



#### Notice of meeting of

#### **East Area Planning Sub-Committee**

**To:** Councillors Hyman (Chair), Cregan (Vice-Chair),

Douglas, Firth, Funnell, B Watson, Moore, Orrell, Taylor

and Wiseman

**Date:** Thursday, 9 September 2010

**Time:** 2.00 pm

**Venue:** The Guildhall, York

#### AGENDA

Members are advised to note that if they are planning to make their own way to the Site Visits to let Judith Cumming know by **5.00 pm** on **Tuesday 8 September** on **(01904) 551078**.

#### 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. Minutes** (Pages 4 - 8)

To approve and sign the minutes of the meeting of the Sub-Committee held on 14 January 2010.

#### 3. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Sub-Committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is **Wednesday 8 September** at **5.00 pm**.



#### 4. Plans List

To determine the following planning applications related to the East Area.

# a) Robert Wilkinson Primary School, West (Pages 9 - 17) End, Strensall, York YO32 5UH (10/01192/GRG3)

This application proposes the construction of a vehicle parking area on an area of land at the front of the school building and in the southern corner of the Robert Wilkinson Primary School site. [Strensall] [Site Visit]

## b) 34 Eastward Avenue, York. YO10 4LZ (Pages 18 - 33) (10/00258/FUL)

This application proposes a two storey rear extension with balcony, two storey extension to front incorporating porch, alterations to roof, with gates, brick piers, wall and railings to front. The proposal has been amended since it was first submitted. [Fulford] [Site Visit]

## c) 2 Heathfield Road York YO10 3AE (Pages 34 - 39) (10/01101/FUL)

This application seeks permission to erect a two storey side extension and single storey rear extension to a three bedroomed hipped roof semi-detached house.

The application has been brought to committee at the request of a local Member and because of the level of local interest in the application. [Hull Road] [Site Visit]

## d) The Lodge, Heslington Lane, Heslington, (Pages 40 - 46) York. YO10 5DX (10/01110/FUL)

This is application is for a single storey wrap around extension, on the north west corner of The Lodge, Heslington Lane, Heslington. The proposal seeks to create additional residential accommodation in the form of four bedrooms and a lounge.

The application has been called in to Committee by Councillor Aspden, due to the concerns of the Parish Council. [Heslington] [Site Visit]

## e) The Lodge, Heslington Lane, Heslington, (Pages 47 - 51) York. YO10 5DX (10/01111/LBC)

This is a listed building application for a single storey extension to the side and rear of the north west corner of The Lodge, Heslington Lane. [Heslington] [Site Visit]

## f) 7 Steadings Yard, Thompson Drive, (Pages 52 - 55) Strensall, York YO32 5WT (10/01581/FUL)

Planning permission is sought to replace an existing external door and window serving a kitchen/ living area with wooden framed fully glazed doors and a UPVC window on the rear elevation of the dwelling. Planning permission is required because permitted development rights were removed for such alterations on the original planning approval for proposed residential development (Ref No: 3/131/191A/PA &3/131/191AD/PA).

This application has been brought to Committee as the applicant is an employee of the City Of York Council. [Strensall]

### 5. Urgent Business

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

6.

#### **Democracy Officer:**

Name- Judith Cumming Telephone – 01904 551078 E-mail- judith.cumming@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

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#### **Scrutiny Committees**

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

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- 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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### **EAST AREA PLANNING SUB COMMITTEE**

#### SITE VISITS

## Wednesday 8<sup>th</sup> September 2010

## Members of the sub-committee to meet at Union Terrace Car Park at 10.00

TIME (Approx)		
10:20	Car park at Robert Wilkinson School, Strensall	4a
10:55	2 Heathfield Road, Hull Road	4b
11:20	The Lodge, Heslington	4c & 4d
11:45	34 Eastward Avenue, Fulford	4e

City of York Council	Committee Minutes
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	14 JANUARY 2010
PRESENT	COUNCILLORS DOUGLAS, CREGAN (VICE- CHAIR), FIRTH, HYMAN (CHAIR), FUNNELL, KING, MOORE, ORRELL, TAYLOR AND WISEMAN

#### 42. INSPECTION OF SITES

Site	Attended by	Reason for Visit
Bonneycroft, Princess Road, Strensall, York.	Cllrs Hyman, Moore, Orrell and Wiseman	To familiarise Members with the site.
4 Stockton Lane, York.	Cllrs Hyman, Moore, Orrell and Wiseman	To familiarise Members with the site.

#### 43. DECLARATIONS OF INTEREST

At this point in the meeting, members were asked to declare any personal or prejudicial interests they have in the business on the agenda.

Councillor Wiseman declared a personal non-prejudicial interest in item 4a (Fossbank Kennels), as she is a Member of Earswick Parish Council, although she had not been involved with the application in any way.

All Members declared a personal interest in item 4a as they had received letters to their home addresses from the agent.

#### 44. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: To exclude the press and public during the

consideration of agenda item 5 on the grounds that it contains information which is classed as exempt under Paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order

2006.

## 44a Fossbank Boarding Kennels, Strensall Road, York, YO32 9SJ (09/01956/OUT)

Members considered an outline planning application for the redevelopment of a Kennels and Cattery to provide three detached dwellings.

Officers advised Members of the following information:

- Since the report was written, the Council's drainage department had objected as a result of insufficient information to enable the impact of the proposals on existing drainage systems to be properly assessed.
- The distance from the houses to the south from the kennel block is 55.5m.
- In respect of noise complaints, the Council's Environmental Protection Unit's database which has records to 2003, there has been only one registered complaint, which was in 2008.
- The Licensing regime is only concerned with animal welfare and not hours of operation.
- Members were reminded of Green Belt policy and whether there were any very special circumstances that are considered to outweigh the harm by definition to the Green Belt.

Representations in support of the application were heard from the applicants agent. He advised that the application had been developed as a result of a decline in business in recent years. Due to the development of a housing estate to the North of Earswick, dwellings now lie within approximately 50m of the site, making it difficult to run the business as a kennels. He felt that the proposals would not cause harm to the Green Belt and that there had been no objections from the community. The plans are indicative and are open to discussion. He advised that in his opinion, the site is sustainable.

Members raised concerns regarding the shared driveway which would serve the proposed dwellings and the fact that the driveway runs close to the ground floor windows of the existing dwelling. They also expressed concern about development in the Green Belt and felt that there were no very special circumstances to justify the proposal.

RESOLVED: That the application be refused.

REASON:

1.It is considered that the proposal to erect three new houses on a site outside the defined settlement limit of earswick and within an area identified in the York Green Belt Appraisal (February 2003) as a coalescence buffer, would constitute inappropriate development that, by definition, would be harmful to the Green Belt. Additional harm would be caused to the Green Belt by reason of the change in the open and rural character and appearance of the site and

would be contrary to the purposes of including land within the Green Belt. It is accepted that the removal of a noise source with the potential for disturbance to local residents is capable of constituting very special circumstances, to be weighed against the identified harm to the Green Belt. On balance, however it is considered that this benefit does not justify the erection of three detached houses and does not clearly outweigh the harm caused to the Green Belt by reason of inappropriateness and additional harm to its open character and appearance and the purposes of including the land in the Green Belt. The proposal is, contrary to national planning policy contained in Planning Policy Guidance Note 2: "Green Belts" and local planning policies GB1 and GB6, contained in the City of York Draft Development Control Local Plan (incorporating fourth set of changes).

2. The proposal would involve the shared use of the driveway that serves the existing dwelling and its associated business by the separate and unrelated occupiers of the proposed three houses. This driveway runs along the side gable of the existing dwelling in close proximity to ground floor habitable room windows. As a result, there would be the potential for increased levels of noise and disturbance to the detriment of the residential amenity of the future occupiers of this existing dwelling and the quality of their immediate environment. The proposal would therefore conflict with Policy GP1 (paragraph I) of the City of York Draft Development Control Local Plan and objectives of Central Government advice the contained within Planning Policy Statement 1 'Delivering Sustainable Development' and Planning Policy Statement 3 'Housing' which seek to achieve a high quality residential environment.

#### 44b 56 Tang Hall Lane

Members considered a full application for the erection of a detached two bedroomed house within the rear garden area of 56 Tang Hall Lane. Access to the property is proposed from Hornby Court.

Officers advised that the difference in site levels noted at the site visit could be addressed either by a condition requiring the submission of further details, including cross-sections or deferral to allow the agent address the matter prior to determination.

The applicants agent advised Members that in his opinion, the dwelling would not have a detrimental effect on any of the neighbouring properties. In answer to Members questions, he advised that although the piece of land attached to the site was indicated as a play area on the originally approved plans, no condition or Section 106 Agreement had been imposed that required it to be provided. The land had subsequently been sold to an adjacent occupier and was now in the ownership of the applicant.

Members approved the application with the conditions detailed in the Officers report and the additional conditions as detailed below.

RESOLVED:

That the application be approved subject to the conditions listed in the Officers report and the following additional conditions:

Condition 16 – Prior to the commencement of the development, full details (including cross sections) shall be submitted to and approved in writing by the Local Planning Authority indicating the relationship of the proposed development to the turning head within Hornby Court. The submitted details shall indicate how the difference in levels between the development site and Hornby Court are to be resolved. The development shall be carried out in accordance with the approved details.

REASON – In order that the difference in levels can be resolved and to ensure an acceptable form of development.

Condition 17 – Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and thereafter the development shall be carried out in accordance with the approved details.

REASON – So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site to comply with guidance contained within Planning Policy Statement 25 (Development and

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Flood Risk) and that provision has been made to maintain the proposed drainage system.

