

COMMITTEE REPORT

Committee: East Area **Ward:** Skelton, Rawcliffe, Clifton
Without
Date: 13 December 2007 **Parish:** Rawcliffe Parish Council

Reference: 07/02419/FUL
Application at: 20 Byron Drive York YO30 5SN
For: Single storey pitched roof side and rear extension after
demolition of garage (resubmission)
By: Neil Winn
Application Type: Full Application
Target Date: 6 December 2007

1.0 PROPOSAL

1.1 This application seeks planning permission for a single storey side and rear extension at 20 Byron Drive in Rawcliffe. This is the second application of this type at this dwelling with the first application (Ref. No. 07/01433/FUL) being refused by the Planning Committee on 13 September 2007 for the following reason:

'It is considered that the proposed extension would result in an unacceptable impact on the amenity and living conditions of the occupiers of the adjacent dwelling (22 Byron Drive) by virtue of its size, scale, massing and proximity to the boundary and the loss of light and outlook that would result.'

The officers recommendation on that occasion was that planning permission should be granted

1.2 The proposed extension has been amended since the previously refused application by a reduction in its length from 15.8 m to 14.8 m.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

External

3.1 Rawcliffe Parish Council - No objections.

3.2 Neighbours - One letter of objection received from 22 Byron Drive. Objections are raised on the following grounds:

- The proposed alteration from the previous application makes no difference when viewed from 22 Byron Drive;
- The principle light for the kitchen comes from the side window which would look onto the extensions brick wall which is currently an open view;
- Part of the extension would prevent access to the garage and fence at 22 for maintenance and repair;
- 3 extractor fans would be vented from the extensions roof leading to noise intrusion and fumes;
- The garage would be used to store tools and materials in connection with the applicants work as a joiner, this would materially affect its use and increase the fire risk.

4.0 APPRAISAL

4.1 Key Issues:

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

4.2 Policy H7 of the City of York Draft Local Plan Local Plan states that planning permission will be granted for residential extensions where the design and materials are sympathetic to the main dwelling and the locality of the development, the design and scale are appropriate in relation to the main building, and there is no adverse effect on the amenity which neighbouring properties could reasonably expect to enjoy. Policy GP1 states that development proposals will be expected to respect or enhance the local environment, be of a density, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials, and should ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.3 The Council's Supplementary Planning Guidance "Guide to extensions and alterations to private dwelling houses" states that design of extensions should be sympathetic to the original house, and the scale should not dominate the original building. The amenity of adjacent occupiers should also be considered, for example the impact of the proposal on the internal and external spaces of neighbouring properties .

4.4 The proposed extension is single storey and measures approximately 2.7 m in width as viewed from the front of the property. The extension has a hipped roof and would extend over the existing front door to create a porch canopy. The extension would not be visually prominent due to its size and it has been designed to appear in keeping with the main house. There are a number of examples within Byron Drive of

side extensions. It is considered that the proposed extension would not harm the appearance of the dwelling or character of the area.

4.5 The previous application at this site was refused due to the impact on the living conditions of residents living at 22 Byron Drive. As with the previously refused application it is officer opinion that the proposed extension would not cause undue harm to the living conditions of neighbours. The previous application was refused due to a loss of light and outlook as a result of the extension due to its size, scale, massing, and proximity to the boundary.

4.6 A large number of dwelling extensions are built up to the boundary on a regular basis, many of which are two storey. The side elevation of 22 Byron Drive which is affected by the proposal contains two kitchen windows. These windows are north east facing and therefore do not receive a significant amount of sunlight. The kitchen has a south west facing window to provide natural light as well as the two facing the application site. The proposed extension is a modest 2.4 m in height to the eaves which is only 0.4 m above a fence or wall which could be erected as permitted development. It is not considered that the impact on natural light entering the kitchen would be significantly harmed due to the orientation of the properties and the modest height of the extension. It is also not considered that the impact on outlook would be significantly harmful. The extension would be set approximately 2.7 m away from the kitchen windows of 22 Byron Drive which is considered a sufficient distance to allow an outlook above the shallow pitched roof.

4.7 22 Byron Drive has a rear garage which would screen the rear of the extension from view from 22 Byron Drive. It is therefore considered that the proposed extension would not be visually prominent from the rear garden of number 22.

4.8 There are other considerations that need to be addressed. Firstly, whilst leaving a gap for maintenance of a fence or property is recommended this is not always possible within areas of such tight development. The extractor fans used are likely to be a standard type which would be seen on many domestic properties and it is considered unlikely that they would cause significant nuisance due to their modest scale. The small scale storage of some tools and materials is considered to be a reasonable use of a garage within a residential area. The increased fire risk perceived by the neighbour was not presented with any justification and it is not considered that this is a material planning consideration.

4.9 The proposed rear extension protrudes 3.3 m from the main rear elevation of the application site and would be located adjacent to the property curtilage boundary with 18 Byron Drive. 18 Byron Drive has an existing rear extension up to the property curtilage boundary and is an identical 3.3 m in depth and 3.5 m in height to that proposed. The extension has a blank wall facing the application site and it is therefore considered that the rear extension would have a minimal impact on the living conditions for residents of 18 Byron Drive.

5.0 CONCLUSION

5.1 It is considered that the proposed extension would not cause significant harm to the street scene or the amenity of neighbours therefore the application is recommended for approval.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing Numbers 2007 26 03 B and 2007 26 04 B received by The CoYC on 11/10/07

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

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

3 VISQ1 Matching materials

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the street scene and the living conditions of neighbours. As such the proposal complies with Policies GP1 and H7 of the City of York Draft Local Plan.

Contact details:

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