

## COMMITTEE REPORT

**Date:** 6 October 2016      **Ward:** Dringhouses and Woodthorpe  
**Team:** Householder and Small Scale Team      **Parish:** Dringhouses/Woodthorpe Planning Panel

**Reference:** 16/01744/FUL  
**Application at:** 105 Tadcaster Road Dringhouses York YO24 1QG  
**For:** Two storey and single storey rear extension (revised scheme)  
**By:** Mr Robert Brown  
**Application Type:** Full Application  
**Target Date:** 30 September 2016  
**Recommendation:** Householder Approval

### 1.0 PROPOSAL

1.1 This application seeks permission for a one and two storey rear extension to 105 Tadcaster Road.

1.2 The scheme has been redesigned at first floor level at the request of officers in order that it respects the existing appearance of the dwelling.

1.3 Cllr. Reid has called the application to committee due to the proposed materials and impact on neighbour amenity

### 2.0 POLICY CONTEXT

2.1 Policies:

CYGP1      Design  
CYH7      Residential extensions

### 3.0 CONSULTATIONS

#### Dringhouses and Woodthorpe Planning Panel

3.1 The Panel supports the application, however it is noted that the visual appearance of the proposed roof gable end is at odds with the neighbouring properties. A more symmetrical approach would be preferable. These comments are based on the original proposals. No comments have been received with regard to the revisions.

## Publicity and Neighbour Notification

3.2 The application was advertised by neighbour notification letter. A number of objections have been received in relation to both schemes from four neighbouring properties, 103 and 107 Tadcaster Road and 3 and 11 Hunters Way to the rear of the site:

### ORIGINAL PROPOSALS

- First floor is very large and at odds with the current style of the building
- the proposed windows/juliet balcony would result in a loss of privacy and changes the viewing aspect to existing first floor windows. Trees may prevent overlooking however without a 3D rendering this is difficult to establish.
- juliet balcony should be resisted
- concern expressed over the position of the single storey extension adjacent to the boundary of 107 Tadcaster Road. It is unclear from plans as to whether the roof/guttering will overhang the boundary.
- the materials and finish is out of keeping with existing development and will spoil the traditional character of the area, and will have a negative visual impact on neighbouring properties.
- are there any safeguards to ensure that the drains will not be damaged during constructions works?
- many properties have large extensions but all in keeping with traditional appearance of area
- extension will cause overshadowing to ground floor rear extension at 103 Tadcaster Road. This extension not shown on the plans.
- works have commenced without planning permission.
- size and format of windows out of keeping with neighbouring buildings
- eaves level bears no relationship to existing eaves level and contemporary nature does not relate well to existing dwelling
- host dwelling not in conservation area, but close to the boundary. Its appearance should therefore be considered carefully
- extension would be visible from Hunters Way and proposed materials would stand out considerably.

### REVISED PROPOSALS

- Objections still stand from all objectors in relation to materials, appearance, loss of privacy, overshadowing and location of side extension as per the above comments
- revisions given no consideration to neighbours either side - overshadowing or loss of privacy.
- revised scheme is poorly designed and would result in unsympathetic boxy extension
- scheme does not comply with multiple parts of Local Plan policies GP1 and H7

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- property could be extended to infill front 'L' without causing harm to neighbour amenity.

## 4.0 APPRAISAL

### KEY ISSUES:-

- Visual impact on the dwelling and the area
- Impact on neighbouring property

### RELEVANT PLANNING POLICY

4.1 The National Planning Policy Framework (March 2012) sets out 12 core planning principles that should underpin both plan-making and decision-taking. Of particular relevance here is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. In considering proposals for new or improved residential accommodation, the benefits from meeting peoples housing needs and promoting the economy will be balanced against any negative impacts on the environment and neighbours' living conditions.

4.2 The York Development Control draft Local Plan was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications although it is considered that their weight is limited except when they are in accordance with the NPPF.

4.3 Draft Local Plan Policy GP1 expects new development 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 the character of the area, using appropriate building materials.