REASON: In the opinion of the Local Planning Authority the

proposal subject to the conditions listed in the officers report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to design and landscape, highways and impact on residential amenity. As such the proposal complies with Policies GP1, H4a, GP10 of the City of

York Development Control Local

#### 45. ENFORCEMENT CASES UPDATE

Members considered a report which provided them with a quarterly update on the number of enforcement cases currently outstanding for the area covered by East Area Planning Sub-Committee.

RESOLVED: That Members note the report.

REASON: To update Members on the number of outstanding

enforcement cases within the Sub-Committee area.

Councillor K Hyman, Chair [The meeting started at 2.00 pm and finished at 3.00 pm].

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## Agenda Item 4a

#### COMMITTEE REPORT

**Date:** 9 September 2010 **Ward:** Strensall

Team: East Area Parish: Strensall With Towthorpe

Parish Council

**Reference:** 10/01192/GRG3

**Application at:** Robert Wilkinson Primary School West End Strensall York YO32

5UH

**For:** Replacement of existing parking area to rear of school with new

parking area to front of school served by new access road from Haxby Moor Road, and with associated landscaping works and

tree planting

By: Mr Richard Ludlow

**Application Type:** General Regulations (Reg3)

Target Date: 12 August 2010

**Recommendation:** Approve

#### 1.0 PROPOSAL

#### **1.1 SITE**

The application relates to an area of land within an existing primary school site within the village of Strensall. The site is on the corner of West End and Haxby Moor Road. It comprises the school buildings, with playgrounds to the front and rear of the school and a sports field and multi-use games area (MUGA) to the rear. The remaining land within the site is largely grassed with trees and planting. Access to the site is via West End at the front for pedestrians and Haxby Moor Road at the side for staff and visitor cars, leading to an unmarked vehicle parking area on the land to the west of the school, playground and MUGA. The school site falls outside the Strensall Conservation Area (no. 23). It lies outside Flood Zone 3 (high probability), though part of the site falls within flood zone 2 (medium probability). The site has boundary hedging and trees adjacent to the boundary though within the site.

#### 1.2 PROPOSAL

The application proposes the construction of a vehicle parking area on an area of land at the front of the school building and in the southern corner of the school site. It would provide parking for 34 vehicles with 3 of these being for disabled users. A new access of double width to allow vehicles to pass is proposed from Haxby Moor Road, approximately 55m south of the existing vehicle entrance. The parking area would have a tarmac access road and disabled parking bays with porous surface parking bays due to the proximity of these to the existing trees on site. There are 22 trees within the site, five of which would be removed as part of the development with two more proposed to have two low branches removed. The surface of the existing parking area further to the west would be removed, re-soiled and seeded.

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A Design, Access and Sustainability statement has been submitted to support the application. This gives background about need, the proposed design, access and safety and sustainability issues. The proposal would allow the problems with the existing car park area to be addressed - these are: that it has been identified as a potential health and safety hazard with no barriers to the children's play area and no lighting and it has a plastic mesh surface which has sunk and results in staff parking on the road when muddy. The grassed area where the car park is proposed currently has no activity use for the school and is well-screened.

#### 1.3 HISTORY

Various applications have been submitted for the school. An application for the replacement car park was submitted in 2009, but withdrawn due to lack of suitable plans and information.

#### 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

Schools GMS Constraints: Robert Wilkinson Primary 0218

2.2 Policies:

CYGP1

Design

CYGP4A

Sustainability

CYNE1

Trees, woodlands, hedgerows

CYED1

Primary and Secondary Education

CYED11

Protection of Playing Fields

#### 3.0 CONSULTATIONS

3.1 PUBLICITY:

3.2 INTERNAL

Highway Network Management

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No objections in principle, however, it is recommended that condition about vehicle areas being surfaced be applied.

Design, Conservation and Sustainable Development (Arboricultural and Landscape) The plans are improved. Requests conditions regarding tree protection and mitigation.

#### 3.3 EXTERNAL

Strensall Parish Council - Does not object but makes following comments:

- Existing access should be used in emergency only;
- Highway Department should be consulted;
- Existing fence should be realigned as necessary;
- Green area should be fenced off from access road to prevent illegal parking.

Letter from one local resident raising following points:

- Pleased to see improved tree retention and mitigation;
- Retro step to replace grassed area with car park;
- Green areas in schools should be preserved.

#### 4.0 APPRAISAL

#### 4.1 KEY ISSUES:

- principle of development;
- visual impact:
- trees:
- residential amenity;
- highway safety;
- flood risk.

#### 4.2 POLICY CONTEXT

Relevant Central Government guidance is contained in Planning Policy Statement 1: Delivering Sustainable Development (PPS1) and Planning Policy Statement 25: Development and Flood Risk (PPS25). PPS1 states that development should seek to take the opportunity of improving the character and appearance of an area and the way in which it functions. PPS25 seeks to guide development away from areas with a high probability of flooding and to ensure that development addressing the impact it may have on flood risk.

The City of York Draft Local Plan policies are summarised in section 2.2.

#### 4.3 PRINCIPLE OF DEVELOPEMNT

The proposal involves the provision of a car park within the school grounds and to serve the school. The site falls within the defined settlement limit for the village and the land would fall within the definition of previously developed land. It would not result in the loss of any of the playing fields or sports facilities that serve the school

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and wider community. The supporting statement confirms that the school does not actively use the grassed area at present.

#### 4.4 VISUAL AMENITY

The car parking area would be visible from the public highway and neighbouring properties, given its location at the front of the site and forward of the school building. This would be particularly in winter when the vehicles would be more likely to have their headlights are on. The presence of the car park would be largely screened by the boundary hedging and trees that follow the boundary along this part of the school's boundary. There are two points at which views into this area would be more open and the car park be more obvious from outside the site. These are: firstly, along the double width entrance on Haxby Moor Road, where the boundary hedging and a golden sycamore are to be removed; and secondly, through the gap in the trees on West End created by the removal of the dead cherry tree and where four parking spaces would extend to within 0.5m of the site boundary.

Whilst the proposal would change the appearance of this part of the site and along Haxby Moor Road, it is considered that this would not result in significant harm to the overall character and appearance of the area. This is largely because of the grassed area outside the site that is adjacent to the junction of West End and Haxby Moor Road and the retention of the majority of boundary hedging and trees. It is also not uncommon for vehicle parking areas to serve schools to be at the front of school sites. In addition, then impact would be balanced by the removal of the existing car park further to the west, which would be re-soiled and seeded.

#### 4.5 TREES

The site contains some medium and large mature trees, which make a positive contribution to the appearance of this part of the village. The majority of these trees, particularly adjacent to the site boundary, are to be retained and the Council's Arboriculturist has confirmed that he is satisfied with the scheme providing there is adequate tree protection during construction. Five of the trees are to be removed, one because it has been identified as being dead and four to allow for the scheme to go ahead. Compensatory tree planting is proposed.

#### 4.6 RESIDENTIAL AMENITY

The main affect on surrounding residents would be from the provision of the new vehicular access road. This would exit the site opposite the rear gardens of 1 and 5 Leyfield Close. These properties do already back onto a public highway and close to the existing vehicle entrance to the school. As a result, they have high boundary enclosures with Haxby Moor Road that would help minimise any impact from vehicles entering or leaving the site. In addition, due to the nature of the site user, traffic movements would be predominantly during daytime hours and not late into the evening, thereby reducing disturbance.

The car parking area itself would be at a distance of more than 23m to surrounding residential properties and separated by a public highway, hedging and trees. As

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such, it would not to cause harm to the amenity that the occupants of these properties can reasonably expect to enjoy.

A local resident has written concerned about the impact the development will have on the school pupils and the view from the nearest classrooms that face the proposed parking area. Two trees and a hedge are indicated on the proposed plan to soften views from within the school building of the car parking area. In addition, any loss of amenity should be balanced against the benefits to the health and safety of pupils from separating vehicles from play areas and the additional play space created by the removal of the existing parking area at the side of the MUGA.

#### 4.7 HIGHWAY SAFETY

The proposal creates a new vehicular access on Haxby Moor Road, further towards the junction of this road with West End. The existing entrance and gates are to be retained for emergency access only. The new access is double width and would allow simultaneous access and egress. It would be sited away from the junction with Leyfield Close and there would still be a distance of approximately 36m to the junction of with West End. Information submitted previously by the school has demonstrated that the number of parking spaces proposed is below the maximum figure that the school, due to its size and number of staff, could look to provide. The school also refer to problems with on street parking that has caused concern for local residents. As a result, the Council's Highway Engineer raises no objections in principle subject to vehicle areas being surfaced.

#### 4.8 FLOOD RISK

The proposal would involve the change of a currently grassed area to hard standing, although only the access road and disabled parking bays would be hard surfaced. The main parking bays would be of porous material. The Council's Drainage Engineer has been consulted and his response is awaited.

#### 5.0 CONCLUSION

5.1 The proposal is considered to be acceptable in planning terms, providing there is appropriate tree protection and replacement planting. This is subject to the drainage of the area being acceptable.

#### **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:-

Drawing no.: RWCP/101 'Plan as proposed', dated 5 May 2010 and received 2 June

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2010;

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

3 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.

Protective fencing to BS5837: 2005 shall be erected around all existing trees shown to be retained (and neighbouring trees where they may also be affected). Before the commencement of development including site clearance or other operations, including the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing to be shown on a plan; phasing of works; type of construction machinery/vehicles to be used; arrangements for loading/off-loading; parking arrangements for site vehicles; locations for storage of materials; and any site cabins. The protective fencing line shall be adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles; there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches, pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which make a significant contribution to the amenity of the area.

