



Notice of meeting of

West & City Centre Area Planning Sub-Committee

- To:** Councillors B Watson (Chair), Sue Galloway (Vice-Chair), Horton, Galvin, Reid, Gillies, Gunnell, Jamieson-Ball and Sunderland
- Date:** Tuesday, 2 October 2007
- Time:** 12.00 pm
- Venue:** The Guildhall, York

AGENDA

Site visits for this meeting will commence at 11.00 am on Monday 1 October 2007 at Memorial Gardens.

1. **Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. **Public Participation**

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by 5pm the working day before the meeting. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

3. **Plans List**

Members will consider a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to planning applications with an outline the proposals and relevant

policy considerations and the views and advice of consultees and officers.

a) 14 Foxton, York (07/01994/OUT) (Pages 5 - 14)

Outline application for the erection of a detached single storey dwelling (resubmission). *[Dringhouses & Woodthorpe Ward]*

b) 9 Annan Close, York (07/01854/FUL) (Pages 15 - 20)

Enclosed garden area with fence. *[Dringhouses & Woodthorpe Ward]*

c) Faith Cottage, 3 Low Green, Copmanthorpe, York (07/02024/FUL) (Pages 21 - 30)

One and two storey pitched roof side extension (resubmission). *[Rural West York Ward]*

d) 23 Chantry Gap, Upper Poppleton, York (07/00665/FUL) (Pages 31 - 36)

Single storey pitched roof side extension and pitched roof dormer to the front. *[Rural West York Ward]*

4. Any other business which the Chair considers urgent under the Local Government Act 1972

Democracy Officer

Name: Tracy Wallis

Contact Details:

- Telephone (01904) 552062
- Email – tracy.wallis@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

WEST AND CITY CENTRE AREA PLANNING SUB COMMITTEE**SITE VISITS****Monday 1 October 2007**

**The bus for members of the sub-committee will depart from
Memorial Gardens at 11.00am**

TIME (Approx)	SITE	ITEM
11.15	Faith Cottage, 3 Low Green, Copmanthorpe	c
12:00	23 Chantry Gap, Upper Poppleton	d

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Further information about what's being discussed at this meeting

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The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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overbearing impact. The proposal would be contrary to policy GP1 and GP10 of the City of York Development Control Local Plan 2005."

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYH4A
Housing Windfalls

CYGP10
Subdivision of gardens and infill devt

CYL1C
Provision of New Open Space in Development

CYGP1
Design

3.0 CONSULTATIONS

INTERNAL

3.1 Environmental Protection Unit - No Objections.

3.2 Highway Network Management - No Objections.

3.3 York Consultancy (Drainage) - No Objections.

EXTERNAL

3.4 Dringhouses/Woodthorpe Planning Panel - Objections.

- * Site too small for a development.
- * It would appear to be overcrowded.
- * The requirement for a garage would also minimise available space
- * Loss of Amenity.

3.5 Four letters of objection and one of comment have been received regarding the applicants' proposals. The letters of objection raise the following concerns.

- * Loss of Light.
- * Devaluation of Property.
- * Overlooking.
- * Increase in surface water run-off.
- * Overcrowding.
- * Traffic Concerns.
- * No Material Change.

4.0 APPRAISAL

KEY ISSUES

- * Policy Context
- * Principle of Development
- * Visual and Residential Amenity
- * Highway Issues

POLICY CONTEXT

4.1 H4a - Housing Windfalls: which suggests that a proposals for residential development on land within the urban area would be a acceptable, where "the site is within the urban area and is vacant, derelict or underused or it involves infilling, redevelopment or conversion of existing buildings." However, any development must be of an appropriate design and must be sustainable e.g. good links to jobs, shops and services.

4.2 GP1 - Design: bolsters the aforementioned 'design' issues and requires the design, layout, scale, mass and design of any new building to respect and enhance the character and appearance of the local environment/street scene.

4.3 GP10 -Subdivision of Gardens and Infill Development: planning permission will only be granted for the sub-division of existing garden areas (or plots) or infilling, to provide new development, where this would not be detrimental to the character.

4.4 L1C - Provision of New Open Spaces in Development: the council considers that all residents should have access to safe, attractive and useable public open space and the Local Plan Strategy aims to promote accessible open space in new residential and leisure developments. Therefore for sites of less than 10 dwellings a commuted sum payment will be required towards off site provision.

PRINCIPLE OF THE DEVELOPMENT

4.5 The applicant has applied for outline approval to ascertain whether the principle of developing this particular site with a detached dwelling would be acceptable. The applicant proposes to sub divide an existing garden area, which can be easily accessed from the existing driveway. Issues relating to siting, design, external appearance, access and landscaping will be dealt with in an subsequent reserved

matters application. The Local Authority will recommend conditions at this stage to ensure that any material issues are appropriately addressed at the reserved matters stage.

VISUAL AND RESIDENTIAL AMENITY

4.6 The southern elevation of the proposed dwelling will, although located within 2 metres (provision in application 07/00271/OUT was 1 metre) of the shared boundary with properties on Chantry Close, represent little threat to the existing amenity provisions currently enjoyed by these properties. The "setting in" from the aforementioned boundary has resulted in a reduction of the dwellings footprint from 68sqm to 59sqm. A provision of approx. 11.6 metres has been made to the rear elevations of the aforementioned properties, with direct views being impeded by existing outbuildings and dense shrub/tree planting. The rear gardens of these properties face north and therefore there will be no material overshadowing by the applicants' proposals.

