

## COMMITTEE REPORT

**Committee:** West/Centre Area                      **Ward:** Rural West York  
**Date:** 20 December 2007                      **Parish:** Upper Poppleton Parish Council

**Reference:** 07/02458/FUL  
**Application at:** Rosethorn Cottage Main Street Upper Poppleton York YO26 6DL  
**For:** Single storey detached garden room to rear (revised scheme)  
**By:** B.W And P.M Fullam  
**Application Type:** Full Application  
**Target Date:** 19 December 2007

### 1.0 PROPOSAL

1.1 The application seeks permission for the erection of a timber and glazed garden room to the rear of the dwelling. The property is within the Upper Poppleton Conservation Area.

1.2 A previous application which sought permission for the erection of a detached garage on the site was withdrawn in October 2007 (ref; 07/01948/FUL).

1.3 The application is brought to committee at the request of Cllr I Gillies because of the concerns of the Parish Council and the neighbour. As the application is recommended for approval and objections have been received a site visit is required.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Uper Poppleton CONF

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYH7  
Residential extensions

CYHE2  
Development in historic locations

### 3.0 CONSULTATIONS

## Design Conservation and Sustainable Development

3.1 The design incorporates a contemporary glazed screen wall to the western elevation, and a solid timber elevation to south elevation. The design, scale and proportions of the proposed single storey garden room are unlikely to detract from the character and appearance of the conservation area. The scale and position of the garden room is unlikely to obscure views to the conservation area from the neighbouring property at no. 1 Chantry Gap.

### Upper Poppleton Parish Council

3.2 Do not object but have serious concerns about its location and height and the impact that it would have on light to the neighbouring property's lounge and kitchen. Suggest that the garden room could be sited north of its proposed location.

### Neighbouring Owner/Occupiers

3.3 One letter received from the neighbour at 1 Chantry Gap who is objecting on the following grounds:

- The close proximity to the boundary and the fact that it is now located in front of the house line of Chantry Gap
- The height, which should be reduced
- Proposed use and subsequent noise from the building
- The room may be used as a workshop and would result in unacceptable noise to the neighbours dwelling

## **4.0 APPRAISAL**

### 4.1 Key Issues:

Design and impact upon Conservation Area

Impact upon neighbours amenity

4.2 The relevant City of York Council Development Control Local Plan Policies are H7 and HE2. Policy H7 'Residential Extensions' sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy. Policy HE2 'Development in Historic Locations' states that within or adjoining conservation areas, and in locations which affect the setting of listed buildings, scheduled monuments or nationally important archaeological remains, development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials. Proposals will be required to maintain or enhance existing urban spaces, views, landmarks and other townscape elements, which contribute to the character and appearance of the area.

4.3 The application is a resubmission of a previously withdrawn scheme. When originally submitted the scheme sought permission for a detached garage. It was

considered that this would have a detrimental impact upon the light entering the neighbours lounge window and as such would have been recommended for refusal.

4.4 The revised scheme seeks permission for a smaller more light weight structure, which would be used as a garden room rather than a garage. It would measure 3.8m by 2.6m with an eaves height of 2.28m and a ridge height of 2.98m. It would be located 4m back from the site boundary with Chantry Gap and 1.9m from the boundary with the neighbour to the rear (giving a distance of 4.5m from the French doors of the neighbours property). It would be constructed of cedar wood and glass.

4.5 It is considered that the smaller structure would not have any detrimental impact upon the neighbouring residents amenity. Mature boundary planting would mask the majority of the garden room and the distance of separation would prevent any unacceptable overshadowing from arising.

4.6 Concerns are raised by neighbours that the proposed garden room would be in front of the building line of Chantry Gap. Officers do not consider that this would be detrimental to the character of the conservation area as it would not be visually prominent within this setting and enclosed by existing boundary fencing and mature planting. In addition the neighbour raises issues of noise as they fear the building could be used as a workshop. However the applicant has confirmed that if the building is to be used as a workshop it would be incidental to the enjoyment of the dwelling house, and not for business purposes, and would not involve power tools. As the application does not seek permission for a workshop it would be unreasonable for the Council to condition that it could not be used for ancillary operations in connection with the dwelling, including the use as personal and private workshop.

## **5.0 CONCLUSION**

It is considered that the proposed garden room would not have any detrimental impact upon neighbouring residents amenity and would not detract from the character of the conservation area. As such it is considered to comply with policy H7 and HE2 of the Local Plan.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

- |   |        |  |
|---|--------|--|
| 1 | TIME2  | Development start within three years     |
| 2 | PLANS2 | Apprvd plans and other submitted details |
| 3 | VISQ8  | Samples of exterior materials to be app  |

## **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 neighbouring resident's amenity or the character and appearance of the conservation area. As such the proposal complies with Policies H7 and HE2 of the City of York Development Control Local Plan.

### **Contact details:**

**Author:** Heather Fairy (Mon - Wed) Development Control Officer

**Tel No:** 01904 551668