4.4 Draft Local Plan 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 (iv) proposals respect the spaces between dwellings; and (v) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.5 The Council have an agreed Supplementary Planning Document 'House Extensions and Alterations' (SPD) dated December 2012 which provides guidance on all types on domestic types of development. A basic principle of this guidance is that any extension should normally be in keeping with the appearance, scale, design

and character of both the existing dwelling and the road/streetscene it is located on. In particular, care should be taken to ensure that the proposal does not dominate the house or clash with its appearance with the extension/alteration being subservient and in keeping with, the original dwelling. The character of spacing within the street should be considered and a terracing effect should be avoided. Proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook. Guidance in sections 3 (privacy), 4 (overshadowing and loss of light), 5 (dominance and outlook), and 13 (rear extensions) are relevant to the determination of the application.

## THE SITE

4.6 The host is a 1950's two-storey detached 'L' shaped dwelling situated on one of the main arterial roads into York. It is surrounded by similarly aged housing of various designs, just outside of the Tadcaster Road conservation area. The property has a detached garage to side, attached car port and a rear conservatory. The footings have been dug out and the conservatory dismantled.

## APPRAISAL

### Design and Appearance

4.7 It was originally proposed to construct a contemporary one and two storey flat roof extension to provide open plan living accommodation on the ground floor with an en-suite bedroom above. The design of the extension would be of two boxes, the ground floor being clad in white render and the first floor being finished in cedar cladding with large floor to ceiling windows on the rear elevation and high level windows to the side elevations. Due to the limited internal head height the first floor eaves height was raised above that of the main dwelling. Whilst officers do not object in principle to a contemporary scheme, in this instance it was considered that the cumulative impact of the flat roof design, overall height of the eaves and mix of materials did not relate to the design and appearance of the host dwelling resulting in harm to the appearance of the dwelling and that of the surrounding area.

4.8 A revised scheme has since been submitted reducing the eaves height to line through with the existing eaves, with the flat roof hidden by a partial pitch. A flat roof is still proposed to the single storey element. The footprint of the ground floor extension would project 3.8m and be 9.2m in width extending across the full width of the dwelling and up to the side boundary with no. 107 Tadcaster Road. The first floor extension would have a width of 5.6m. The roof would be constructed from matching roof tiles with the walls of the extension being finished in white render. A single width clear glazed juliet balcony has been added to the first floor rear french windows.

4.9 A number of neighbour objections have been received in relation to the revisions from 4 neighbouring properties surrounding the site. All raise concerns with the design and materials not being in keeping with the host dwelling or surrounding properties in both Tadcaster Road and Hunters Way. Given that the rear elevation would be open to public view from the entrance to Hunters Way, the proposals would impact to a limited degree on the appearance of the street scene. The proposals would not impact upon the setting of the Tadcaster Road conservation area, the boundary of which lies about 30m to the north. Whilst concern has been expressed with regard to the suitability of such an extension in this area, officers consider that the revisions provide a compromise between a contemporary design and a wholly traditional brick built pitched roof extension. The existing rear elevation of the dwelling lacks the character of the front of the dwelling, with a single window to the first floor and another window and modern patio doors to the ground floor. The proposed extensions would therefore not result in the loss of existing character features of this part of the dwelling. The design of the revised scheme is considered to sit well within the rear elevation, with the pitched-roof having a similar visual style to that of the main roof. Whilst concerns have been raised that the roof does not resemble the main dwelling, it is noted that this design was chosen in order to keep the roof as low as possible so as to reduce the impact on neighbouring properties.

4.10 It is considered that the contemporary design adds interest and would compliment the host dwelling, taking cues from the original features of the property, such as the shape of the roof and eaves height. Indeed, the NPPF recognises the importance of contemporary design and states in paragraph 60 that 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.' As such, whilst it is understood that the proposed extension would not conform to the traditional design of the dwelling, it is considered to add interest to an otherwise bland elevation, that would not result in harm to the appearance of the dwelling or street scene as viewed from Hunters Way.

