

COMMITTEE REPORT

Date: 7 June 2012 **Ward:** Haxby And Wigginton
Team: Householder and **Parish:** Haxby Town Council
 Small Scale Team

Reference: 12/01064/FUL
Application at: 8 Old Orchard Haxby York YO32 3DU
For: Two storey rear and single storey side and rear extensions
By: Mr Horsman
Application Type: Full Application
Target Date: 7 May 2012
Recommendation: Householder Approval

1.0 PROPOSAL

THE SITE:

1.1 The application site is a two storey detached dwelling incorporating an attached flat roof garage to the side, which is well set back from the front of the house. The rear of the property hosts a generous sized garden, with a small single storey flat roof kitchen extension.

THE PROPOSAL:

1.2 Planning permission is sought to erect a two storey extension projecting 2.0 metres beyond the rear of the existing dwelling in order to enlarge two of the existing bedrooms. The eaves and ridge height of the extension would follow the eaves and ridge of the existing dwelling. A single storey extension, which would span the full width of the property including the existing garage, would project by a further 2.0 metres (i.e. 4.0 metres in total). The garage would also be extended forward by approximately 1.3 metres and a pitched roof would be erected over the enlarged structure, linking in with the extension to the rear. The single storey extension would incorporate a mono-pitched roof with three velux roof lights in the roof slope in addition to full length patio doors, rear external door and new window. The first floor would incorporate two windows identical to the existing layout. In terms of the garage, the new pitched roof would have a total height of approx 4.0 metres reducing to 2.3 metres at the eaves height.

1.3 The application includes a Daylight and Sunlight Assessment which describes any potential loss of light or overshadowing. In addition a copy of the local sewer map has been provided which confirms that there are no sewers in this area.

1.4 There is no relevant site history documented on the site or dwellings within close proximity to the site.

ADDITIONAL INFORMATION:

1.5 This application has been brought before East Area Planning Sub-Committee for a decision by Councillors Richardson and Cuthbertson due to concerns (described in paragraph 2.3) made by the local residents. A site visit is proposed in order for Members to fully understand the context of the site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

INTERNAL:

3.1 None

EXTERNAL:

3.2 Haxby Town Council - No objections. It is noted that several neighbours are very concerned about the proximity of the extension to a sewer which runs through the back garden of number 8. Appropriate conditions requested to ensure integrity of and access to the sewer during construction work providing neighbours are consulted.

3.3 Comments from neighbour consultation letters sent 29.03.12 are listed below.

10 Old Orchard
3 Abelton Grove
5 Abelton Grove
7 Abelton Grove

Large extension would be intrusive to existing privacy.
Extension is too intrusive to the neighbouring houses and small gardens
Overpower the balance of the small residential area.
Bring the building line closer to the rear boundary.
The aesthetics/dynamics of the neighbourhood would become compromised.
No other properties in the street have two storey rear extensions.
Size and scale
Large drain/manhole cover.
Effect market value of property.

Additional comments from No10:

Reduction in light in to ground and first floor windows from the side extension.
Dominate the rear garden.

In addition a letter has been received from Miss C.L. Ash, granddaughter of the previous owner of the application property. This confirms that there is a private drain running along the back of the house.

4.0 APPRAISAL

KEY ISSUES:

4.1 Visual Amenity.
Residential Amenity.

RELEVANT PLANNING POLICY GUIDIANCE:

4.2 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It also states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.3 Draft Local Plan Policy CYH7 - states that residential extensions will be permitted where (a) the design and materials are sympathetic to the main dwelling and the locality (b) the design and scale are appropriate to the main building (d) there is no adverse effect upon the amenities of neighbours.

4.4 Draft Local Plan Policy CYGP1 - sets out a series of criteria that the designs of development proposals are expected to meet. These include requirements 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; (c) avoid the loss of open spaces,

important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (e) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling and the scale of the new extension should not dominate the original building. In terms of privacy the main aims are to prevent access overlooking between dwellings and into private garden areas. To avoid designing extensions with windows that over look a neighbour partially close to the boundary. In these cases it is suggested that a minimum distance between over looking habitable room windows is 21 metres.

DESIGN AND VISUAL AMENITY:

4.6 In terms of design the two storey extension would continue the existing ridge line and fenestration pattern, projecting 2.0 metres and spanning the full width of the rear elevation. The mono- pitched rear extension would project approx 4.0 metres at the longest length reducing to approx 2.7 metres at the rear of the garage. The additional windows on the first floor would follow the pattern of the existing windows for the purpose of creating two larger sized rear bedrooms. These windows would provide views on to the rear garden and would not compromise the privacy of the adjacent occupiers. Comments have been made by the nearby residents that the cumulative impact of the proposal is out of proportion with other properties in the street, and that the work would over develop the rear garden. Whilst the proposed extension would alter the appearance of the dwelling, it is not considered that this would adversely affect the views from public areas. Nor is it considered that the design and scale of the extensions would dominate the existing dwelling to such a degree that refusal could be warranted on these grounds. Furthermore, the majority of the development would be to the rear of the property and would be constructed of materials that are in keeping with the character and appearance of the host dwelling.

