

COMMITTEE REPORT

Date: 13 September 2012 **Ward:** Dringhouses And Woodthorpe
Team: Major and Commercial Team **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 12/02150/FUL
Application at: 18 The Horseshoe York YO24 1LX
For: Replacement dwelling with detached summerhouse to rear
By: Mr and Mrs Griffiths
Application Type: Full Application
Target Date: 7 August 2012
Recommendation: Approve

1.0 PROPOSAL

APPLICATION SITE

1.1 The application site is 18 The Horseshoe. The plot is presently occupied by a 2-storey detached building with accommodation in the roof-space (with rear dormer). There is also a detached garage to the side of the house and small outbuildings at the far end of the garden. The main house dates from the early C20, it is of red brick with a pantile roof, although the lower half of the elevation is rendered. The building is not listed and is not in a conservation area.

1.2 The Horseshoe contains semi and detached houses. The earlier houses in the street are in the Arts and Crafts style and are set in spacious surroundings and the street is lined with trees. The houses are predominantly red brick with pantile roofs. However, no. 20 immediately adjacent has been constructed in a lighter, buff brick and has a slate roof. This building was given planning permission in 2006.

PROPOSALS

1.3 Planning permission is sought for the erection of a replacement house on the site. The plans have been revised since the original submission. The proposed house has been reduced in scale and would be two-storey with single storey elements to each side. The materials and detailing are proposed to reflect the prevailing style within the street. The house would have a part 2-storey, part 1.5-storey wing that would extend from the rear of the house on the eastern side of the plot (i.e. nearest the side boundary shared with no.16). The application also proposes a summer house that would replace an existing outbuilding at the end of the garden. The building would be approx 2.8 m high and around 6m by 5m in area.

1.4 The application is brought to Committee for determination at the request of Councillors Reid and Hodgson, to ensure that any proposed development is sympathetic to the locality and does not constitute over-development the site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1
Design

3.0 CONSULTATIONS

Countryside Officer

3.1 A bat survey is not required at this site. However as bats are known to commute and forage nearby it is recommended that bat friendly habitat features are provided in the development, such as bat boxes or bat bricks.

Flood Risk Management Team

3.2 Advise insufficient information has been provided to determine the potential impact the proposals may have on the existing drainage systems. Further details have been requested that can be dealt with through a condition.

Network Rail

3.3 No objection. Recommend that the new house be provided with soundproofing to avoid noise disturbance due to the proximity of the railway.

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3.4 No objection. Recommended that the original proposals be revised so the building would be more in character with the area. It was also considered there is inadequate parking for a 7-bed dwelling. It is asked that the house be set further back so there can be more car parking spaces and less visual intrusion over neighbours.

Publicity

3.5 There were objections from 9 interested parties to the original scheme. Objections were as follows -

- The existing house is one of the most valued houses in the street. Its demolition is objected to. The scale and design of the proposed dwelling is entirely unsuited to the very special nature of the Horseshoe. The street contains one of the most important clusters of Arts and Crafts houses in York, including one by Walter Brierley - York's only twentieth-century architect to enjoy a European reputation.
- The proposed building due to its materials, especially the use of stone and slate would be out of character with the street.
- Other replacement dwellings have eroded the character of the street.
- The Horseshoe should be included on the 'Local List' so that it can be given protection from such inappropriate applications and remain a part of York's heritage.
- The form and size of the rear extension would be alien to the character of the area.
- Loss of space between dwellings which is characteristic of the street.
- Loss of outlook from no.20 as there would be views of the rear outshot.
- Side windows to bedrooms will lead to overlooking.
- The summer house would lead to overlooking, looking back towards the main houses.
- The additional access point into the plot will lead to a loss of amenity and will necessitate the removal of a street light, which may have effect on the current street lighting standards.
- Demolition and re-build would be an un-sustainable approach.

3.6 Neighbours were notified of the revised plans on 24.7.2012. Further comments were received on behalf of the occupants of 20 The Horseshoe that the alterations did not address their objections.