No works shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: In the interests of the visual amenity of the area and to replace those trees removed as part of the development.

6 Within two months of the car park hereby approved being brought into use, the surface of the existing car park at the school shall be removed, re-soiled and seeded to the satisfaction of the Local Planning Authority. Protective fencing shall be provided around the seeded area until it becomes properly established.

Reason: In the interests of visual amenity

## 7.0 INFORMATIVES: Notes to Applicant

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#### 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:

- principle of the development;
- visual impact;
- trees;
- residential amenity;
- highway safety;
- flood risk.

As such the proposal complies with national planning guidance contained within Planning Policy Statement 1 ("Delivering Sustainable Development"), Planning Policy Statement 25 ("Development and Flood Risk"), and Policies GP1, GP4a, NE1, ED1 and ED11 of the City of York Development Control Local Plan.

#### **Contact details:**

**Author:** Hannah Blackburn Development Management Officer

**Tel No:** 01904 551325

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#### COMMITTEE UPDATE - 9.9.2010

<u>Plans Item 4a – Robert Wilkinson Primary School, West End, Strensall (10/01192/GRG3)</u>

- 1. Section 3.1 PUBLICITY should read, 'The application was publicised by way of letters to internal and external consultees, local residents and a site notice was posted, which expired on 22.7.2010.
- 2. A response has been received from the Council's Drainage Engineer stating that the development is in a low risk Flood Zone 1 and should not suffer from river flooding. Whilst the application states that the tarmac roadway would run-off intot he existing stormwater system, the Engineer considers that insufficient information has been provided to determine the potential impact the proposals may have on the existing drainage systems. However, his memo does state that the development should be designed to drain to specified criteria and therefore a condition is recommended to be attached to any approval to address this issue, this should read:

No development approved by this permission shall be commenced until details of surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

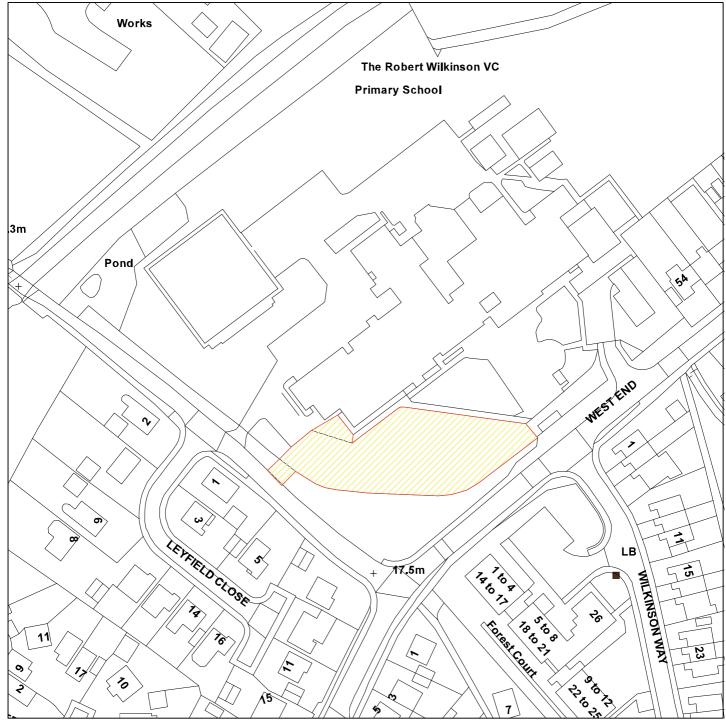
Reason: So that the Local Planning Authority may be satisfied with these details in the interest of the proper drainage of the site, and to comply with guidance contained within Planning Policy Statement 25: Development and Flood Risk and that provision has been made to maintain the proposed drainage system.

INFORMATIVE: The details shall include the attenuation of peak run-off to 70% of the existing rate (based on 140l/s/ha of connected impermeable areas). Storage volume calculations, using computer modeling, 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 1:10 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modeling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

## 10/01192/GRG3

### Robert Wilkinson Primary School, Strensall





**Scale:** 1:1250

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Organisation	City of York Council
Department	Planning & Sustainable Development
Comments	Application site
Date	27 August 2010
SLA Number	Not set

Produced using ESRI (UK)'s MapExplorer 2.0 - http://www.esriuk.com

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## Agenda Item 4b

#### COMMITTEE REPORT

Date: 9 September 2010 Ward: Fulford

Team: East Area Parish: Fulford Parish Council

Reference: 10/00258/FUL

**Application at:** 34 Eastward Avenue York YO10 4LZ

**For:** Two storey rear extension with balcony, two storey extension to

front incorporating porch, alterations to roof, with gates, brick

piers, wall and railings to front (resubmission)

By: Mr Ahmed Karbani
Application Type: Full Application
Target Date: 5 May 2010
Recommendation: Approve

#### 1.0 PROPOSAL

- 1.1 SITE: The application site, 34 Eastward Avenue, is a semi detached 1930s property, which shares its rear boundary with Fulford School. There is a large detached garage located at the end of the rear garden, which was granted retrospective planning permission in August 1997. Alterations have also been undertaken to the front bay windows of the property.
- 1.2 PROPOSAL: The proposal has been amended since it was first submitted. These revisions represent a reduction in the extent of development on the site. Permission is now sought for the erection of the following:
- (i) part single/part two storey rear extension to accommodate ground floor kitchen/dining area and first floor bedroom extension. Dimensions are approximately 3.6m long at ground floor and 2.5m long at first floor by 5.1m wide. The eaves line would be similar to that of the main house, with the ridge approximately 1.4m lower;
- (ii) part single/part two storey front extension, to accommodate ground floor porch measuring 1.5m long x 2.2m wide x 3.3m high (hipped roof) and bedroom extension at first floor projecting 600mm from the main front wall of the house (flat roof to continue that of the existing bay);
- (iii) roof extension changing side hipped roof to full gable as continuation of roof of main house - this is considered to be permitted development under the changes to the General Permitted Development Order which came into force in October 2008;
- (iv) front boundary enclosure comprising two pairs of vehicular gates and one central pedestrian gate with brick supporting piers on either side and between the three openings (four piers in total). The maximum height of the piers, including the decorative acorn-shaped stone features, is 1.5m. The gates would be curved at the top with a maximum height to the top of the curve of 1.55m.

Application Reference Number: 10/00258/FUL Item No: 4b

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- 1.3 APPLICANT'S CASE: No written submission has been received, but the applicant previously confirmed verbally to this officer that the intentions of extending the property are to:
- accommodate additional family members, including individuals with disabilities;
- plan for the future needs of family members, including individuals with disabilities;
- increase security at the property following racially motivated incidents of anti-social behaviour and crime at previous address and fear for future incidents.
- 1.4 HISTORY: This is the third application submitted for similar extensions to the property.

08/02007/FUL - Refused in 2008 on the grounds of residential and visual amenity. The proposal included a 5m long rear two-storey extension, part single/part two storey front extension, extension to roof to form reduced hipped roof and 2.8m high front boundary wall/gates/railings. Following the refusal, pre-application discussion took place resulting in a letter being sent to the applicant, with accompanying plan, setting out what was considered to be an acceptable volume of extension.

09/01988/FUL - Refused in early 2010 on the grounds of residential and visual amenity. The proposal was little different to that previously refused in terms of extent of development and included an over-sailing roof to the wider rear extension and steep gable feature to the front extension above the eaves of the main house roof.

1.5 MEMBER INTEREST: Councillor Aspden has called the application to committee because it represents overdevelopment of the area and does not match other properties in the street. He supports the objections/comments of Fulford Parish Council on this application.

#### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

Schools GMS Constraints: Fulford 0246

2.2 Policies:

CYH7

Residential extensions

CYGP1 Design

#### 3.0 CONSULTATIONS

Application Reference Number: 10/00258/FUL Item No: 4b

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3.1 PUBLICITY: The application has been re-advertised since the submission of the revised drawings. The consultation period expired on 25.8.2010.

#### 3.2 INTERNAL

**Highway Network Management** 

No objections. Request condition HWAY10 (Vehicular areas to be surfaced, sealed and positively drained)

#### 3.3 EXTERNAL

#### North Yorkshire Police

Does not consider that sufficient evidence has been submitted to support the applicant's proposals for the front boundary treatment. Secured by Design guidance advises that it is desirable for dwelling frontages to be open to view with walls, etc, being kept low (maximum height of 1m). There have been no reported crimes and only one report of anti-social behaviour (January 2010) connected with the application in the past twelve months. Advice was previously given by the Police Architectural Liaison Officer about alternative measures to protect the applicant's property, including CCTV, secure windows and doors, 2m high gates at the side of the property, security lighting, alarm system and fire proof letter boxes.

#### **Fulford Parish Council**

Objected to the application on following grounds, though no response received at the time of writing to the revised scheme.

- design of security gate is out of character for the streetscape;
- changing roofline of one of semis is detrimental to appearance of two semis and neighbouring houses and is incongruous in streetscape;
- size and height of extension will effect amenity of neighbouring properties at 32 and 36 with respect to light, shadowing and outlook;
- raised roofline of rear extension.

#### Local residents

Seven letters were received to the application from local residents, with two letters being received at the time of writing in response to the revised scheme. The concerns raised were numerous due to the various elements of the scheme. They relate to the impact of the proposal on:

- neighbouring residents amenity from loss of daylight and sunlight;
- the streetscene from the uncharacteristic front boundary wall;
- the precedent that would be established for other similar proposals;
- the upset to the community feel of the neighbourhood;
- the over-development that the various extensions along with the existing oversized garage would result in.

