

## COMMITTEE REPORT

**Date:** 30 November 2017      **Ward:** Osbaldwick And Derwent  
**Team:** Householder and Small Scale Team      **Parish:** Osbaldwick Parish Council

**Reference:** 17/01935/FUL  
**Application at:** Holly Tree Farm Murton Way York YO19 5UN  
**For:** Two storey side and single storey rear extensions (resubmission)  
**By:** Mr And Mrs Richardson  
**Application Type:** Full Application  
**Target Date:** 17 November 2017  
**Recommendation:** Householder Refusal

### 1.0 PROPOSAL

1.1 The application site is a two storey extended detached dwelling positioned on the outskirts of Osbaldwick Village and located within the Green Belt. Planning permission is sought for the construction of a first floor side extension above an original outbuilding and two story side/ rear and single storey rear extension. The extension creates one additional en-suite bedroom and increases the ground floor living space.

1.2 The application has been called-in to sub-committee at the request of Councillor Warters should the recommendation be to refuse all the submitted schemes.

#### Property History

3/100/139/PA Two storey extension to dwelling to form additional living area, kitchen and cloakroom with two bedrooms above – Approved 1980

3/100/96/PA Construction of a double garage – Approved 1978

16/01172/FUL Two storey side and single storey rear extensions - Withdrawn

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Flood zone 2 Flood zone 2

Flood zone 3 Flood zone 3

## 2.2 Policies:

CYGP1	Design
CYH7	Residential extensions
CYGB1	Development within the Green Belt
CYGB4	Extension to existing dwellings in GB
CGP15A	Development and Flood Risk

## 3.0 CONSULTATIONS

### Osballdwick Parish Council

3.1 No comments received.

### Publicity/Neighbour Notification

3.2 No responses received.

## 4.0 APPRAISAL

### 4.1 KEY ISSUES:

- Whether the development is considered inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
- The effect on the openness of the Green Belt.
- Amenity of nearby residential dwellings.
- The effect of the development on flood risk.

## PLANNING POLICY

4.2 The National Planning Policy Framework (NPPF) 2012 sets out the Government's overarching planning policies. It states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The construction of new buildings within the Green belt is inappropriate and should not be approved except in very special circumstances (para 87). However paragraph 89 lists exceptions to this general presumption including the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

4.3 The Regional Strategy for Yorkshire and Humber (the RSS) Policy YH9C "Green Belts" states that the detailed inner boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city. RSS Policy Y1 states that the

City of York LDF, should define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.

4.4 The Development Control Local Plan (DCLP) was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.5 Draft DCLP Policy H7 (Residential Extensions) 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.

4.6 Policy CYGB1 states that in the Green Belt permission will only be granted where a) the scale and location would not detract from the open character of the Green Belt b) it would not conflict with the purposes of including land within the Green Belt c) it would not prejudice the setting and special character of the City Of York. CYGB4 states that the extension and alteration of dwellings in the Green Belt and open countryside will be permitted providing the proposal: a) would not cause undue visual intrusion; and b) is appropriate in terms of design and materials; and c) is small scale compared to the original dwelling.

4.7 House Extensions and Alterations Draft Supplementary Planning Document (SPD) (December 2012) states that the basic shape and size of an extension should be sympathetic to the design of the original dwelling and should also appear subservient. The appearance of the side extension will be improved if it is set back from the main building. Paragraph 7.1 advises that a basic principle is that any extension should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the street scene generally. In particular, care should be taken to ensure that the proposal does not dominate the house or clash with its appearance. Paragraph 12.4 and 12.6 states the siting of an extension should not be detrimental to the pattern of buildings and the spacing between them. Unduly wide extensions should normally be avoided; typically a two-storey extension should not exceed around 50% of the width of the original house. It is important that the erection of two-storey side extension does not through overdevelopment, lead to the impression of the terracing of the front elevation of adjoining properties and the erosion of a street's spaciousness and character. The scale of the new extension should not dominate the original building.

## ASSESSMENT

4.8 The host dwelling is located to the east of Osbaldwick village and is in separate ownership from the small holding to the side and rear of the site previously associated with this house. This land has been subject to planning proposals

including an unimplemented approval for eight holiday cabins (2011); the conversion of a stable building into holiday accommodation (2011) which was approved on appeal and the erection of single storey holiday dwelling following the partial demolition of the stable building (retrospective) which was refused and dismissed on appeal (2016).