4.0 APPRAISAL

4.1 KEY ISSUES

Visual impact
 Residential amenity
 Highway Network Management
 Site Drainage

VISUAL IMPACT

4.2 The National Planning Policy Framework (NPPF) advises that good design is a key aspect of sustainable development and is indivisible from good planning. Planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit

- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Are visually attractive as a result of good architecture and appropriate landscaping

4.3 Draft Local Plan Policy GP1 (Design) expects development proposals to:

- a) respect or enhance the local environment;
- b) 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.

4.4 The original scheme has been amended in order to address concerns that it would constitute over-development of the plot that would detract from the open character of this part of the street, and that certain elements of the detailing and materials proposed would not be characteristic of the street which is dominated by brick buildings in the Arts and Crafts style.

4.5 The revised scheme maintains a reasonable amount of openness as the massing has been reduced on each side of the house. Although there would remain a 2-storey element only approx 2.5m from the side boundary with no.16, openness would be retained due to the lower ridge, as the extension would be setback from the front building line and as there are single storey garages to this side of no.16. The existing and proposed street scene drawing (D381/6F) demonstrates the extent to which the open character would be retained. It is not considered that the proposal would result in over-development of the plot.

4.6 The materials and detailing to the building have been revised in order to maintain the traditional character of the street. The building would now consist of red brick, a pantile roof and timber framed leaded windows. Within the street scene the building would appear in character due to the massing and shape of the building (the asymmetrical design is characteristic of arts and crafts houses), the materials, and the architectural detailing such as the ornate chimneys with brick detailing, and the brick window cills and lintels.

4.7 A condition is deemed necessary to secure a reasonable amount of soft landscaping to the front of the house. Overall, it is considered that the building would be an appropriate addition to the street scene and complies with the National Planning Policy Framework requirements as set out in paragraph 4.2 above. At the rear the windows would be contemporary and the rear wing would extend around 12m from the main rear building line. However, these elements would not be prominent from the public realm and are deemed to be acceptable in terms of design.

RESIDENTIAL AMENITY

4.8 One of the core planning principles within the National Planning Policy Framework is that developments always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Local Plan policy GP1 requires that developments ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or from over-dominant structures.

4.9 OVERLOOKING - A condition is proposed to ensure that at first floor level windows in the side elevation are obscure glazed. Planning permission would be required to add any new windows at this level, unless they are obscure glazed and non opening below 1.7m above floor level. On the first floor of the rear wing only roof-lights are proposed on the side elevation, and these would be at least 17m from the rear garden of no.20. There would be a window in the gable end at first floor level. However even in a low density area such as the Horseshoe it is typical that first windows can offer views into neighbouring gardens. In this case the window would be around 4m from the side boundary and there is mature vegetation along the boundary. Overall it is not considered that any overlooking would be unduly harmful to amenity.

4.10 OVER-SHADOWING / OVER-DOMINANCE - The rear wing would be around 2.8m from the side boundary with no.16 and the building would be around 3.6m to eaves height. Previously the garage was in this location, although the proposed development would extend around 6m further from the main house. The house at No.16 is around 8m from the side boundary at the rear and has a generous garden that increases in width further from the house. Due to the degree of separation, it is not considered that the rear wing would lead to a loss of light or outlook from windows of the main house. Due to the size of the garden at no.16, the presence of vegetation, and because of the scale of the proposed building, it is not considered that the dwelling would appear unduly over-bearing or over-dominant. As a result of the distance of the rear wing from no.20, it would not have an undue impact over that dwelling or its garden. Due to the scale and location of the remainder of the house it would have no undue impact on its neighbours.

4.11 SUMMERHOUSE - The structure would be at the end of the garden and ancillary to the main house. Its scale, comparable to that of the garden, is considered to be acceptable. The building would be single storey and would therefore not result in overlooking. A structure of comparable height, and with a larger footprint, would fall within permitted development rights. As such, officers have no objections to this element of the proposal.