4.11 The first floor addition projects 3.8m from the rear elevation. Given the overall scale of the host dwelling and the design of the roof, it is not considered that the proposals would dominate the dwelling or overpower the rear elevation. A similarly scaled two storey extension has been constructed a few houses along from the site at 99 Tadcaster Road.

### Residential Amenity

4.12 The extension would be approximately 3m from the shared side boundary no. 103 Tadcaster Road, with both the host garage and the garage belonging to no. 103 between the two houses. Given the limited number of primary habitable room windows which directly overlook the area of the proposed extension, it is not

considered that it would cause significant harm to residential amenity with regard to outlook. No. 103 is situated north of the application site. Given the orientation of both properties and location of the extension, officers acknowledge that there will be some additional overshadowing to the side and rear of no. 103 during the middle of the day. However given the 6m distance of the extension from no. 103, and the limited number of openings along the side elevation (two small windows which serve secondary rooms and side boundary door from kitchen) it is considered that the majority of overshadowing would occur in this location as well as falling across the garage roofs of both properties. There may also be some impact on side facing windows to the single storey rear extension, however given the lowered roof height of the first floor extension it is not considered that the impact would be significant or for long periods of the day over and above the existing overshadowing caused by the host dwelling in relation to no. 103.

4.13 The single storey extension is positioned up to the shared side boundary with 107 Tadcaster Road. The eaves of the extension would be 3.1m in height adjacent to the boundary with no. 107. Given the location of the extension in relation to no. 107 it is not considered that there will be any harm to residential amenity with regard to outlook, loss of privacy or overshadowing.

4.14 Objections have been received relating to loss of privacy to surrounding neighbouring properties by virtue of the large amounts of glazing, especially at first floor level where French windows (one opening with a Juliet balcony) are proposed. The closest property to the rear of the site is no. 11 Hunters Way. The SPD suggests a distance of 21m should be achieved as a minimum to mitigate against a loss of privacy levels between first floor windows to properties at the rear of a site. The distance between the proposed first floor window and that of no. 11 Hunters Way is approximately 26m and it is also noted that the rear of the site is bounded by deciduous trees, which would provide an element of screening to neighbouring properties at the rear for a large proportion of the year. The proposed first floor side facing windows are designed so that they are set 1.5m above floor level which mitigates against harmful overlooking although it is acknowledged that this is 200mm lower than recommended in the SPD. The window facing no.103 would serve an en-suite bathroom, with a bedroom window facing no.107. There are existing first floor windows facing no.107.. It is not considered that the proposals would cause a significant loss of privacy to any neighbouring property.

### Other Issues

4.15 Issues regarding the existing drain/sewer would fall under the control of building regulations. Confirmation has been submitted stating that the guttering will sit within the flat roof of the extension and that no part of the extension will overhang the boundary with no. 107 Tadcaster Road.

## **5.0 CONCLUSION**

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5.1 It is acknowledged that the revised scheme is a move away from the more traditional form of extension that is more common in this area. Officers consider that a contemporary design and materials would still harmonise with the host dwelling and would not harm the appearance of the dwelling or surrounding street scene. Whilst objections have also been expressed in relation to harm to residential amenity, officers do not consider that the impacts would be significant. As such the revised scheme is considered to comply with guidance given in the NPPF, draft Local Plan policies GP1 and H7 as well as the Council's House Extensions and alterations SPD.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Householder Approval

1 TIME2 Development start within three years

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

Site Location and Block Plan - Drg. No: 201

Proposed Floor Plans - Drg. No: 202A

Proposed ELevations - Drg. No: 203A

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

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

#### **1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH**

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Officers secured an alternative scheme which related more to the design and appearance of the host dwelling.

#### **2. THE PARTY WALL ETC ACT 1996**

The proposed development may involve works that are covered by the Party Wall etc Act 1996. An explanatory booklet about the Act is available at:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

Furthermore the grant of planning permission does not override the need to comply with any other statutory provisions (for example the Building Regulations) neither does it override other private property rights (for example building on, under or over, or accessing land which is not within your ownership).

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