## DESIGN

4.9 The host dwelling has been previously extended at the rear at two storey height. There is a double detached garage to the side attached to two metre high walls which enclose the rear garden. The proposed first floor and two storey side extensions would be lowered from the ridge by a minimum of 300mm and reduced at the eaves. The width would continue along the principal building line by approximately 4.3 metres projecting approximately 3.2 metres in depth. The single storey section would project along the full width of the rear elevation, approximately in 3.4 metres in height by approx 2.2 metres in depth, incorporating full height rear openings. An existing porch is centralised on the principal elevation which would provide some relief from the resulting width of the extension against the dwelling. The materials to be used are appropriate and sympathetic to the area. Thus, given the detached nature of the dwelling the extensions would be considered to be in accordance with advice contained within the SPD.

## IMPACT ON THE GREEN BELT:

4.10 The key issue in the determination of residential extensions in the Green Belt is whether the increase in size would result in disproportionate additions over and above the size of the original dwelling. National planning advice contained within the NPPF states that the construction of new buildings in the Green Belt is inappropriate and should be resisted. However, exceptions to this general presumption include the extension or alteration of a building provided that it is disproportionate in scale to the original building.

4.11 DCLP Policy GB4 is generally in accordance with the NPPF. The explanatory text to DCLP policy GB4 contains a guideline which states that a planning application to extend a dwelling by more than 25 percent of the original foot print will be considered to be large scale and disproportionate over and above the size of the original building. In assessing proportionality of this application there are no scale drawings which enable an accurate calculation of the increase to the dwelling by the previous extensions. In addition there is evidence that an upper floor area to the side (formally an attached outhouse) has been demolished. However, a judgement has to be made on the comparison and increase in size between the original house and additional development. The previous two storey rear extension added two additional bedrooms above additional living space to what was a two bedroom dwelling. The cumulative increase with this current proposal would significantly exceed the footprint of original dwelling.

4.12 In addition to the increased massing another factor is the visual impact on the openness of the Green Belt. The NPPF states that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open and that, the essential characteristics of the Green Belt are its openness and permanence. The increased massing of the building, widening the dwelling and frontage at first floor level would harm openness. There are no very special circumstances which have been advanced, or appear to exist, that would outweigh this harm of this development. The proposal would, therefore, conflict with national planning policy contained within the NPPF, in addition to Policy GB1 and GB4 of the Draft Local Plan.

#### RESIDENTIAL AMENITY:

4.13 In terms of protecting neighbour amenity, the Council will have regard for the adjacent neighbours in terms of the impact on sunlight, the relationship of windows, height, massing and dominance. The extensions would be sited at an acceptable distance away from adjacent houses to avoid impact on light, with good amounts of screening from ground floor living areas. As such the size of the extension and position of the new openings would not affect the level of privacy appropriate for these dwellings. Nor result in a dominant appearance from private gardens. Thus there would be no impact to residential amenity.

#### FLOOD RISK:

4.14 The site lies within Flood Zone 2/3. In relation to this, the agent has confirmed that the floor level of the proposals will be set no lower than the existing floor levels and flood proofing has been considered by the applicant and would be incorporated where appropriate.

### 5.0 CONCLUSION

5.1 It is considered that the proposal would result in a disproportionate addition over and above the size of the original dwelling and thus represent inappropriate development in the green belt. Furthermore, the size and overall massing of the house would be increased to a level which would harm openness. This would be contrary to the National Planning Policy Framework paragraphs 87, 88 and 89 and Local Policies GB1 and GB4 of the City of York Draft Local Plan, which seek to restrict the size of additions and extensions to existing dwellings in the Green Belt in order to maintain openness.

## **6.0 RECOMMENDATION:**     Householder Refusal

- 1     The house is within the Green Belt as defined by policy YH9 and Y1 of The Regional Strategy for Yorkshire and Humber. The proposed two storey and single storey extensions when added to previous extensions would result in disproportionate additions over and above the size of the original building, which would, by definition represent inappropriate development in the Green Belt. It would create a significant extension to the original property which would harm the openness of the Green Belt. No very special circumstances have been identified that would outweigh this harm. As such the proposal conflicts with Chapter 9 of the National Planning Policy Framework (Protecting Green Belt Land), in particular paragraphs 87-89 and policy GB4 of the City of York Draft Development Control Local Plan 2005.

## **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 considered that because of the additions to this dwelling a further extension would result in inappropriate development within the Green Belt. Therefore, resulting in planning permission being refused for the reasons stated and a positive outcome could not be achieved.

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