

## COMMITTEE REPORT

**Date:** 9 November 2017      **Ward:** Rural West York  
**Team:** Householder and Small Scale Team      **Parish:** Parish Of Rufforth With Knapton

**Reference:** 17/01251/FUL  
**Application at:** 30 Southfield Close Rufforth York YO23 3RE  
**For:** Variation of condition 2 of permitted application 16/01635/FUL for single storey extension to connect garage to house and re-orientation of garage roof (retrospective). Alteration of windows throughout to hardwood casements with an off-white finish. (Revised scheme)  
**By:** Mr Alex Kirby  
**Application Type:** Full Application  
**Target Date:** 14 November 2017  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 This application seeks retrospective permission to vary condition 2 of permitted application 16/01635/FUL to re-orientate the garage roof through 90 degrees and construct an extension to the garage. Permission is also sought to change the material of the windows from dark grey upvc as approved to hardwood casements finished in white/grey.

### AMENDMENTS

1.2 Proposals to increase the height of the garage by 300mm have been withdrawn from the scheme.

### PROPERTY HISTORY

- 1.3 The following applications relate to the application site:
- Extensions and alterations to include raising the roof - 16/01635/FUL
  - Variation of condition 2 of permitted application 16/01635/FUL to amend approved drawings to include 3no. rooflights to front and reposition the detached garage - 16/02700/FUL

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

## 2.2 Policies:

CYGP1      Design  
CYH7      Residential extensions

## 3.0 CONSULTATIONS

### Rufforth with Knapton Parish Council

#### 3.1 Object on the following grounds:

- This dwelling as it stands now already overshadows neighbouring properties that are all bungalows, by increasing the height of the garage this will make it worse.
- The planned change of orientation of the garage with the extension to connect it to the house will hugely increase the frontage of the property which will not be in keeping with the street scene.
- The bigger concern is that had the applicant put the original application with everything he now wants he would have been less likely to get planning permission. This we find unacceptable.

### Neighbour Notification

#### 3.2 Three objections have been received:

- Works are largely retrospective. It is not appropriate to request a variation after they have been incorporated into the scheme
- Hardwood windows are not appropriate and would not be in keeping with the existing dwellings in the street
- The building towers over neighbouring bungalows, and appears inappropriate in the street scene.

3.3 The Parish Council and neighbours were re-consulted on the amendment referred to in 1.2. The Parish Council have stated that their reasons for objecting remain the same despite the assurance that the roof height of the garage will no longer be increased.

## 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' 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/street scene 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, 4, 5, and 15 are relevant to the determination of the application.

4.6 Rufforth Village Design Statement (guidelines 16 - 19, 21) states that extensions should harmonise with neighbouring properties and spaces, that the height of buildings should be in keeping with adjacent properties and maintain informal building lines, as well as maintain a mixture of building styles and sizes and that materials should be sympathetic to the existing.

## APPRAISAL

4.7 Permission is sought retrospectively for the construction of a flat roof extension to the front of the garage to provide a secure enclosure for an oil tank. The extension is triangular in shape, set back 2.5m from the front gable and set back 8m from the principal elevation. It has a length of 5.3m and a width of 4.5m. The extension has a flat roof with walls of approximately 2m in height, to match the eaves height of the garage. From the drawings the extension appears similar to a boundary wall with access doors front and rear. Whilst the extension physically further connects the garage to the dwelling, from the site visit it was noted that the garage still appears detached and the flat roof extension is not overly apparent. The Parish Council have objected on the grounds that it increases the street frontage of an already dominant building, however given the location and fairly modest scale of the extension it is considered that there is limited impact on the appearance of the dwelling, street scene and neighbour amenity.

4.8 Similarly, retrospective permission is sought for the orientation of the garage roof through 90 degrees. The effect is that the gable end of the garage faces the street, rather than the side boundary of the neighbouring boundary belonging to no. 32. The result is that the overall mass of the garage appears reduced when viewed from the street, and whilst the side elevation now comprises a larger expanse of roof when viewed from no. 32, the roof is hipped away from, rather than directly adjacent to the boundary. Given the garage's position in relation to the neighbouring bungalow and the existing high boundary hedge, it is not considered that this alteration is significantly detrimental to those living at no. 32.

4.9 It is also proposed to install timber casement windows throughout the property, to be finished in an off white/pale grey colour. Permission had previously been granted for dark grey (anthracite) uPVC windows throughout, as part of the previous approval (16/01635/FUL). The majority of houses in Southfield Close have white uPVC windows and therefore the proposed alterations to painted wooden casement windows is considered to be in keeping with existing fenestration within the street.

4.10 Whilst it is understood that the alterations and extensions to this dwelling have caused, and continue to cause concern for neighbours, the fact that the alterations as detailed as part of this submission have taken place without planning permission is not in itself a material planning consideration. That is, permission cannot be refused for the works simply because the extensions have been constructed prior to permission being sought.

## 5.0 CONCLUSION

5.1 The alterations to the previously approved drawings are not considered to cause harm to the appearance of the dwelling, street scene or neighbour amenity.

As such the scheme complies with guidance in the NPPF, draft Local Plan policies GP1 and H7, the Council's SPD and the Rufforth VDS.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Approve

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

Proposed Plans and Elevations - Drg. No: 2016-81-02 Rev. N  
Window details as per photographs submitted 21.09.17

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

2 EPU1 Electricity socket for vehicles

3 The double height space to the rear of the property shall not be converted to provide further accommodation at first floor level without a further planning permission first being granted by the Local Planning Authority.

Reason: To protect the residential amenity of neighbouring properties as the living accommodation at this level may result in unacceptable levels of overlooking because of the proposed glazed gable.

4 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), development of the type described in Classes B ( the enlargement of a dwellinghouse consisting of an addition or alteration to its roof) and C (other alterations to the roof of a dwellinghouse) of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015.

### **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:

The increase in the garage height was withdrawn from the scheme and further details of the window finish were requested by officers.

**Contact details:**

**Author:** Elizabeth Potter Development Management Assistant

**Tel No:** 01904 551477