Application Reference Number: 10/00258/FUL Item No: 4b

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#### 4.0 APPRAISAL

#### 4.1 KEY ISSUES:

- Visual amenity
- Residential amenity
- Parking and highway safety
- Special circumstances

4.2 POLICY CONTEXT: Relevant Central Government planning policy is contained in Planning Policy Statement 1: Delivering Sustainable Development. This encourages good design and social inclusion. Paragraph 34 of PPS1 states that design which is inappropriate in its context or fails to take the opportunity of improving the character and quality of an area should not be accepted. It stresses the need of taking into account the needs of all the community, including particular requirements relating to age, sex, ethnic background, religion, disability and income.

Policies GP1 and H7 of the City of York Draft Development Control Local Plan (incorporating fourth set of changes) and advice in the Council's Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 are material to the consideration of the application.

- Policy GP1 sets out a series of criteria that the design of development proposals would be expected to meet. These include requirements to: respect or enhance the local environment; 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; and, ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.
- Policy H7 states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours.

#### 4.3 VISUAL IMPACT

The site lies on the south side of a straight road that is characterised mainly by semidetached houses. Whilst the design and external appearance of houses differ, there is a strong building line at the front and a regular rhythm and spacing of properties along the street. There are examples of the addition of porches and canopies above the original front entrance door, though these are of limited projection. The predominant treatment to front boundaries along the street comprises low walls with infill planting or front boundary enclosures, though there are some examples of railings above dwarf walls.

The proposal represents a reduction in the extent of development over previous schemes. The rear extension is much reduced in its length and height, especially at first floor and so would not be unduly prominent from the street. The front porch has

Application Reference Number: 10/00258/FUL Item No: 4b

been reduced to a reasonable level of projection and the first floor element above the porch has a flat roof that continues that of the existing flat roofed bay window. In visual amenity terms, the proposal is now considered to be acceptable.

The walls and railings are still high at 1.5m and their design is uncharacteristic with others on the street, largely due to the inclusion of two sets of vehicle gates and individual design with four 'acorn' topped piers. There is another property on the street that has a dwarf wall with railings above and brick piers that exceeds 1m in height. The Police Architectural Liaison Officer has confirmed that there have not been any reported crimes at the property in the past twelve months and only one reported incident of anti-social behaviour. However, the applicant has continued to maintain in his proposals high boundary enclosures due his fear of crime. The presence of another high boundary enclosure on the street scene and perceived fear by the applicant could be considered to overcome the reservations about the height and design of the enclosure.

#### 4.4 RESIDENTIAL IMPACT

The main property affected would be no.36 Eastward Avenue, which is attached to the application dwelling to its east. The rear extension would be located close to the boundary, though set back from it by approximately 800mm. The extension has been significantly reduced to a projection of 3.6m at ground floor and 2.5m at first floor. The main impacts would be the overshadowing that would be caused to the rear of no.36 in the later afternoon (approximately 3pm onwards), in particular to the rear conservatory and in the summer months, before the sun passes beyond the houses. As the houses face south, the extension would not have much impact until this point, albeit the neighbouring occupants would be aware of the presence of the extension at all times of day. It is noted that the conservatory at no.36 has a largely solid wall adjacent to the boundary with the application site, except for a series of high level windows, and that the canted windows would extend beyond the extent of the two storey part of the proposed extension. The extent of overshadowing that the proposed extension would be likely to cause is considered to be within acceptable limits in planning terms, given the location of the properties in an urban area and that sunlight and daylight would not be affected for the majority of the day.

#### 4.5 HIGHWAY SAFETY

The proposal involves the erection of two sets of vehicular gates and one pedestrian gate at the front of the site. The set of gates adjacent to the eastern boundary of the site would not allow for a vehicle to park and the gates to be closed behind it as there is insufficient room (there is only a distance of 3m remaining on site with the gates in the open position). However, the Highway Officer notes that the replacement of a personnel gate at the side of the house with a 1.8m wide gate would allow for vehicles accessing through the western gate to access the side driveway and rear garage. Therefore no highway objections are raised.

#### 4.6 SPECIAL CIRCUMSTANCES

The applicant has verbally indicated to this Officer that the extensions to the property are required to, firstly, accommodate family members with disabilities (an internal lift

Application Reference Number: 10/00258/FUL Item No: 4b

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is proposed), secondly, plan for future family needs as well as, thirdly, to increase security at the site following racially motivated incidents elsewhere in the City. These requirements are material considerations and need to be balanced against any identified harm to the visual amenity of the area or residential amenity of local residents.

#### 5.0 CONCLUSION

5.1 There is a long history to the proposed developments at the site that seek to achieve the same needs for the applicant and his family. Concerns have been raised previously to the scheme due to the impact on visual and residential amenity. However, the current application incorporates reductions in the extent of development and meets the needs of the applicant whilst lessening the impact on the local environment and amenity of neighbours. On balance, the application is 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 in accordance with the following plans:-

Drawing nos. K/15-PL-05B, K/15-PL-06C,K/15-PL-07B, K/15-PL-08C and K/15-PL-09D dated 02/10.

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 door, window or other opening additional to those shown on the approved plans shall at any time be inserted in the side elevation of the property.

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

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listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity, residential amenity and highway safety. As such the proposal complies with 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.

#### **Contact details:**

**Author:** Hannah Blackburn Development Management Officer

**Tel No:** 01904 551325

Application Reference Number: 10/00258/FUL

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#### **COMMITTEE UPDATE - 9.9.2010**

#### Plans Item 4b – 34 Eastward Avenue, Fulford (10/00258/FUL)

- 1. The Council's Highway Engineer has confirmed that the minimum standard width to allow a vehicle to pass is 1.8m. This allows a vehicle to pass, though would not allow for doors to be opened. The pinch point created by the house and new pier to support the railings that is shown on the drawings is 1.8m. The remainder of the driveway beyond this is shown on the drawings as 2.2m. As a result, the Highway Engineer does not consider that there are sufficient highway safety grounds to refuse the application.
- 2. A petition with 19 signatories was handed to officers at the site visit. It raises the following points:
  - Rear extension will significantly impact on the amount of light to neighbours, with overshadowing and overbearing;
  - Overdevelopment of the back garden leaving little or no back garden a rear garden 12.2m x 8.5m would remain;
  - Unwelcome precedence;
  - Front boundary totally out of character and would appear over-obtrusive, destroying rhythm of the road and upsetting community feel.
- 3. Response to revised drawings from Fulford Parish Council, who welcome the reduction in size and massing of rear extension but continue to object due to:
  - Scale and massing of rear extension and impact on neighbours light, shadowing and outlook;
  - Design of gates, which are out of character and not justified by fear of crime.
- 4. An email has been received from a local resident requesting the imposition of two conditions if the application is approved:
  - Hours of construction to be added in the interests of residential amenity;
  - A condition preventing the erection of a wall or fence at the side of the house in the interests of highway safety.

Officers consider that the second suggested condition is acceptable and meets the required tests, but that the first is not normally attached to applications for household extensions.

5. Members should have received email correspondence from local residents prior to the Committee or circulated before you today.

46) Eastward Avenue Page 26







#### **Cumming, Judith**

From:

Cllr. K. Hyman

Sent:

08 September 2010 18:20

To:

Cumming, Judith

Cc:

Glazier, Simon

**Subject:** FW: Planning application 10/00258/FUL extension to 34EastwardAvenue - 9th September 2010

#### Judith

Another objection to table at the meeting. It has been sent to all members but not subs so can you bring a few copies please?

#### Keith

----Original Message----

From: scribblemoose@gmail.com [mailto:scribblemoose@gmail.com]On Behalf Of Helen Kenwright

**Sent:** 08 September 2010 14:49

To: Cllr. Brian Watson; Cllr. R. Moore; Cllr. D. Taylor; Cllr. K. Hyman; Cllr. S. Wiseman; Cllr. C. Funnell; Cllr.

P. Firth; Cllr. H. Douglas; Cllr. R. Cregan; Cllr. K. Orrell

Cc: Verna Campbell

Subject: Planning application 10/00258/FUL extension to 34EastwardAvenue - 9th September 2010

#### Dear Councillor,

I am emailing with regard to the planning application for 34 Eastward Avenue, which is on the planning committee agenda for 9th September [10/00258/FUL], as I am unfortunately unable to take time off work to attend the meeting in person.

I have a number of concerns with the application, and with the points made in the report you have received.

My main concern is that the proposed development is out of character with the surrounding area, and would provide a precedent which future developments might follow. There is also the fact that the parking area behind the new gates is unsuitable. The owner does not use the workshop/garage at the rear for parking purposes - access to the rear is boarded up as a matter of course with a hardboard structure above the level of the existing 5'+ wall (I noted that he had removed this structure prior to the Site Visit this morning, only to put it back again as soon as the visiting party had gone).

I also have worries that the owner is adapting the house not for family use but to enhance it's profitability as a rental property in the future - he is a landlord of other properties in the City and has rented out this house before. I have no problem with that in principle - I believe the City needs more affordable housing - but the modified building would have capacity for a large number of tenants: too many, I would argue, for the nature of the house and the street it's in. Most importantly, as this procedure of obtaining, converting and then renting out properties is the joint business of both the owner and his brother, the current resident, it makes it hard to believe that the huge extension to the house at the expense of the garden is for the needs of their family. The grand gates proposed, for example, make much more sense as the frontage for high rent flats. We are very aware that planning permission, once granted, cannot prevent these sort of changes later.

