

COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Rural West York
Date: 29 January 2007 **Parish:** Copmanthorpe Parish
Council

Reference: 07/02903/FUL
Application at: Faith Cottage 3 Low Green Copmanthorpe York YO23 3SD
For: Part two storey, part first floor, pitched roof side extension.
By: Mr & Mrs J Corner-Walker
Application Type: Full Application
Target Date: 6 February 2008

1.0 PROPOSAL

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

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

1.3 The previous application was refused by the West and Centre sub planning committee on 2 October 2007.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Copmanthorpe 0016

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

Schools Copmanthorpe Primary 0190

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

CYHE2

Development in historic locations

CYHE3

Conservation Areas

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 23/01/2008

Site Notice - Expires 29/01/2008

Press Advert - Expires 30/01/2008

Internal/External Consultations - Expires 23/01/2008

8 WEEK TARGET DATE 06/02/2008

3.2 INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

- Noted that the driveway is to be refurbished and would like standard highway condition 10 - Vehicular areas surfaced, details required applied

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

COPMANTHORPE PARISH COUNCIL - No objections

1 LETTER OF COMMENTS

- Concern over privacy and request that the side and rear window be obscure glazing

- Concern as to where the building materials and machinery will be stored and should not obstruct access to other property

4.0 APPRAISAL

4.1 RELEVANT SITE HISTORY

07/02024/FUL - One and two storey pitched roof side extension (resubmission) - Refused

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

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

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

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

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

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

4.2 ADDITIONAL PLANNING POLICY

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

Copmanthorpe Village Design Statement, 2003

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

4.3 KEY ISSUES

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

4.4 ASSESSMENT

PLANNING POLICY

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

4.4.2 Planning Policy Guidance Note 15 'Planning and the Historic Environment' (PPG15) sets out the approach to dealing with proposals that affect Listed Buildings and Conservation Areas. PPG15 advises that new buildings intended to stand alongside Listed Buildings should be 'carefully designed to respect their setting,

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

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

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

4.4.5 The City of York Council's supplementary planning guidance - Guide to extensions and alterations to private dwelling houses states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling. The scale of the new extension should not dominate the original building. Where a street or group of buildings has a well-defined building line it should be retained. It is suggested that side extensions should be set back at least 0.5 metres from the front of the building. Generally roofs that reflect the pitch and style of the existing roof are encouraged. In order to reduce the visual impact of two storey extensions the ridgeline should be lower than the original house. Side extensions should be sympathetically designed to appear subservient to the main dwelling. Their appearance will be improved if the extension is set back at least 0.5 metres from the main building line and set down in height from the original building to provide a break in the street frontage.

4.4.6 Supplementary planning guidance - The Copmanthorpe Village Design Statement, 2003 states that Low Green provides a "green heart" to Copmanthorpe and has particular social and community value. This space is characterised by

mature trees and enclosed by character buildings. The guidance sets out design guidelines such as extensions should be set back from the plot boundaries, and extensions should be designed to complement existing buildings with the building line normally set back with the roof line normally lower than the main building, all developments should be carried out with great sensitivity, to respect its historic buildings and their settings.

VISUAL IMPACT ON THE DWELLING AND THE AREA

4.4.7 The reason for the previous three applications refusal was that the proposed extension were not considered to be subservient to the principal dwelling.

4.4.8 There is a gradation in built form, with 5 Low Green being the more dominant than 3 Low Green and it is considered that the pattern should be repeated in any two storey side extension. The plans submitted show the side extension set back only 0.35 metres at first floor level (the previous application was set back 0.2 metres) which is less than the 0.5 metres requested in the CYC supplementary planning guidance - Guide to extensions and alterations to private dwelling houses.

4.4.9 In the previous officer's report to committee it was stated that a two storey side extension would be acceptable in principle if it followed the gradated form of the group of buildings and would be subservient to 3 Low Green with at least a 0.5 metre set back from the main building and a set down in height from the main roof ridge. A slightly larger set back would have been preferred than submitted however the drop in height of the roof is similar to the drop in height between 3 and 5 Low Green and therefore it is considered that it is acceptable when viewed in the context of the streetscene. The slightly further set back, and the set down in the height of the proposed roof from the original does create a slight element of subservience and is a similar to the relationship between 3 and 5 Low Green.

IMPACT ON NEIGHBOURING PROPERTY

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

4.4.11 Highways Network Management have requested that if the planning application gains approval that a condition be placed on the planning permission regarding the resurfacing of the drive. As the driveway does not form part of this application it is considered that it would not be appropriate to have this condition on the decision notice.

5.0 CONCLUSION

5.1 The proposed two storey side extension by virtue of the set back from the building line and the set down in height follows the gradated form of this part of Low

Green and would not be unduly prominent in the streetscene. The proposed extension is not considered to impact significantly on the residential amenity of the occupants of the neighbouring dwellings. Approval is recommended.

6.0 RECOMMENDATION: Delegated Authority to Approve

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

Drawing Number BS1651-02 Revision F received 12 December 2007;

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.

2 TIME2 Development start within three years

3 VISQ1 Matching materials

4 Notwithstanding the submitted plans the first floor window in the side elevation facing no. 1 Low Green and the first floor window in the rear elevation of the proposed side extension shall be glazed with obscured glass and shall be maintained with obscured glass thereafter.

Reason: to protect the privacy of the neighbour.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) no additional windows other than those shown on the approved plans shall be constructed.

Reason: As the insertion of additional windows could have a serious impact on the privacy of neighbours and should therefore be controlled.

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 the residential amenity of the neighbours, the visual amenity of the dwelling and the locality, and highway safety. As such, the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan (2005); national planning guidance contained in Planning Policy Statement 1 "Delivering

Sustainable Development"; and supplementary design guidance contained in the City of York's "A guide to extensions and alterations to private dwelling houses".

2. Party Wall Informative

You are advised that the development may involve building work covered by the Party Wall etc Act 1996 that is separate from planning or building regulations control. Do not commence work on the development until you comply with the provisions of this Act. An explanatory booklet may be obtained from the City of York's Department of City Strategy, or alternatively it is available on the Department of Communities and Local Government, www.communities.gov.uk.

3. Environmental Health Informatives

(a) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(b) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(c) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(d) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(e) There shall be no bonfires on the site.

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