4.7 The close proximity of the dwelling to the boundary is not considered to be overbearing. Heights to eaves and ridgelines have not been specified at the outline stage, however to mitigate any amenity impact conditions have been recommended to secure the roof type (hipped) and height of the proposed bungalow. The proposed bungalow will not be higher than No.14, Foxton and the hipped roof will result in the ridgeline being set as far away from the southern boundary as possible.

4.8 A distance of 8.4 and 13 metres is provided to the shared boundaries with No.12, Foxton and No.33, Carrfield respectively. These provisions along with the height of existing boundaries will mitigate any impact from any ground floor windows within the western and eastern elevations.

4.9 Conditions have also been recommended to ensure that any openings in the bungalows southern elevation are obscurely glazed, mitigating any overlooking or the perception of being overlooked.

HIGHWAY ISSUES

4.10 Garaging and parking/access details have been shown on the submitted drawings, however outline consent for such details has not been requested at this stage. The plans shows the inclusion of two detached garages, one for the existing and one for the proposed property. Provision for approx. 5 vehicles appears to exist. Conditions have been included to ensure that details of all future parking/cycle arrangements are submitted for consideration and written approval by the Local Planning Authority.

5.0 CONCLUSION

The applicants proposals are considered to be acceptable in this instance and are therefore recommended for approval.

6.0 RECOMMENDATION: Approve

1 OUT1 Approval of Reserved Matters

2 Fully detailed drawings illustrating all of the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works, and the development shall be carried out in accordance with such details:

Details to be submitted: access, appearance, landscaping, layout and scale of the proposed development to be carried out, including a schedule of all external materials to be used.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development and to comply with the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006.

3 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

DS-02 - Revised Drawing - Received 10.04.2007

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

4 Prior to the development commencing full details of car parking, turning and cycle storage (including means of enclosure) shall be submitted to and approved in writing by the LPA and such areas shall thereafter be retained solely for such purposes.

Reason: In the interests of highway safety.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no doors, windows or other openings shall at any time (unless obscurely glazed) shall be inserted in the southern elevation of the dwelling hereby approved.

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

6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A to F of Schedule 2 Part 1 of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the adjoining residents 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 1995.

7 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The Open space shall thereafter be provided in accordance with the approved scheme or the alternative arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: To comply with Policy L1C of the City of York Draft Local Plan

Informative

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring financial contribution towards the off site provision of open space. The obligation should provide for a financial contribution calculated at £128 (1 x bedroom dwelling), £815 (2 x bedroom dwelling), £1227 (3 x bedroom dwelling), £1632 (4 x bedroom dwelling) and £2139 (5 x bedroom dwelling)

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

8 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 the approved plans.

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

9 The dwelling hereby approved shall be single storey with no accommodation in the roof unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual and residential amenity

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 land use, visual and residential amenity. As such the

proposal complies with Policies GP1, H4a, GP10 and L1c of the City of York Development Control Draft Local Plan.

2. Demolition and Construction - Informative

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a scheme remediation to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

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 attached to any planning approval, 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.	

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

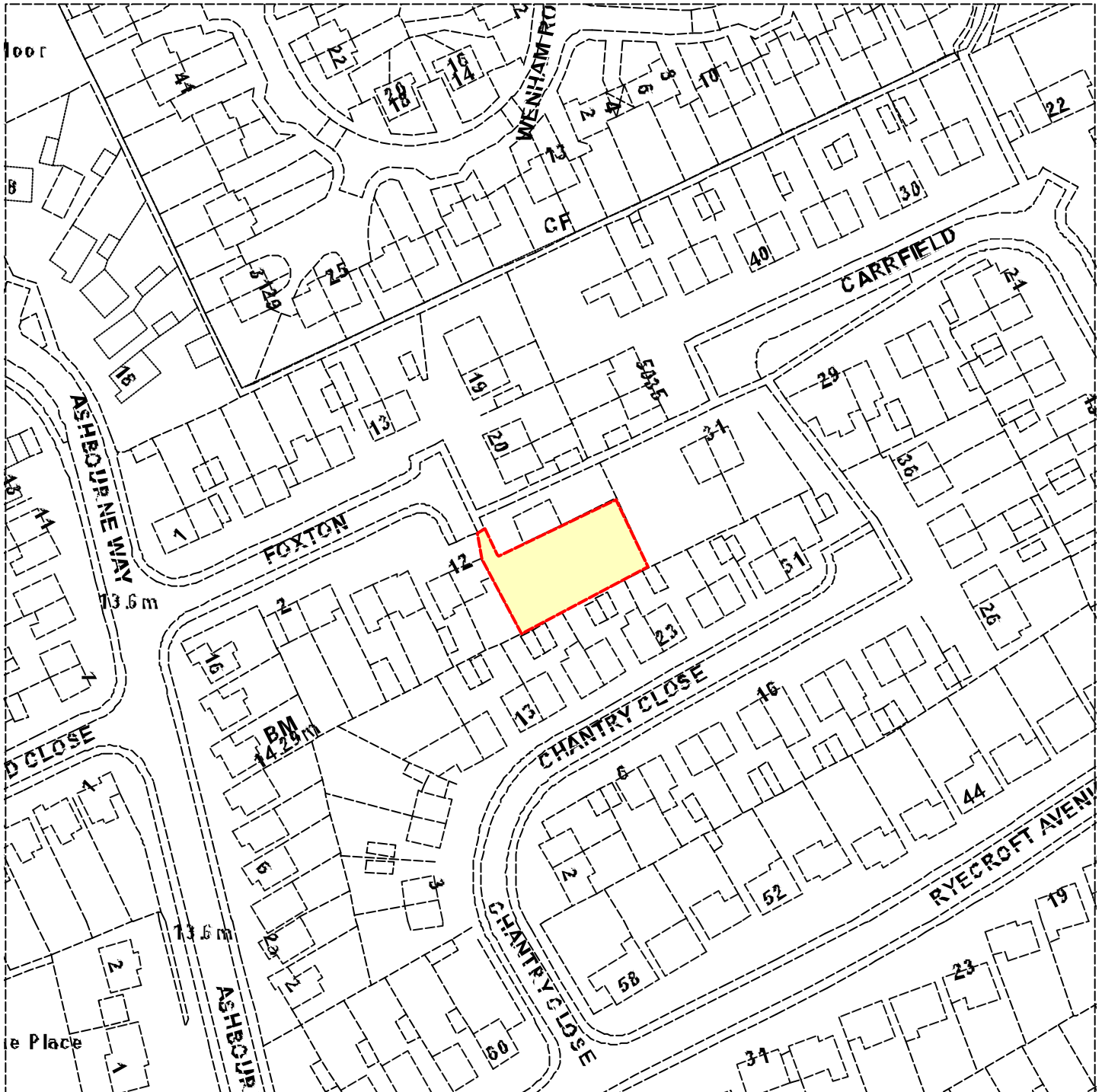
Contact details:

Author: Richard Mowat Development Control Officer

Tel No: 01904 551416

14 Foxton, York

Ref 07/01994/OUT



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Organisation	City of York Council
Department	Development Control
Comments	Application Site
Date	21 September 2007
SLA Number	

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COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Dringhouses & Woodthorpe
Date: 2 October 2007 **Parish:** Dringhouses & Woodthorpe
Planning Panel

Reference: 07/01854/FUL
Application at: 9 Annan Close York YO24 2UY
For: Enclosed garden area with fence
By: D Nicholson
Application Type: Full Application
Target Date: 8 October 2007

1.0 PROPOSAL

1.1 This application is to enclose a side garden (adjoining a highway) with a 1.8m high fence to match the existing one on part of the same boundary. It is proposed to continue the existing fence to enclose part of the side garden. The style of the fence consists of 1.37m wide brick piers with 3.55m of vertically boarded timber fencing in between. It is proposed to enclose approximately 32sq m of currently open garden area between the property's drive and the highway (Moor Lane).

1.2 Planning History: No planning history.

1.3 This application is reported to the Sub-Committee because the applicant works for the City of York Council.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies:

CYGP1
Design

CYNE1
Trees, woodlands, hedgerows

3.0 CONSULTATIONS

3.1 Internal.

Highway Network Management: No objections.

Design, Conservation and Sustainable Development (Landscape Architect): Acceptable to lose trees A-D provided tree E is retained, with a root protection area of 2.5-3m. The alignment of the fence will need to be slightly modified to accommodate the root protection area (RPA).

3.2 External.

Dringhouses/Woodthorpe Planning Panel: No objections.

3.3 Representations: None received.

4.0 APPRAISAL

4.1 Key issues: impact of the fence on the visual amenity of the wider area and its impact on the (unprotected) tree to be retained on site.

4.2 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

Policy NE1 stipulates that trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation or historical value, will be protected by a range of means including refusing development proposals which will result in their loss or damage.

4.3 The area of amenity space the subject of this application borders Moor Lane, which marks the edge of the Greenbelt. There are few significant trees along Moor Lane but where they do occur there are a welcome feature. The fence is proposed to enclose an area of side garden currently open to Moor Lane to increase shelter in the garden and improve site security. The area it is proposed to enclose is entirely within the ownership of the applicant and represents less than 50% of the side garden as a whole. Whilst the visual impact of the proposed fence is considered acceptable in planning and landscape terms one issue, regarding a root protection area to the Sycamore tree, remains outstanding. The most westerly extent of the fence is considered unsuitable in its current location by the Landscape Architect.

4.4 Following discussions with the Landscape Architect and the owner, two revised positions for the proposed fence have been suggested allowing the minimum 2.5m root protection area (RPA) to be established around the Sycamore tree illustrated as being retained. As yet a revised plan has not been received illustrating which new position for the fence will be pursued. Both locations are acceptable and as such it will be a matter of personal preference for the owner. The first location would reduce the enclosed area by 2.5m in depth whilst the second would increase it by the same amount. It is proposed to control this matter with the use of two conditions.

4.5 The first condition would ensure no brick piers are built within 2.5m of the tree, to protect its root system. The second condition would require the westerly extent of the fence to be agreed, in writing as the currently proposed extent is not considered appropriate.

5.0 CONCLUSION

5.1 Whilst the principle of this application is considered acceptable in terms of its impact on the visual amenity of the area, the exact position of the proposed fence is yet to be resolved.

5.2 Subject to the conditions detailed above the proposal is considered to be acceptable.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

A, C, E and D;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

3 No trenches or other excavation works in connection with the brick piers and fence panels hereby approved shall be sited within a 2.5m metre radius from the centre of the trunk of tree E on the site without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard existing trees on the site and establish a suitable root protection area.