I would also like to comment on the applicant's concerns over racial attacks. We were shocked to hear that he had such fears and of course would wish him and his family to feel safe in their home. My husband, for example, approached the owner and secured his help so that he could improve provision for Muslim burial in Fulford cemetery, the city council's main burial site. But there has never been a threat of that nature in Fulford, which is well known for it's low crime rate and I believe there is evidence in research that suggests that overt security can encourage particular criminal activity rather than deterring it, if it is unusual in its setting.

Fulford in general and Eastward Avenue/Fulfordgate in particular is a friendly, cohesive neighbourhood. I have discussed issues of racism with asian neighbours elsewhere in the street and they assure me they feel very safe and welcome: in fact we have a new asian couple moving in just opposite the proposed development and they are very comfortable about the neighbourhood. While I do not wish to undermine the applicant's fears I do believe them to be unfounded, and am concerned that the development he proposes could backfire at a later date.

Finally, I am concerned about the building work and associated noise, dust and disruption which is likely to go on for an extended period of time. The applicant often conducts work of a noisy nature in the workshop to the rear of his property, often late into the night and at weekends, and when he built the workshop (without planning permission and higher than building regulations allowed) and again when he modified the front of the house a couple of years ago the work was protracted, noisy and caused significant inconvenience to his neighbours, including ourselves. (This in contrast to the work carried out to extend No 30 and no 36, which caused minimal disruption and only ever during reasonable hours).

This last point is a particular concern at the present time, as my husband is seriously ill and spending nearly all his time at home and requires rest and peace and quiet, as do other disabled residents in the vicinity. The work proposed would confine him to the house rather than him being able to sit out in the garden, which would cause even further distress at an already difficult time.

In summary, I ask you please to vote to reject this application at the meeting on Thursday.

kind regards,

Dr Helen Kenwright 32 Eastward Avenue York YO10 4LZ tel: 01904 628366 (home) 01904 770314 (work)

#### Cumming, Judith

From:

Cllr. K. Hyman

Sent:

08 September 2010 18:33

To:

Cumming, Judith

Cc:

Glazier, Simon

Subject: FW: Planning Application 10/00258/FUL

Judith

Another one. Only sent to me so will need copies for all.

Keith

----Original Message----

From: Philip Bell [mailto:member@eward30.freeserve.co.uk]

**Sent:** 07 September 2010 16:23

To: Clir. K. Hyman

Cc: Cllr. K. Aspden; verna.campbell@tiscali.co.uk Subject: FW: Planning Application 10/00258/FUL

#### Dear Councillor Hyman

It has come to our attention that you will be present at a site visit on Wednesday 8th Sept 2010 in connection with the above Planning submission and having just been made aware of the revisions to the scheme and assessed these, would make the following comments and ask you to take into account our views when reaching a decision, which we understand will be taken at committee on Thursday this week.

Whilst acknowledging the significant revisions to the design since the first application we would still contend the proposed gated frontage to the property is totally out of character with the rest of the streetscape, whereas we acknowledge that low railings ontop of boundary walls do exist within the Avenue the proposed double gates could not be described as similar in appearance.

With regard to the proposed extension to the rear of the property, the reduced projection from the existing building and the omission of the first floor terrace are welcome revisions, however, we would still question the validity of a 2 storey extension on the grounds this is likely to set an unwelcome precedent for future development to the rear of properties in the area.

Clearly the 'Rights of light' issues, in connection with this 2 storey extension, affecting the neighbouring properties Nos 32 & 36 you will no doubt address both during the site visit and at committee with your colleagues.

MR & MRS Bell

30 Eastward Avenue York

Message Received: Apr 07 2010, 07:36 PM

From: "Philip Bell"

To: planning.enquirieseast@york.gov.uk

Cc:

Subject: Planning Application 10/00258/FUL

Dear sir or madam

We write in response to the Resubmission of the Full Planning application currently under review 34 Eastward Avenue York YO10 4LZ 10/00258/FUL

The drawings submitted do in fact show minor revisions to the scheme namely the reduction in roof height i.e. ridge line to the two storey rear extension and retention of the hipped roof to the side of the existing property, however in all other respects the proposed extensions are ostensibly the same as the previously rejected application. In fact do not attempt to address the residents previous concerns with regard to the Architecture or Streetscape being inappropriate in relation to the Avenues' existing environment.

Granted the applicant has provided more detailed analysis of the sun pattern but we would remind you that we are not blessed with year long wall to wall sunshine in this part of the world and any natural light is a precious commodity for adjacent properties.

In the main our comments and objection (as outlined below) remain valid for this resubmission and therefore would urge members to reach the same conclusion, thereby rejecting this new application.

MR & MRS Bell

30 Eastward Avenue York

Message Received: Dec 13 2009, 03:27 PM

From: "Philip Bell"

To: planning.enquirieseast@york.gov.uk

Cc:

Subject: Planning Application 09/01988/FUL

Dear sir or madam

We write in response to the Full Planning Application currently under review 34 Eastward Avenue York YO10 4 LZ 09/01988/FUL

Eastward Avenue consists in the main Semi-detached properties built mid twentieth century all of which generally have retained either low boundary walls or privot style hedges fronting the street. There are a number of properties which have benefitted from extensions but these have been subject to previous Planning regulations and are sympathetic to the character and style in which the original houses were built.

The application in question has three distinct sections.

- 1. The provision of what can only be described as security fencing and gates to the front boundary abutting the public footpath is totally out of character with the rest of the street, their size and construction would be so imposing.
- 2. The two storey extension to the front of the property comprising ground floor porch, first floor extension to the line of the existing bay together with a pitched roof (which breaks up the line of the existing hipped roof) destroys the symmetry present in all other pairs of properties within the area. The size and look of this part of the application is totally unacceptable.
- 3.The two storey proposed extension to the rear by its very size will create great problems for the adjoining properties in respect of their natural light they currently enjoy and it is almost bound to deprive some properties further away from sunlight especially during the 3 seasons excluding summer. The proposed roofline exceeds that of the existing which I believe contravenes current Planning guidlines.

We would urge the Officers to deny this application as any of the three parts described above we believe would not only fall outside the Planning guidelines but such a development with its future look and inconvenience to neighbours would be totally detrimental to the nieghbourhood we currently enjoy.

MR & MRS Bell

30 Eastward Avenue York

### 10/00258/FUL

### 34 Eastward Avenue, YO10 4LZ





**Scale:** 1:1250

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Organisation	City of York Council	
Department	Planning & Sustainable Development	
Comments	Application site	
Date	27 August 2010	
SLA Number	Not set	

#### COMMITTEE REPORT

**Date:** 9 September 2010 **Ward:** Hull Road

Team: East Area Parish: Hull Road Planning Panel

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Reference: 10/01101/FUL

**Application at:** 2 Heathfield Road York YO10 3AE

**For:** Two storey side extension and single storey rear extension

By: Mr Mark Hutchinson
Application Type: Full Application
Target Date: 11 August 2010

**Recommendation:** Refuse

#### 1.0 PROPOSAL

- 1.1 The applicant seeks permission to erect a 3.1m deep single storey rear extension and a 4.1m wide part two-storey and part single-storey side extension. The single storey element tapers down to 3.0m in width at the rear. The side extension would be set back 0.5m from the existing front elevation of the house and 2.2m from the rear extension. The scheme has been reduced in scale from that which was originally submitted in June 2010.
- 1.2 The application property is a three bedroom hipped roof semi-detached house. The house is located towards the entrance of a narrow cul-de-sac that contains 16 houses.
- 1.3 There is no relevant planning history for the site, nor are there any site-specific policies or proposals relating to the site. The cul-de-sac contains one other two storey side extension this was approved in 2004 (04/0771/FUL).
- 1.4 The application has been brought to committee at the request of a local Member and because of the level of local interest in the application.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYH7

Residential extensions

CYGP1 Design

Application Reference Number: 10/01101/FUL Item No: 4c

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### CYH8

Conversion to flats/HMO/student accommodation

### 3.0 CONSULTATIONS

#### 3.1 Internal

Highway Network Management - No objections subject to details of surfacing.

#### 3.2 External

Hull Road Planning Panel - No objections though raise the following concerns:

- the scale of the extension is overbearing and disproportionate to the original dwelling
- impact on privacy of neighbours
- increase in vehicles will add to existing parking problems

### Neighbours

Letters of objections have been received from eleven addresses in Heathfield Road and three nearby properties in Millfield Lane. A local councillor has also expressed concerns.

Following the receipt of amended drawings only the occupier of 1 Heathfield Close was re-consulted as it was considered important that an opportunity was provided to the occupier to comment on the effect that the changes would have on light and privacy. The occupier still objects to the proposal and other neighbours also wrote to state that they still had objections to the development.

The issues that have been raised by neighbours are:

The proposal will clearly increase the number of students.

The cul-de-sac is a tight knit community of families and older people - student's lifestyles are incompatible with this.

The proposal will make worse the already poor parking situation caused by the narrowness of Heathfield Road.

Heathfield Road is an unadopted private road.

Occupiers drive up Heathfield Road to use the turning head, this is a hazard to young people playing there.

The proposal is an overdevelopment and an unduly large increase in the footprint of the building.

There will be the loss of privacy to the side and rear.

The development will cut out light to the property to the side (number1) and be oppressive in scale (a sunlight calculation from a private consultant acting on behalf of the occupiers of number 1 was included).

The proposal would be a precedent to other similar proposals.

Application Reference Number: 10/01101/FUL Item No: 4c

There would be more rubbish left in the garden - this would be an eye sore and detract from fire access.

The rear extension would be constructed over a public sewer.

