

COMMITTEE REPORT

Committee: West/Centre Area
Date: 19 June 2008

Ward: Westfield
Parish: No Parish

Reference: 07/02945/FUL
Application at: 6 Marston Crescent York YO26 5DQ
For: Part two storey part single storey pitched roof rear extension
By: Tony Rogers
Application Type: Full Application
Target Date: 13 February 2008

1.0 PROPOSAL

1.1 The applicant seeks planning approval to erect a part two storey and part single storey pitched roofed rear extension. All materials used will match the existing where appropriate.

1.2 The application relates to a brick built semi detached property with enclosed gardens to the rear. The attached adjoining property has a "lean to" conservatory to the rear. The adjacent property to the west has not been extended. Provision for the parking of two vehicles has been provided to the front.

1.3 The proposals have been revised to reduce the width of the two storey element from 6m to 5m, this also has the effect of reducing the ridge height by 0.3m so that it is now 0.8m lower than the ridge of the original dwelling.

1.4 The extension is unusual in that it proposes an annex to accommodate the applicant's parents. The applicant has stated that when the annex is no longer required it will be incorporated into original house as additional living accommodation. While the extension could be entirely self contained doorways are proposed from the original house.

Relevant History

1.5 07/02050/FUL - Two Storey Pitched Roof Rear Extension - Withdrawn
29.11.2007

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 Highway Network Management - No Objections.

3.2 One letter of comment/objection received from the neighbour in response to the originally submitted plans. The letter raises the following issues:

- * Concerns about the potential loss of sunlight and daylight from property, garden and conservatory.
- * Reduction in property value.
- * Noise impact from additional living accommodation.

3.3 Following the submission of revised plans the neighbour has submitted a further letter reiterating the points of objection and requesting that a site visit is undertaken.

4.0 APPRAISAL

KEY ISSUES

- * Policy Context.
- * Visual and Residential Amenity.

Policy Context

4.1 Policy GP1 'Design' of the City of York Local Plan Deposit Draft 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.

4.2 Policy H7 'Residential Extensions' state that planning permission will be granted for residential extensions where:

- a) the design and materials are sympathetic to the main dwelling and the locality of the development; and
- b) the design and scale are appropriate in relation to the main building;
- c) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and
- d) proposals respect the spaces between dwellings; and
- e) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

Visual and Residential Amenity

4.3 The proposals will be located to the rear of the property, so the impact upon the existing street scene is negligible.

4.4 Key to this particular application is the extensions impact upon the visual and residential amenity of neighbouring properties. The two storey extension projects 4 metres from the northern elevation within approx. 1.85m and 2.7m of the shared boundaries with No.8 and No.4, Marston Crescent respectively. The single storey element would be built to within 0.345m of the boundary with no. 4 and project 0.7m beyond no.4's conservatory.

4.5 The northern facing elevations of both the applicants' property and those neighbouring, by virtue of their orientation receive little direct sunlight. No.4, Marston Crescent has an existing conservatory to the rear, objections have been raised by the applicant concerning loss of light. Although some direct sunlight from the rising sun (no.8) and the setting sun (no.4) will be lost especially during the summer months, because of the orientation of the properties this would be the case with any two-storey rear extension to the property.

4.6 It should also be noted that the orientation of these properties means that many of the residents utilise the most northerly part of their gardens as main amenity spaces, as these areas receive sunshine throughout the day (to varying degrees).

4.7 The 2.7 metres set-in of the two storey element from the shared boundary with no.4 mitigates any undue overbearing impact, by setting the buildings height and mass well away from the neighbouring property. In respect of the impact on no.8, the extension would be sited 1.7m from the shared boundary, with a further 1.3m provided to the flank wall of no.8. It is considered that there would be no overbearing impact on the occupants of no.8 when viewed from their nearest rear facing window. The space between the extension and the boundary, the hipped detail of the roof and the relatively generous proportions of the garden mitigates against any harmful overbearing impact upon the garden of no.8.

4.8 The site would retain a rear garden of about 10m length and the distance to the properties to the rear in Chapelfields Road would be about 23m. As such it is not considered that the extension would result in a loss of privacy.

5.0 CONCLUSION

5.1 While the proposed extension is large in comparison with the existing dwelling and there would be some benefit from a reduction in its length, in this case its impact is considered to be limited and it would not be so harmful to the reasonable living conditions of the neighbours to justify the refusal of permission. Subject to conditions the use of the extension as a residential annex is considered to be acceptable.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

DWG No:113/JR/TBR - 101 B - Existing and Proposed Plans and Elevations.
(Revised)

or any plans or details subsequently agreed in writing by the Local Planning Authority as an 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.

3 VISQ1 Matching materials

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no doors, windows or other openings additional to those shown on the approved plans shall at any time be inserted into the external elevations of the extension hereby approved.

Reason: In the interests of the amenities of occupants of adjacent residential properties in accordance with policy GP1 and H7 of the Development Control Local Plan.

5 The internal door between the existing house and the proposed extension shall be constructed prior to the occupation of the extension and shall thereafter be retained.

Reason: To ensure that the extension is occupied as part of the original house as the site and the layout and design of the dwelling is inadequate to accommodate two separate residential properties. This is in accordance with policy GP1 and GP10 of the Development Control Local Plan.

6 The extension shall only be occupied by a family member of the occupants of the main dwellinghouse and shall not be sold, let or otherwise separately occupied.

Reason: To ensure that the extension is occupied as part of the original house as the site and the layout and design of the dwelling is inadequate to accommodate two separate residential properties. This is in accordance with policy GP1 and GP10 of the Development Control Local Plan.

7 The window and door in the west elevation facing no.8 Marston Crescent shall be glazed with obscured glazing and retained as such.

Reason: To avoid overlooking the neighbouring property in accordance with policy GP1 and H7 of the Development Control Local Plan.

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 visual and residential amenity. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Draft Local Plan.

Contact details:

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