4 Details of the exact position of the means of enclosure on the westerly boundary of the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The materials and design of the means of enclosure on this boundary (vertically boarded timber fence panels with brick piers) shall match in size and design those hereby approved on the north and south boundaries of the side garden.

Reason: In the interests of the visual amenities of the area.

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 visual amenity of the surrounding area and tree protection. As such the proposal complies with Policies GP1 and NE1 of the City of York Local Plan Deposit Draft.

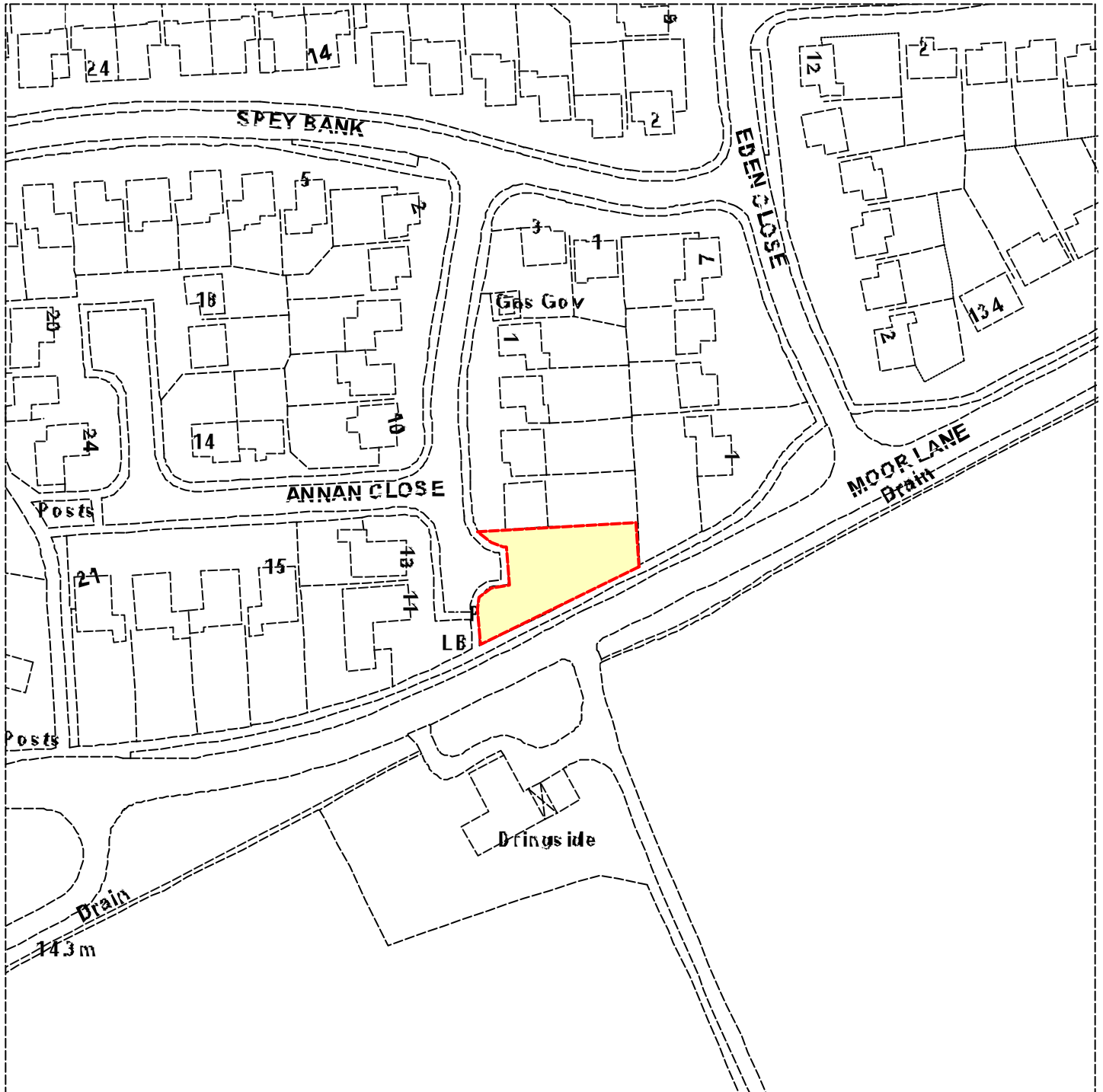
Contact details:

Author: Emma Militis Planning Officer

Tel No: 01904 551493

9 Annan Close

Ref 07/01854/FUL



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Organisation	City of York Council
Department	Development Control
Comments	Application Site
Date	21 September 2007
SLA Number	

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COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Rural West York
Date: 2 October 2007 **Parish:** Copmanthorpe Parish
 Council

Reference: 07/02024/FUL
Application at: Faith Cottage 3 Low Green Copmanthorpe York YO23 3SD
For: One and two storey pitched roof side extension (resubmission)
By: Mr & Mrs J Corner-Walker
Application Type: Full Application
Target Date: 15 October 2007

1.0 PROPOSAL

1.1 The application is for a one and two storey pitched roof side extension (resubmission).

1.2 The dwelling is set in the Copmanthorpe Conservation Area it is raised above the road level and is just off a small village green. 3 Low Green dates from the 1950s and is not considered to be of significant architectural merit.