Party wall issues.

The development may harm a local bat colony.

The immediate neighbour has suffered from noise for a long time. If the proposal is approved the party walls should have noise insulation installed and buffers added to doors to stop them slamming.

### 4.0 APPRAISAL

- 4.1 Key Issues:-
- Impact on streetscene
- Impact on neighbours
- Car parking
- " Studentification"
- 4.2 Development Control Local Plan Policy GP1 'Design' 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, spaces and vegetation. 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 Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft 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 the 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 Policy H8 relates to the conversion of dwellings to houses in multiple occupation. The relevance of this policy to the proposal is considered below.

### IMPACT ON THE STREETSCENE

4.5 The extension is set back from the front elevation and set down from the ridge. The materials and fenestration is sensitive to the house. The extension is relatively wide in relation to the original house, however, the spacing to the side garden boundary is such that it is not considered that the site would appear overdeveloped.

### **IMPACT ON NEIGHBOURS**

4.6 There is adequate separation to the front and rear. The attached property (number 3) has a conservatory to the rear. It is not considered that the 3.1m deep single storey rear extension would have an unreasonable impact in respect to light or outlook.

Application Reference Number: 10/01101/FUL Item No: 4c

4.7 The main neighbour affected is number 1. This property was visited. This property has kitchen and living room windows on the rear of the ground floor and bathroom and bedroom windows on the first floor. Because of concerns raised in respect to the impact on this property the applicant amended the scheme by moving the forward most part of the side extension away from the boundary and reducing the depth of the two-storey element. It is considered that these changes are sufficient to overcome concerns in respect to the impact on the rear openings of the house. It is still considered, however, that the proposal will have an unduly harmful impact on the very small rear garden of the property. There will still be single-storey development close to much of the boundary and the two-storey element will still be very oppressive; its south facing location will also be such that it will cut out sunlight during the midday period.

### **CAR PARKING**

4.8 The property has a wide front garden. There is space for off-street car parking for two or three vehicles (depending on the size of the cars) and also the potential to increase the car parking area further. It is considered that this is sufficient to meet the needs of the extended property. If permission were granted it is considered that a condition should be included requiring suitable surfacing and landscaping of the front garden. There is access to the rear for cycle parking.

#### 'STUDENTIFICATION'

- 4.9 From information contained in letters from neighbours it would appear that the property has been occupied by 3 or 4 students for several years, thus as from 6 April 2010 the property would automatically fall within the new C4 Use Class as a House in Multiple Occupation (HMO). Properties that were HMO's prior to 6 April 2010 do not require consent to continue in such a use. The C4 use class allows up to 6 unrelated people to occupy a dwelling house.
- 4.10 The applicant has stated that if permission is granted for the extensions, the property will be used as a family house. However, should it be decided instead to house up to 6 students (or other unrelated individuals) a further planning permission would not be required. It is also the case that if the existing rooms were let as double rooms, or the property extended using permitted development rights, then the number of people occupying the property (as an HMO) could increase up to a maximum of 6 without the need for planning permission.
- 4.11 Policy H8 (conversions) of the Local Plan relates to the conversion of houses to HMO's rather than their extension. Given that it would be relatively easy to add two ground floor bedrooms to the property using permitted development rights it is not considered that concerns in respect to the increase in occupant numbers would justify refusal. Nor is it considered that an increase in occupants from 3/4 to 6 would constitute an unacceptable intensification of the use, given the lawful status of the property as a House in Multiple Occupation. Some neighbours have expressed concerns that up to 12 people could occupy the extended house. However, planning permission would be needed if it remained as a HMO and there were more than 6 people occupants.

4.12 A number of neighbours have expressed concerns in respect to alleged existing and possible future noise and disturbance from its use as a 'student house'. From comments made by neighbours it would appear that the property is the only HMO in the cul-de-sac. It would be difficult to argue as such that there is an over concentration of such uses. It would seem that complaints relate to the alleged noisy behaviour of some occupants rather than there being an undue concentration. Although there is sympathy for any neighbours who may suffer from 'noisy neighbours', in planning terms this is not considered grounds to refuse the application for an extension, particularly bearing in mind the lawful status of the property as an HMO.

### 5.0 CONCLUSION

- 5.1 A large proportion of neighbours living in the vicinity have expressed the view that the extended property will still be occupied as a House in Multiple Occupation and have concerns in respect to the impact that this will have on the character and living conditions of people living in the cul-de-sac. It is not considered however, that the material impact of the possible increase in occupants from 3 or 4 to 6 is such to justify refusal. In considering this regard is given to the current opinion that such properties can typically be modified or extended to house 6 unrelated people without requiring planning permission.
- 5.2 However, although the proposed side extensions have been reduced in size from the original application it is considered that their length and scale along the side of the rear garden of 1 Heathfield Drive is still excessive. 1 Heathfield Drive has a very small rear garden and the resultant change in its character and the sun light levels within it go beyond that which would be considered reasonable.
- 5.3 It is recommended that the application be refused on the grounds of harm to the living conditions of 1 Heathfield Drive.

### **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Refuse

The proposed one and two-storey side extensions would be located in close proximity to much of the rear garden of 1 Heathfield Road. It is considered that if approved the development would leave the small space unduly enclosed by development and also result in excessive overshadowing. As such the proposal conflicts with policy GP1 (criterion I) and H7 (criterion d) of the City of York Draft Local Plan (fourth set of changes) approved April 2005 and advice contained within paragraph 1.33 of the City of York Council's Guide to extensions and alterations to private dwellings March 2001.

### **Contact details:**

**Author:** Neil Massey Development Management Officer (Wed/Thurs/Fri)

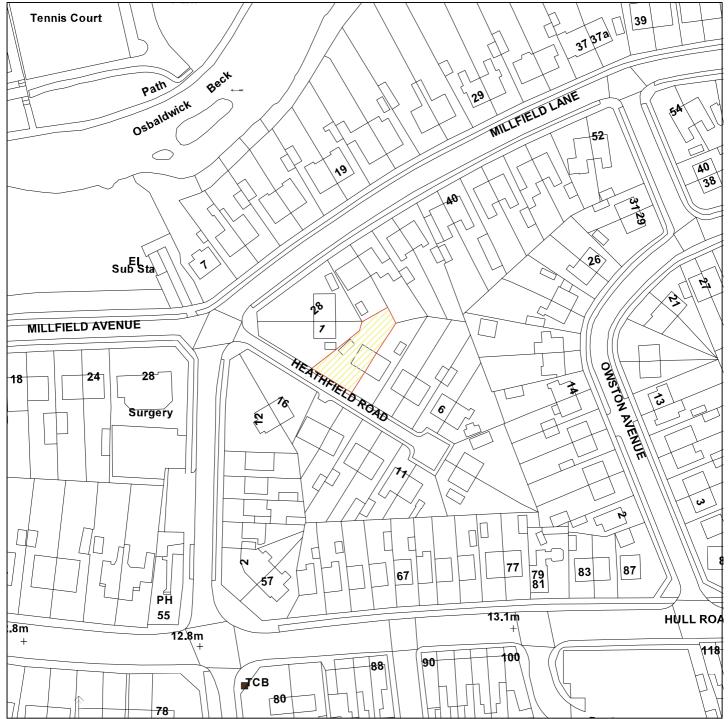
**Tel No:** 01904 551352

Application Reference Number: 10/01101/FUL Item No: 4c

### 10/01101/FUL

### 2 Heathfield Road, YO10 3AE





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Organisation	City of York Council	
Department	Planning & Sustainable Development	
Comments	Application site	
Date	27 August 2010	
SLA Number	Not set	

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## Agenda Item 4d

#### COMMITTEE REPORT

**Date:** 9 September 2010 **Ward:** Heslington

Team: East Area Parish: Heslington Parish Council

Reference: 10/01110/FUL

**Application at:** The Lodge Heslington Lane Heslington York YO10 5DX Single storey extension to North West corner of building

By: Colourscape Investments

**Application Type:** Full Application **Target Date:** 22 July 2010 **Recommendation:** Approve

### 1.0 PROPOSAL

- 1.1 This is an application is for a single storey wrap around extension, on the north west corner of The Lodge, Heslington Lane, Heslington. The proposal seeks to create additional residential accommodation in the form of four bedrooms and a lounge.
- 1.2 The Lodge is a substantial house dating from the early C19th. It has a later C19th side extension to the east and an extensive single storey wing was added to the rear in the late C20th to enable the building to function as a care home rather than a house. The building is listed at grade II, and it is situated in the Heslington conservation area.
- 1.3 Size. Projects approx 4.0m to side, and approx 4.8m to rear. Width approx 12.1m along the side, and approx 11.6m along the rear. Height Side element approx 2.3m to eaves, and approx 3.8m to ridge. Rear element approx 2.3m to eaves, and approx 4.5m to ridge.
- 1.4 The application has been called in to Committee by Councillor Aspden, due to the concerns of the Parish Council, who wish to have the opportunity to speak on the application
- 1.5 A separate application for listed building consent has been submitted, which is also considered on this agenda.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Heslington CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

Application Reference Number: 10/01110/FUL Item No:4d

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Listed Buildings GMS Constraints: Grade 2; The Lodge Heslington Lane

2.2 Policies:

CYGP1

Design

CYHE3

**Conservation Areas** 

CYHE4

**Listed Buildings** 

### 3.0 CONSULTATIONS

#### INTERNAL

3.1 Conservation Officer - Two responses received dated 27.07.10 and 25.08.10 respectively. Both expressed concerns about inaccuracies in the submitted plans, and subsequent revisions. The Conservation Officer's view was that 'the drawings are not sufficiently accurate to allow the effect on the listed building to be judged'

Highway Management - No objections 21.06.10.

