that the structure would appear dominant and overbearing when viewed from the rear of the property and its garden.
- 3 The proposed cycle parking hoops within the front garden are not covered and not considered secure. Therefore they would not promote cycle use and dependency on the car would not be reduced.
- 4 The proposed extension harms the appearance of the dwelling and character of the area through the addition of an incongruous flat roof design. Therefore the proposal is contrary to Policies GP1, H7 and H8 of the City of York Draft Local Plan and design principles contained within Planning Policy Statement 1.

7.0 INFORMATIVES:

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