1.3 The application comes before committee with a site visit at the request of Cllr Paul Healey who has been contacted by the applicant who considers that the planning guidelines are not appropriate in this particular case.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Copmanthorpe 0016

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

Schools Copmanthorpe Primary 0190

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

CYHE2

Development in historic locations

CYHE3

Conservation Areas

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 12/09/2007

Site Notice - Expires 19/09/2007

Press Advert - Expires 26/09/2007

Internal/External Consultations - Expires 12/09/2007

8 WEEK TARGET DATE 15/10/2007

3.2 INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

- The existing garage would be shortened but a minimum length of 4.8 metres would be maintained, as would the original width of 3.45metres.

- The driveway, is currently predominantly tarmac, is to be refurbished using gravel. There is a fairly pronounced gradient to the driveway down towards the public highway, therefore if the surface was to be of an unbounded construction it is considered probable that loose material would be "trafficked" onto the footway and carriageway

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT - This property is an unlisted building situated in Copmanthorpe Conservation Area no.13.

The proposals have been the subject of a previous application and consultations from Design, Conservation and Sustainable Development on 5 February 2007 and 23 February 2007. This semi detached property was built in the 1950's and replaces an earlier Victorian cottage which was attached to no. 5 Low Green adjacent. The current proposals for a first floor extension over the existing garage have been the subject of negotiation regarding the design of the addition.

The proposed extension should be subsidiary to the existing house and read as an addition. The extension is stepped back from the front façade and replicates the fenestration of the existing property. The extension will have a brick finish to match that of the original house.

The key issue is the level of the ridge line proposed for the extension which is at the same height as the existing building. It is suggested that the ridge line of the extension should be stepped down marginally to ensure that the extension reads as an addition to the existing property. The stepping down of the ridge line will replicate the connection between Faith Cottage and the attached property adjacent at no.5 Low Green.

Should the ridge line of the extension be stepped down, this will also serve to reduce the mass of the building as a whole and improve the visual impact of the extension on the character and appearance of the conservation area.

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

COPMANTHORPE PARISH COUNCIL - No objections, providing that it does not conflict with the planning guidelines indicated in the refusal dated 06/03/2007

1 LETTER OF COMMENTS

- Do not object to the planning application

4.0 APPRAISAL

4.1 RELEVANT SITE HISTORY

04/01962/FUL - One and two storey pitched roof side extension - Refused

- Due to its design, form and massing, the proposed extension would be unsympathetic to the existing subservient character of the applicant's property in relationship with the attached property and its existing gabled form, that create a distinctive grouping and character of this part of the conservation area.

07/00020/FUL - One and two storey pitched roof side extension (re-submission) - Refused

- It is considered that the proposed extension, by virtue of its form, massing and design, would be unsympathetic to the existing subservient character of the dwelling in relation to the attached property, that together form a distinctive grouping and character in this part of the conservation area. Thus the proposal would have an unduly harmful impact on the street scene, the dwelling, and the grouping of buildings and is considered to conflict with Policy E4 of the North Yorkshire Structure Plan (1995), Policies GP1, H7 and HE2 of the York Draft Local Plan (2005), national planning advice in Planning Policy Statement 1: "Delivering Sustainable Development" and Planning Policy Guidance Note 15: "Planning and the Historic Environment", City of York Council supplementary planning guidance: "Guide to extensions and alterations to private dwelling houses" (2001), and the Copmanthorpe Village Design Statement (2003).

4.2 ADDITIONAL PLANNING POLICY

CYC Supplementary Design Guidance - A guide to extensions and alterations to private dwelling houses, 2001

Copmanthorpe Village Design Statement, 2003

Planning Policy Guidance Note 15: "Planning and the Historic Environment"

4.3 KEY ISSUES

1. Visual impact on the dwelling and the area
2. Impact on neighbouring property

4.4 ASSESSMENT

PLANNING POLICY

4.4.1 Central Government advice in Planning Policy Statement 1 "Delivering Sustainable Development" emphasises the importance of good design and states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

4.4.2 Planning Policy Guidance Note 15 'Planning and the Historic Environment' (PPG15) sets out the approach to dealing with proposals that affect Listed Buildings and Conservation Areas. PPG15 advises that new buildings intended to stand alongside Listed Buildings should be 'carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials'. New buildings do not have to be detailed copies of their neighbours but should form a harmonious group with them. In making decisions on proposals in Conservation Areas, Planning Authorities have a statutory duty to consider the desirability of preserving or enhancing the character or appearance of the Conservation Area. Policy E4 of the North Yorkshire County Structure Plan states that areas of special townscape, architectural or historic interest will be afforded the strictest protection. Policies HE2 'Development within Historic Locations' and HE3 'Conservation Areas' of the City of York Development Control Local Plan are also relevant to this proposal. These policies expect proposals to maintain or enhance existing urban spaces, views, landmarks and other townscape elements and not to have an adverse effect on the character or appearance of the Conservation Area.

4.4.3 Policy GP1 'Design' of the City of York Development Control Local Plan includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.4.4 Policy H7 'Residential Extensions' of the City of York Development Control Local Plan sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.4.5 The City of York Council's supplementary planning guidance - Guide to extensions and alterations to private dwelling houses states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling.