### **EXTERNAL**

- 3.2 Heslington Parish Council 18.08.10. Object on the following grounds; considerable increase in the size of the footprint; loss of amenity to neighbours; front visual aspect detrimental to character and form of the village.
- 3.3 Neighbour Response Letters received from Walnut House, Walnut Close (2 letters), and The Garden House, Spring Lane. Concerns raised relate to:
- loss of natural light.
- proximity to boundary and existing windows,
- overshadowing,
- loss of privacy,
- increase in noise levels. Staff and residents are already noisy late at night and early mornings when residents are being attended to. Staff taking breaks, washing machines/tumble driers are already a source of noise,

Item No:4d

- a similar proposal has been refused in the past,
- insufficient room for maintenance.
- removal of trees in order to accommodate the new building

### 4.0 APPRAISAL

### 4.1 KEY ISSUES

Application Reference Number: 10/01110/FUL

Impact on the Listed Building Impact on the Conservation Area. Impact on neighbours

The relevant polices and guidance:

- 4.2 DRAFT LOCAL PLAN POLICY CYGP1 design sets out a series of criteria that the design of development proposals would be expected to meet. These include requirements to (i) respect or enhance the local environment, (ii) 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; (iii) 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; (iv) 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 (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.
- 4.3 DRAFT LOCAL PLAN POLICY HE3 states; planning permission, within conservation areas proposals for external alterations will only be permitted where there is no adverse effect on the character and appearance of the area.
- 4.4 Policy HE4 of the City of York Draft Local Plan says that listed building consent will only be granted for internal or external alterations where there is no adverse effect on the character, appearance or setting of the building.
- 4.5 Impact of the proposed extension on the conservation area: when determining planning applications, Local Planning Authorities have a duty to consider the desirability of preserving or enhancing the character or appearance of a conservation area (Section 72 of the Listed Buildings and Conservation Areas Act 1990)
- 4.6 PLANNING POLICY STATEMENT 5. The relevant Central Government planning policy is contained in Planning Policy Statement 5: Planning for the Historic Environment. PPS5 sets out the planning policies on the conservation of the historic environment. It requires local planning authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and ensure that new development makes a positive contribution to the character and local distinctiveness of the historic environment.

### 4.7 ASSESSMENT.

The proposal seeks to create additional residential accommodation by extending beyond existing extensions approved under Selby District Council in the latter part of the last century. The listing relates to features incorporated into the original house, built in the early 19th century. Whilst it is acknowledged that there are some discrepancies in the submitted drawings, these are not considered to be so significant that they prevent the application being determined. Following a meeting with the conservation officer on 26.08.2010, it was concluded that there were no

objections in principle to the scheme. It is anticipated that more accurate plans will be submitted by the applicant prior to the application being heard at committee, and the comments of the Conservation Officer can be updated accordingly.

- 4.8 CONSERVATION AREA. The proposed extension will be set back approx 37.0m from Main Street. It is modest in scale, and incorporates a hipped roof. Bricks and tiles will match existing. As with previous extensions, when the house was converted into a residential care home, this proposal maintains the separation of the two historic uses, rather than attempting to match the original house. As such, it is not considered to impact adversely on the character and appearance of the conservation area.
- 4.9 Parish Council's Comments The footprint of the building is significantly increased, however The Lodge occupies a very spacious plot. The set back of approx 37.0m from Main Street would significantly reduce the visual impact of the proposal, and only the relatively narrow frontage of the extension would be visible, thus its full extent would not be apparent from the public domain. As stated above, the differentiation of the two historic uses of The Lodge is well established. Given the modest scale of the proposal, and significant set back, it would not be considered to be detrimental to the character and form of the village.
- 4.10 IMPACT ON NEIGHBOURING PROPERTY. The side element of the proposed extension is approx 2.3m to eaves and approx 3.5m to ridge. The rear element is approx 2.3m to eaves and approx 4.2m to ridge. In terms of Garden House to the rear, the shared boundary is screened by a very high hedge, and the actual property is set a further approx 7.0m back. In terms of Walnut House to the side, this property is less well screened, and lies closer to the shared boundary. There is only one window indicated on the facing elevation. This is incorporated into one of the new bedrooms, and will be set back approx 3.0m from the shared boundary wall. In each case it is not considered there are any serious issues in terms of loss of privacy, overshadowing, or over dominance. The only communal room incorporated into the scheme, is that of the lounge. This will be set back approx 4.0m from the shared boundary of Walnut House. There are no windows indicated on the facing elevation. Again it is not considered there are any serious issues in terms of noise or disturbance.

### 5.0 CONCLUSION

5.1 The proposal is not considered to impact unduly on residential amenity or on the character or appearance of the conservation area, and is thus recommended for approval.

### **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

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- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out in accordance with the following plans:-

Revised Plan 712.002 Revision B - Received 4th August 2010.

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

3 VISQ8 Samples of exterior materials to be app

# 7.0 INFORMATIVES: Notes to Applicant

1. 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 effect on residential amenity and the impact on the character and appearance of the conservation area. As such, the proposal complies with Policies GP1 and HE3 of the City of York Development Control Local Plan- Incorporating the 4th Set of Changes (2005); and national planning advice contained within Planning Policy Statement 5 " Planning for the Historic Environment"

### Contact details:

**Author:** Paul Edwards Development Management Assistant

**Tel No:** 01904 551642

Application Reference Number: 10/01110/FUL

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### **COMMITTEE UPDATE**

### THE LODGE HESLINGTON

No objections raised by the conservation officer – points out that the proposed extension is modest in scale compared to the existing building. It is set some distance back from the historic building and screened to some extent by the existing wall. Although the extension will be visible, it will not detract from the setting of the listed building or harm the character or appearance of the conservation area.

### 10/01110/FUL

Additional condition

VISQ7 – Sample panel of external materials to be approved

### 10/01111/LBC

Additional conditions

VISQ7 – Sample panel of external materials to be approved

Notwithstanding illustrated door design, large scale drawing of door to front elevation

Large scale section through front elevation, illustrating eaves detail, window head detail, position of window in reveal, and sill detail

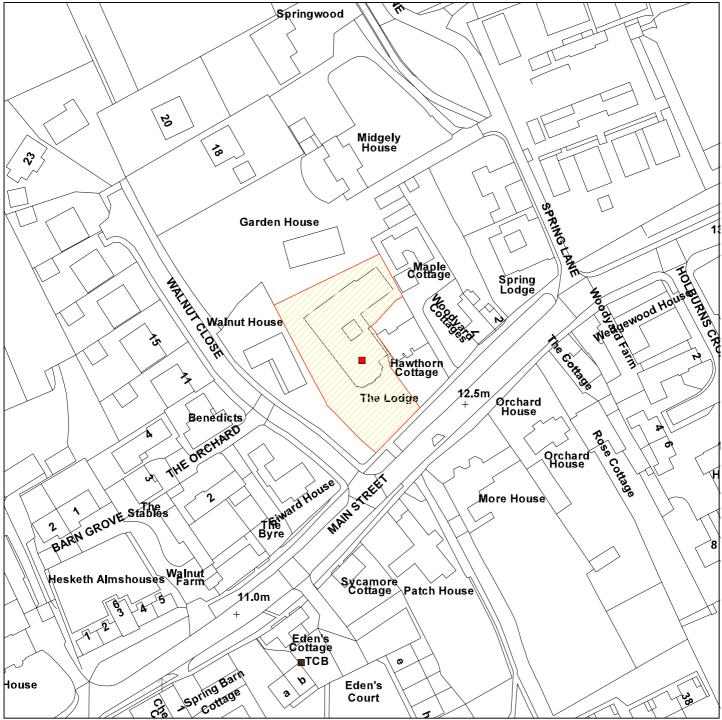
Large scale section drawings (1:1 or 1:2) of window to front elevation

Door and window to front elevation to be painted, colour to be agreed

### 10/01110/FUL

### The Lodge, Heslington, YO10 5DX





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Organisation	City of York Council	
Department	Planning & Sustainable Development	
Comments	Application site	
Date	27 August 2010	
SLA Number	Not set	

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## Agenda Item 4e

#### COMMITTEE REPORT

**Date:** 9 September 2010 **Ward:** Heslington

Team: East Area Parish: Heslington Parish Council

**Reference:** 10/01111/LBC

**Application at:** The Lodge Heslington Lane Heslington York YO10 5DX Single storey extension to North West corner of building

By: Colourscape Investments
Application Type: Listed Building Consent

**Target Date:** 22 July 2010 **Recommendation:** Approve

### 1.0 PROPOSAL

- 1.1 This is a listed building application for a single storey extension to the side and rear of the north west corner of The Lodge, Heslington Lane, Heslington.
- 1.2 The Lodge is a substantial house dating from the early C19th. It has a later C19th side extension to the east and an extensive single storey wing was added to the rear in the late C20th to enable the building to function as a care home rather than a house. The building is listed at grade II and it is situated in the Heslington conservation area.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Heslington CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

Listed Buildings GMS Constraints: Grade 2; The Lodge Heslington Lane

2.2 Policies:

CYHE4

**Listed Buildings** 

### 3.0 CONSULTATIONS

INTERNAL

Application Reference Number: 10/01111/LBC Item No: 4e

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3.1 Conservation Officer - Two responses received dated 27.07.10 and 25.08.10 respectively. Both expressed concerns about inaccuracies in the submitted plans, and subsequent revisions. The Conservation Officer's view was that 'the drawings are not sufficiently accurate to allow the effect on the listed building to be judged'

Highway Management - No objections 21.06.10.