4.12 AMENITY OF FUTURE OCCUPANTS - Noise insulation in the new dwelling would be improved over the existing dwelling as a consequence of using double

glazing at the rear. The applicants already occupy the existing house on site and there would be no loss of amenity in relation to the existing noise levels.

HIGHWAY NETWORK MANAGEMENT

4.13 Three off-street parking spaces would be provided, which is adequate for a single dwelling. To insist upon additional car parking and encourage further car ownership would be unsustainable and contrary to the aspirations of national and local planning policy. Consent would be required under the Highways Act for works to the highway and the applicants will be informed of such. There are no objections to the scheme on highway safety grounds.

SITE DRAINAGE

4.14 The National Planning Policy Framework requires that developments are safe from flood risk and do not increase flood risk elsewhere. York's Strategic Flood Risk Assessment sets a target that surface water run-off is reduced by 30%. At the very least it is essential that surface water run-off is not increased.

4.15 The proposed development would not have a material impact in comparison to the existing development on site. A condition is required to secure the drainage information requested by the Flood Risk Team.

SUSTAINABILITY

4.16 The revised Interim Planning Statement on Sustainable Design and Construction does not incorporate any requirements in relation to single dwellings.

5.0 CONCLUSION

5.1 The house it is proposed to demolish is not a designated heritage asset. The main planning consideration is, therefore, whether the proposed replacement would have an acceptable visual impact on the area, and whether a reasonable level of amenity would be retained for surrounding occupants. The amended scheme is deemed to be of appropriate design. It would be an acceptable addition to the street scene that would not have an unacceptable impact on residential amenity. The development does not raise any concern with regards flood risk or highway safety. Approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Site Plan - D381/7G

Floor plans - D381/5G

Elevations - D381 3J and 6F

Summerhouse - D381/8B

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

3 Materials

Samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

A sample panel of the brickwork shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: So as to achieve a visually cohesive appearance that fits with the prevailing character of the street.

4 Large scale details (at 1:10 or 1:20) of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- a) All windows and doors, in context and including section drawings, on the front elevation of the building.
- b) The full height window and balcony on the rear elevation (to show window and balcony set within the reveal).
- c) Eaves/verge of roof

Reason: In the interests of the character and appearance of the area.

5 The first floor windows in the side elevations of the proposed dwelling shown on the approved plans shall be obscure glazed to a minimum level of Pilkington Glass Level 3 (or the equivalent standard) and once installed shall be thus maintained at all times.

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

properties.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), unless otherwise agreed in writing with the Local Planning Authority the proposed garage shall not be externally altered or converted to living accommodation.

Reason: To ensure that there is adequate cycle parking/storage space at the property and any proposals to increase living accommodation can be assessed on their merits.

7 Bat boxes shall be installed on the buildings hereby approved, in accordance with the approved plans, at the time of construction (2 boxes, 1 on the main house, 1 on the summerhouse).

Reason: To retain and enhance natural habitats and biodiversity in accordance with policy NE7 of the Local Plan and paragraph 109 of the National Planning Policy Framework.

8 Site Drainage

Prior to construction of the development hereby approved the following drainage details shall be approved in writing by the Local Planning Authority and the development shall be carried out accordingly.

a) Calculations and invert levels to ordnance datum of the existing and proposed surface water system. Reason: To enable the impact of the proposals on the downstream watercourse to be assessed.

b) A topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

c) Peak run-off from the development shall be attenuated to 70% of the existing rate (based on 140 l/s/ha of proven connected impermeable areas). Details shall include storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required. If existing connected impermeable areas are not proven then a Greenfield run-off rate based on 1.4 l/sec/ha shall be used for the above.

d) Additional surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available.

Reason: To reduce flood risk elsewhere in accordance with City of York Councils Strategic Flood Risk Assessment and paragraph 103 of the National Planning Policy Framework.

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 effect on residential amenity, the impact on the streetscene, flood risk and highway safety. As such the proposal complies with Policy GP1 of the City of York Development Control Local Plan.

2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

3. INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

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(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

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