The scale of the new extension should not dominate the original building. Where a street or group of buildings has a well-defined building line it should be retained. It is suggested that side extensions should be set back at least 0.5 metres from the front of the building. Generally roofs that reflect the pitch and style of the existing roof are encouraged. In order to reduce the visual impact of two storey extensions the ridge line should be lower than the original house. Side extensions should be sympathetically designed to appear subservient to the main dwelling. Their appearance will be improved if the extension is set back at least 0.5 metres from the main building line and set down in height from the original building to provide a break in the street frontage.

4.4.6 Supplementary planning guidance - The Copmanthorpe Village Design Statement, 2003 states that Low Green provides a "green heart" to Copmanthorpe and has particular social and community value. This space is characterised by mature trees and enclosed by character buildings. The guidance sets out design guidelines such as extensions should be set back from the plot boundaries, and extensions should be designed to complement existing buildings with the building line normally set back with the roof line normally lower than the main building, all developments should be carried out with great sensitivity, to respect its historic buildings and their settings.

VISUAL IMPACT ON THE DWELLING AND THE AREA

4.4.7 The reason for the previous two applications refusal was that the proposed extension's were not considered to be subservient to the principal dwelling, it was also stated in pre-application advice that a side extension on this site should to be subservient and a set down in height from the main building would be required.

4.4.8 There is a gradation in built form, with 5 Low Green being the more dominant than 3 Low Green and it is considered that the pattern should be repeated in any two storey side extension. The plans submitted show the side extension set back only 0.2 metres at first floor level, significantly less that the 0.5 metres requested in the CYC supplementary planning guidance - Guide to extensions and alterations to private dwelling houses, it is not set down from the height of the original dwelling. This does not create a subservient appearance to the main dwelling and therefore is contrary to the CYC supplementary planning guidance and the Copmanthorpe Village Design Statement which states that extensions should be "designed to complement existing buildings, with the building line normally set back with the roof line normally lower than the main building".

4.4.9 Nos 3 and 5 Low Green have a degree of prominence in the street scene by virtue of their siting adjacent to the Village Green and being set at a higher elevation than the road. Low Green is described in the Copmanthorpe Village Design Statement as a "green heart" which is "enclosed by character buildings". It is considered that the proposed extension would not be a positive contribution to the street scene. Whilst it is considered that the existing dwelling is not of significant architectural merit, the prominent siting in the street and within the conservation area, and being attached to a prominent building (5 Low Green) when seen in context of the village green, the proposed extension by its lack of subservience would have an adverse and negative effect on the grouping of buildings. In addition,

by not respecting the character of these two important buildings the proposal would lead to an increase in prominence in the street that would further compound the impact of this building within the street scene, resulting in an unduly harmful impact on the conservation area.

4.4.10 It is considered that a two storey side extension would be acceptable in principle if it followed the gradated form of the group of buildings and would be subservient to 3 Low Green with at least a 0.5 metre set back from the main building and a set down in height from the main roof ridge. The drop in the ridge line would also serve to reduce the mass of the building as a whole and improve the visual impact of the extension on the character and appearance of the conservation area. The drop in the ridge height would be unlikely to result in a drop in internal ceiling heights.

IMPACT ON NEIGHBOURING PROPERTY

4.4.11 The proposed side extension would be built out to the side boundary with 1 Low Green and would have a first floor side window in this elevation that is considered to be unneighbourly as the distance between the dwellings is only 15 metres. However this window could be conditioned as obscure glazing if planning permission was granted. It is considered that the proposed side extension would not impact on the residential amenity of the occupants of the surrounding dwellings.

5.0 CONCLUSION

5.1 The proposed extension has no subservience to the main dwelling and therefore contrary to the CYC supplementary planning guidance and the Copmanthorpe Village Design Statement. The proposal does not reflect the gradation in the built form of this distinctive grouping of dwellings, and the existing subservient character of the dwelling and its relationship to the 5 Low Green. The resulting impact would be unduly harmful on the character of the dwelling, streetscene and this part of the conservation area. Refusal is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 It is considered that the proposed extension, by virtue of its form, massing and design, would be unsympathetic to the existing subservient character of the dwelling in relation to the attached property, that together form a distinctive grouping and character in this part of the conservation area. Thus the proposal would have an unduly harmful impact on the street scene, the dwelling, and the grouping of buildings and is considered to conflict with Policy E4 of the North Yorkshire Structure Plan (1995), Policies GP1, H7 and HE2 of the York Draft Local Plan (2005), national planning advice in Planning Policy Statement 1: "Delivering Sustainable Development" and Planning Policy Guidance Note 15: " Planning and the Historic Environment", City of York Council supplementary planning guidance: "Guide to

extensions and alterations to private dwelling houses" (2001), and the Copmanthorpe Village Design Statement (2003).

7.0 INFORMATIVES:

Contact details:

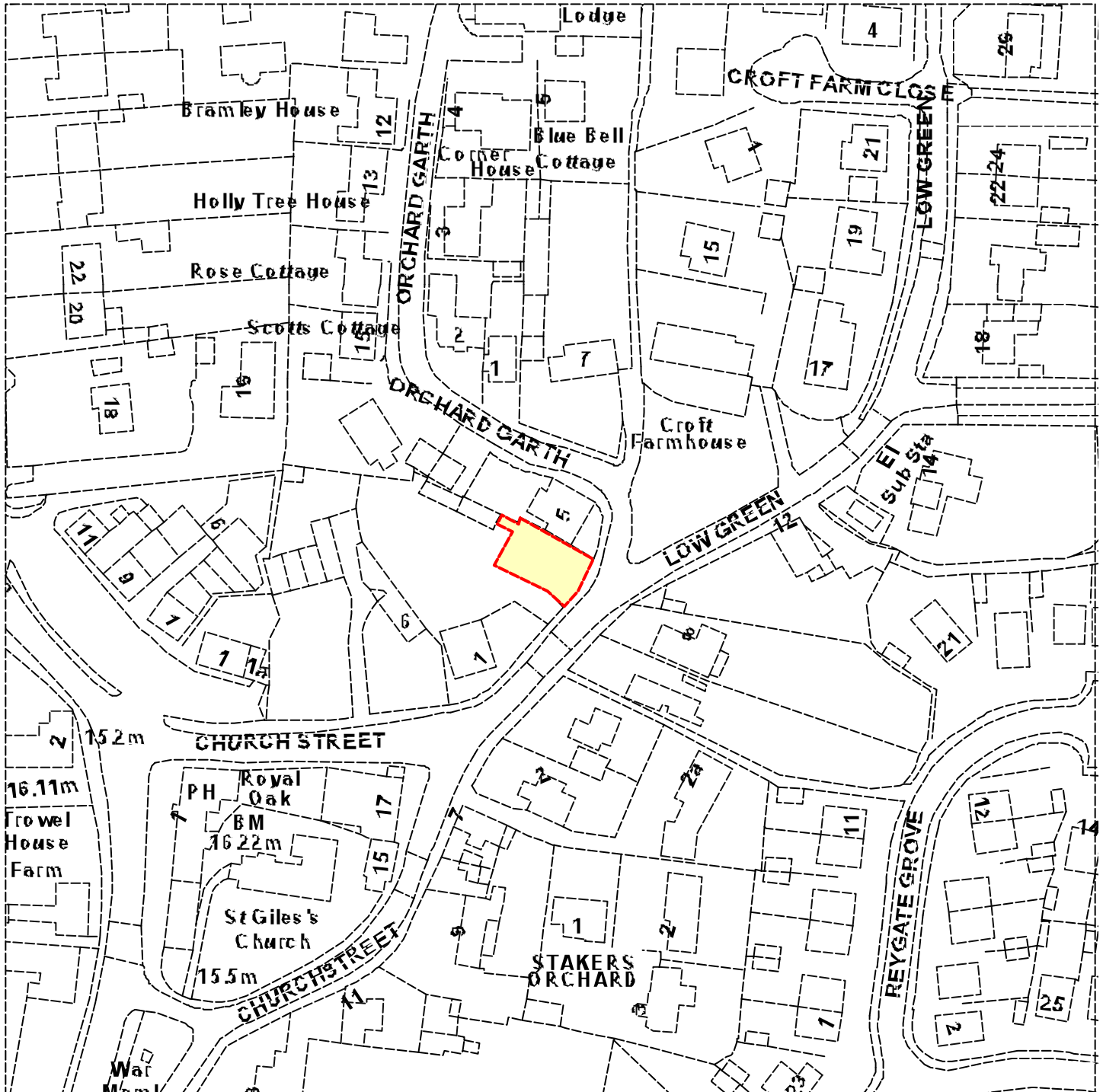
Author: Victoria Bell Development Control Officer

Tel No: 01904 551347

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Faith Cottage, 3 Low Green, Copmanthorpe, York

Ref 07/02024/FUL



Scale : 1:1250

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Organisation	City of York Council
Department	Development Control
Comments	Application Site
Date	21 September 2007
SLA Number	

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COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Rural West York
Date: 2 October 2007 **Parish:** Upper Poppleton Parish Council

Reference: 07/00665/FUL
Application at: 23 Chantry Gap Upper Poppleton York YO26 6DG
For: Single storey pitched roof side extension and pitched roof dormer to front
By: Mr And Mrs W Tweedhope
Application Type: Full Application
Target Date: 29 May 2007

1.0 PROPOSAL

1.1 The applicant seeks planning approval to erect a single storey pitched roofed side extension and pitched roofed dormer to the front. All materials used will match the existing where appropriate.

1.2 The application relates to a semi detached hipped roofed bungalow with enclosed gardens to the rear. The property has an existing single storey extension to the side, which provides the main entrance.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

Poppleton Village Design Statement Supplementary Planning Guidance

3.0 CONSULTATIONS

3.1 Upper Poppleton Parish Council - Comments

* Potential loss of light to the kitchen window of No.21, Chantry Gap.

3.2 Five letters of objection have been received with regard the applicants' proposals. The letters raise the following concerns.

- * Overlooking.
- * Impact on House Prices.
- * Overshadowing.
- * Increase in Noise.
- * Character and Appearance.

4.0 APPRAISAL

4.1 The single storey pitched roofed side extension will replace an existing lean to utility area running flush with the boundary shared with No.21, Chantry Gap. Concerns have been raised regarding loss of light to the eastern elevation of the aforementioned bungalow. The hipped design of the extension in conjunction with the orientation of the properties (facing south) and the provision of an existing driveway are considered to mitigate any detrimental impact. This is particular pertinent when two of the windows are secondary to main habitable rooms and the other provides light to a bathroom.

4.2 The front dormer has been aligned with the large ground floor level following revisions. Approx. 29 metres have been provided to the front elevations of the properties opposite, which exceeds the guidance set out in the "Guide to Extensions and Alterations to Private Dwelling Houses", therefore the potential for overlooking (loss of privacy) is considered to be minimal.