#### **EXTERNAL**

- 3.2 Heslington Parish Council 18.08.10. Object on the following grounds; considerable increase in the size of the footprint; loss of amenity to neighbours; front visual aspect detrimental to character and form of the village.
- 3.3 Neighbour Response Two letters received from Walnut House, Walnut Close, and The Garden House, Spring Lane. Concerns raised were; increase in noise, overshadowing, loss of privacy.

### 4.0 APPRAISAL

### 4.1 KEY ISSUES

- effect on the special architectural and historic interest of the listed building.

No other issues fall to be considered as part of this application for listed building consent. Issues relating to neighbour amenity and the impact on the conservation area will be considered as part of the parallel planning application.

### PLANNING POLICY

- 4.2 The starting point for listed building control is Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This states that in considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Central Government advice is contained within Planning Policy Statement 5 "Planning for the Historic Environment". This states that the Government's overarching aim is that the historic environment and its heritage assets (including listed buildings) should be conserved and enjoyed for the quality of life they bring to this and future generations. One of the key objectives is to conserve heritage assets in a manner appropriate to their significance by ensuring that decisions are based on the nature, extent and level of that significance, investigated to a degree proportionate to the importance of the heritage asset.
- 4.3 DRAFT LOCAL PLAN POLICY HE4 states that consent will only be granted for development to a listed buildings where there is no adverse effect on the character and setting of the building. Supporting text of this policy further states that, it is important that alterations and extensions preserve and enhance the special architectural or historic character of conservation areas and complement the character of listed buildings. Alterations will be expected to be of an appropriate

Application Reference Number: 10/01111/LBC Item No: 4e

design, using traditional natural materials. The proposal should also be in scale with the original building and respect its character.

### **APPRAISAL**

- 4.4 The proposal seeks to create additional accommodation at the care home in the form of a single storey wraparound extension forming a lounge and four en-suite bedrooms. It would, in effect, form an enlargement of the modern extension approved by Selby District Council in the 1990's. This extension did not attempt to mimic the original building and there is a clear visual break between the two elements, and the proposed extension would follow that pattern. The design of the extension would, however, incorporate a hipped roof to reflect the character of the existing building. The extension would not be directly attached to the original listed building and would be set back approximately 18 metres from the front of the house, set behind a low wall, and approximately 37 metres back from the public highway. It would be relatively discreet in appearance and impact, and thus it is not considered that the proposal would adversely affect the special architectural or historic interest of the listed building.
- 4.5 Whilst it is acknowledged that there are some discrepancies in the submitted drawings, these are not considered to be so significant that they prevent the application being determined. Following a further meeting with the conservation officer on 26.08.2010, it was concluded that there were no objections in principle to the proposal. It is anticipated that more accurate plans will be submitted by the applicant prior to the application being heard at committee, and the comments of the conservation officer can be updated accordingly.

### 5.0 CONCLUSION

Subject to the submission of more accurate drawings, and the subsequent comments of the conservation officer, the proposal is considered to be acceptable and is in compliance with Policy HE4 of the Draft Local Plan and national advice contained within Planning Policy Statement 5.

### **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Approve

- 1 TIMEL2 Development start within 3 yrs (LBC/CAC)
- 2 The development hereby permitted shall be carried out in accordance with the following plans:-

Revised Plan 712.002 - Revision B - Received 4th August 2010.

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

Application Reference Number: 10/01111/LBC Item No: 4e

3 VISQ8 Samples of exterior materials to be app

# 7.0 INFORMATIVES: Notes to Applicant

1. 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 special architectural and historic interest of the listed building. As such, the proposal complies with Policy HE4 of the City of York Development Control Local Plan- Incorporating the 4th Set of Changes (2005); and national planning advice contained within Planning Policy Statement 5 "Planning for the Historic Environment"

### **Contact details:**

**Author:** Paul Edwards Development Management Assistant

**Tel No:** 01904 551642

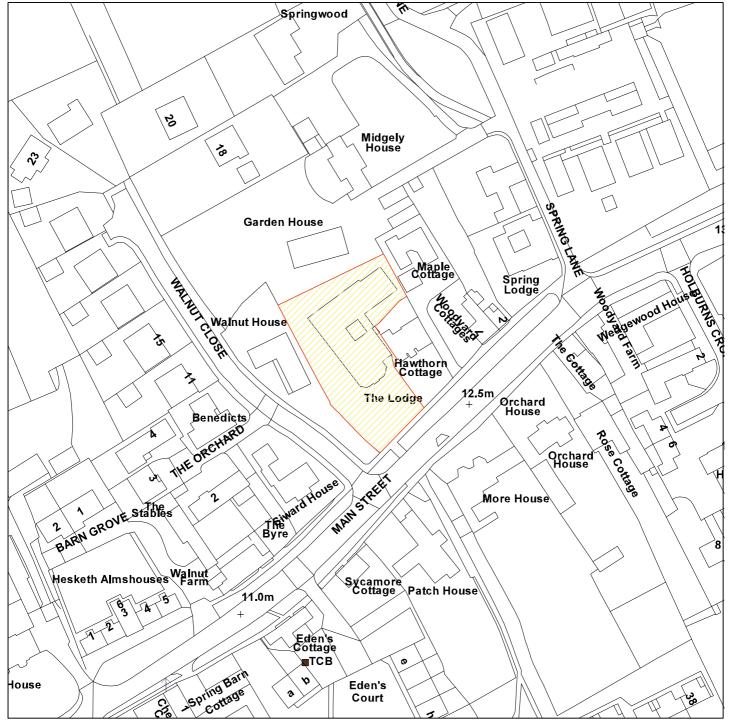
Application Reference Number: 10/01111/LBC Item No: 4e

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### 10/01111/LBC

### The Lodge, Heslington, YO10 5DX





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Organisation	City of York Council	
Department	Planning & Sustainable Development	
Comments	Application site	
Date	27 August 2010	
SLA Number	Not set	

## Agenda Item 4f

#### COMMITTEE REPORT

**Date:** 9 September 2010 **Ward:** Strensall

Team: East Area Parish: Strensall With Towthorpe

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Parish Council

**Reference:** 10/01581/FUL

**Application at:** 7 Steadings Yard Thompson Drive Strensall York YO32 5WT

**For:** Alterations to rear windows and doors

By: Mr And Mrs Feetenby

**Application Type:** Full Application **Target Date:** 16 September 2010

**Recommendation:** Approve

### 1.0 PROPOSAL

### PROPOSAL:

1.1 Planning permission is sought to replace an existing external door and window serving a kitchen/ living area with wooden framed fully glazed doors and a UPVC window on the rear elevation of the dwelling. Planning permission is required because permitted development rights were removed for such alterations on the original planning approval for proposed residential development (Ref No: 3/131/191A/PA &3/131/191AD/PA).

### THE SITE:

1.2 The application site is a modern attached dwelling situated in the centre of a block of three similar styles properties, located within an established residential area.

### PROPERTY HISTORY:

- 1.3 Loft conversion with roof lights approved 14.08.2009 (ref:09/01257/FUL)
- 1.3 This application has been brought to Committee, as the applicant is an employee of the City Of York Council.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Contaminated Land GMS Constraints:

City Boundary GMS Constraints: York City Boundary 0001

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

Application Reference Number: 10/01581/FUL Item No: 4f

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CYGP1 Design

CYH7

Residential extensions

### 3.0 CONSULTATIONS

Internal

3.1 None

External

- 3.2. Strensall And Towthorpe Parish Council No Objections.
- 3.3 Neighbour Response None received within statutory consultation period.

### 4.0 APPRAISAL

- 4.1 KEY ISSUES:
- impact on the character and appearance of the area
- impact on neighbouring properties
- 4.2 DRAFT LOCAL PLAN POLICY CYH7 states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours.
- 4.3 DRAFT LOCAL PLAN POLICY CYGP1 sets out a series of criteria that the design of development proposals would be expected to meet. These include requirements to (i) respect or enhance the local environment, (ii) 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; (iii) 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; (iv) 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 (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.
- 4.4 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001.

**VISUAL / RESIDENTIAL AMENITY:** 

Application Reference Number: 10/01581/FUL Item No: 4f

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- 4.5 The original design of the rear elevation incorporates a single storey mono pitch roof off shoot extending from the kitchen and dining area. The proposed new doors would replace an existing kitchen window overlooking the rear garden. The proposed new window would replace an existing external door and would provide light into the utility room. It is considered that the new design would relate well to the modern appearance of the host dwelling and surrounding residential dwellings.
- 4.6 The host dwelling has an ample sized rear garden enclosed by a 2.0 metre wooden fence closest to the dwelling at no5 Steadings Yard and mature garden hedge and shrubs on the shared boundary with no9. On the basis of the adequate boundary treatment it is not considered the proposal would introduce any additional loss of privacy or an unacceptable of over looking in to the rear gardens.

### 5.0 CONCLUSION

The proposal is not considered to conflict with Policy H7 or GP1 of the Draft Local Plan and no significant adverse effects would be created.

### **6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans - Drawing received on 21/07/2010

# 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 impact on the surrounding area and the impact on the amenity of adjacent occupiers. As such the proposal complies with Policies GP1and H7 of the City of York Development Control Local Plan and the Council's 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

#### Contact details:

**Author:** Sharon Jackson Development Management Assistant

**Tel No:** 01904 551359

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### 10/01581/FUL

### 7 Steadings Yard, Strensall





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Comments	Application site	
Date	27 August 2010	
SLA Number	Not set	