IMPACT ON THE NEIGHBOURS:

4.7 In terms of the surrounding neighbours objections have been received from the residents at 10 Old Orchard to the south (side) and the residents of the single storey dwellings at 3, 5 and 7 Abelton Grove to the rear of the site. Site visits were undertaken to both the application site and the neighbours objecting to the proposal to ascertain the impact of the rear extension would have on these occupiers.

4.8 In addition a letter has been received referring to the proposed extension being built close to a large manhole cover, which provides access to the main sewer which runs through the gardens of Old Orchard. The agent has supplied a copy of the local area sewer map, which indicates that there are no sewers at the rear of the property. The agent has confirmed that any drains encountered during the early stages of the building work will be maintained and protected.

4.9 Objections received from the neighbours on the grounds listed below:

Large extension would be intrusive to existing privacy.

Extension is too intrusive to the neighbouring houses and small gardens

Overpower the balance of the small residential area.

Bring the building line closer to the rear boundary.

The aesthetics/dynamics of the neighbourhood would become compromised.

No other properties in the street have two storey rear extensions.

Size and scale

Large drain/manhole cover.

Effect market value of property.

Additional comments from (No10) relate to the proposed pitched roof and extension to the existing garage.

The extension would result in a reduction in light in to ground and first floor windows from the side extension and would dominate the rear garden.

LOSS OF PRIVACY/OVERSHADOWING REAR GARDENS:

4.10 The first floor windows would serve larger rear bedrooms, thus there would be no increase in the number of bedrooms at the property. In terms of the objections received with the regard to the loss of privacy, whilst it is acknowledged that the additional 2.0 metres would move the dwelling closer to the rear boundary, there would still be a distance of 12.6 metres to the rear boundary and a total separation distance of approximately 22.5 metres from the closest dwelling at 5 Abelton Grove. This distance allows a reasonable separation distance between the dwellings and is in accordance with the council's Supplementary Planning Guidance. This situation is further exemplified by the fact that there is already an element of existing overlooking between the gardens. On this basis the extensions are not considered to create any significant loss of privacy over and above the existing situation, such that refusal could be warranted on these grounds.

4.11 The first floor extension would be set off the shared boundary with the dwellings at no 6 and no 10 Old Orchard and separated on both elevations by a 1.8 metres fence. In addition no 6 Old Orchard has a flat roof attached garage, which projects beyond the rear building line. This property is situated to the north with its main habitable windows facing on to the rear garden and set away from the rear

extension. Thus other than some slight overshadowing of the rear garden, it is not considered that the extension would have an adverse impact on the property.

OVER DEVELOPMENT/PERMITTED DEVELOPMENT:

4.12 In terms of the amount of development proposed to the property, it is considered that the projection of the two storey rear extension is a relatively modest addition in comparison to the size of the main house and its relatively large garden. It is also the case that in isolation this extension could be virtually erected within permitted development limits without the need for planning permission. This is because permitted development rights allows for the erection of two storey rear extensions incorporating a length of no more than 3 metres so long as they are more than 2.0 metres from the shared boundary. Thus a two storey extension with a projection greater than that proposed could be erected at the rear of the property, provided it was inset a distance of 2.0 metres from the boundary with 6 Old Orchard. In terms of the single storey extension the total proposed length adjacent to the shared boundary would be approx 4.0 metre at the longest length reducing to approx 2.7 metres on the north elevation. Again, in isolation the majority of the single storey extension (other than the corner section that projects from the rear of the garage) could also be constructed under permitted development.

IMPACT ON 10 OLD ORCHARD:

4.13 In terms of the impact of the proposal on 10 Old Orchard, the single storey extension would be in close proximity to the shared boundary garden, with a total height of approx 4.0 metres. However, the eaves height would be a relatively modest 2.3 metres, and the roof would slope away from the boundary and would incorporate a hip at the rear where it would have most potential impact on the neighbour. An element of screening is provided by an existing 1.8 metre high boundary fence. In terms of loss of light to the side and rear windows of this property, the extension would be to the north of no.10 and as such would have little impact on sunlight entering into the ground floor and side landing windows. It is also a material consideration that in isolation the extension to the rear of the garage, in isolation, could also be considered under the same permitted development legislation as previously mentioned.

DRAINAGE:

4.14 There is no specific evidence that the proposed development would result in drainage problems. The site is not within an area that has been identified as being at risk of flooding. Drainage issues on small scale developments such as this are a matter that would be dealt with under the Building Regulations.

OVER HANGING GUTTERS:

4.15 The agent has confirmed that the distance to the boundary would be approx 500mm; therefore it is not considered that the guttering or drainpipes would project over the shared boundary.

PROPERTY DEVALUATION

4.16 The devaluation of property is not a material planning consideration.

5.0 CONCLUSION

5.1 It is considered that because of the design of the extension and proportions of the rear garden the proposal would not create any significant harm to the amenity of the neighbours in terms of proximity or overlooking. Nor is it considered that the extension would detract from the character and appearance of the area. For this reason, the proposal is considered to comply with Policies GP1 and H7 of the City of York Draft Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

- 1 TIME2 Development start within three years -
- 2 PLANS1 Approved plans - Dwg Nos 12.08.2 and 3 received on 08.03.2012
- 3 VISQ1 Matching materials -

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 and the impact on the streetscene. As such the proposal complies with Central Government advice contained within the National Planning Policy Framework (March 2012), policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

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