4.3 Although the applicant proposes to build up to the shared boundary the potential for terracing is considered to be minimal. The hipped roof will ensure that a gap always remains between No.21 and the applicants' property, even if the neighbours proposed to do something similar. The layout of the surrounding street scene and in particular "spaces between buildings" also eliminates the potential for any future terracing.

4.4 Concerns have been raised regarding the "devaluation of property", this is not a material planning consideration and can not be considered in this instance.

4.5 The applicants' proposals are considered to comply with Policies GP1 and H7 of the Local Plan, which require that developments respect or enhance the local environment and require extensions to be of an appropriate design and scale, respecting the space between dwellings and mitigating any amenity impact, and design guideline 12 of the Poppleton VDS which requires the size, scale and massing of extensions to harmonise with neighbouring properties and spaces.

5.0 CONCLUSION

The applicants proposals are considered to be acceptable in this instance and are therefore recommended for approval

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

011/03/07/A/ Rev A- Proposed Dormer Bedroom and Utility Extension

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

3 VISQ1 Matching materials

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no doors, windows or other opening additional to those shown on the approved plans shall at any time be inserted into the side elevation of the single storey extension hereby approved.

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

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 visual and residential amenity. As such the proposal complies with Policies H7 and GP1 of the City of York Development Control Draft Local Plan.

Contact details:

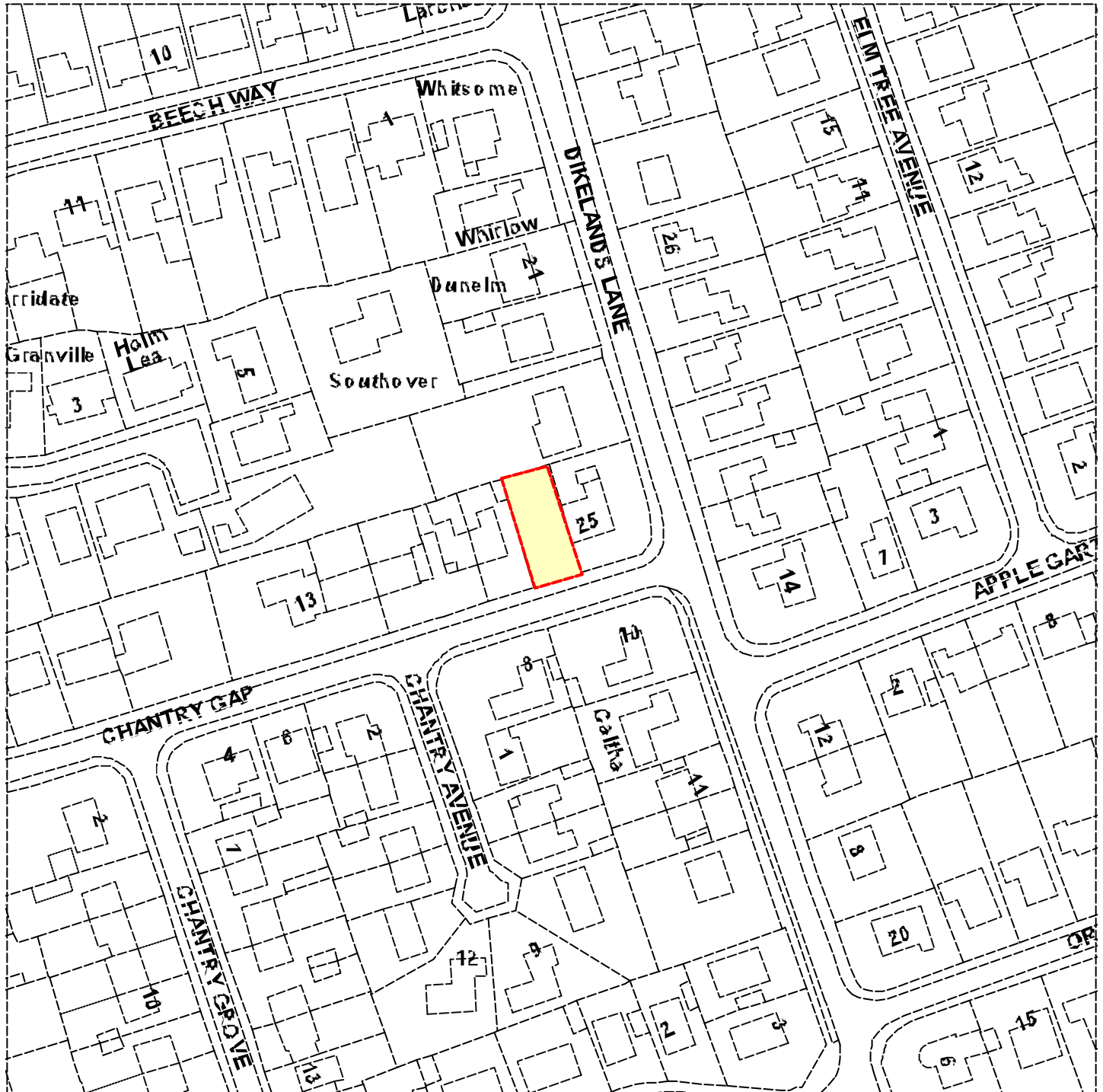
Author: Richard Mowat Development Control Officer

Tel No: 01904 551416

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23 Chantry Gap

Ref 07/00665/FUL



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Organisation	City of York Council
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