

## COMMITTEE REPORT

**Date:** 6 February 2020      **Ward:** Osbaldwick And Derwent

**Team:** East Area      **Parish:** Osbaldwick Parish  
Council

**Reference:** 19/02200/FUL  
**Application at:** 45 Osbaldwick Village Osbaldwick York YO10 3NP  
**For:** Two storey side extension following demolition of garage, and dormer to front (resubmission)  
**By:** Mr & Mrs Sanderson  
**Application Type:** Full Application  
**Target Date:** 10 February 2020  
**Recommendation:** Delegated Authority to Approve

### 1.0 PROPOSAL

1.1 The application seeks permission for the erection of a two storey side extension incorporating semi dormers and replacement windows following the demolition of the existing single storey garage.

1.2 The application was called to the January sub-committee by Cllr M Rowley in order to allow Members to visit the site and appreciate its context. The application was deferred in order for officers to negotiate with the application in order to achieve an acceptable scheme.

1.3 The main revisions include increasing the height of the side extension to create less symmetry to the dwelling, the removal of the dormer windows and the removal of the long cat slide roof. Replacement windows are also proposed but these will not be installed immediately.

### 2.0 POLICY CONTEXT

#### Publication Draft Plan 2018

D4 – Conservation Areas

D11 – Extensions and Alterations to Existing Buildings

#### Development Control Local Plan 2005

Application Reference Number: 19/02200/FUL

Item No: 3c

GP1 - Design  
HE2 – Development in Historic Locations  
HE3 – Conservation Areas  
H7 – Residential Extensions

### **3.0 CONSULTATIONS**

#### Osboldwick Parish Council

3.1 Fully support the application

#### Public Protection

3.3 No objections subject to vehicle recharging facilities being provided.

#### Highway Network Management

3.4 No objections to the existing parking arrangements which would be retained.

#### Foss Internal Drainage Board

3.5 No objections to the two storey side extension.

### **4.0 REPRESENTATIONS**

#### Neighbours and Publicity

4.1 Two responses received in connection with the original scheme supporting the application on the following grounds:

- The house is in need of an upgrade
- The design creates a symmetrical scheme
- Extending the width of the garage would provide a more usable space
- Dummy windows could be inserted into the side elevation and landscaping planted to break up the side elevation
- No detrimental impact upon the conservation area or Yew Tree Mews
- An approval would enhance the village and all occupant and neighbours

4.2 Following the receipt of revised drawings a re-consultation has taken place. Members will be updated if responses are received.

## **5.0 APPRAISAL**

### 5.1 Key Issues

- Design
- Impact upon the character of the conservation area

5.2 In the absence of a formally adopted local plan the most up to date representation of key relevant policy issues is the National Planning Policy Framework, February 2019 (NPPF). This sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development.

5.3 Paragraph 38 advises that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.4 Paragraph 127 states that planning policies and decisions should ensure that developments will achieve a number of aims including:

- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- be visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- are sympathetic to local character and history, including the surrounding built environment and landscape setting
- create places that are safe, inclusive and accessible and promote health and well-being with a high standard of amenity for existing and future users

5.5 The NPPF also places great importance on good design. Paragraph 128 says that design quality should be considered throughout the evolution and assessment of individual proposals. Paragraph 130 says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into

account any local design standards or style guides in plans or supplementary planning documents.

5.6 The NPPF, Chapter 16, Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.7 The Publication Draft Local Plan ('2018 Draft Plan') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

5.8 The relevant policy is D11 'Extensions and Alterations to Existing Building', which states that it is important to plan positively for the achievement of high quality design for all development proposals. Proposals to extend, alter or add to existing buildings will be supported where the design:

- responds positively to its immediate architectural context and local character and history, in terms of the use of materials and detailing, scale, proportion, landscape design and the space between buildings;
- the significance of a heritage asset and/or its setting and the character and appearance of conservation areas;
- positively contributes to the setting, wider townscape, landscape and views;
- protects the amenity of current and neighbouring occupiers, whether residential or otherwise.
- contributes to the function of the area and is safe and accessible.
- protects and incorporates trees that are desirable for retention.

5.9 Policy D4: “Conservation Areas” states that development proposals within or affecting the setting of a conservation area will be supported where they; (i) are designed to preserve or enhance the special character and appearance of the conservation area and would enhance and better reveal its significance; (ii) respect important views; and (iii) are accompanied by an appropriate evidence based assessment of the conservation area's special qualities, proportionate to the size and impact of the development and sufficient to ensure that impacts of the proposals are clearly understood.

5.10 The Development Control Local Plan 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.

5.11 The relevant City of York Council Local Plan Policies are H7 'Residential Extensions', GP1 'Design', HE2 Development in Historic Locations and HE3 Conservation Areas.

5.12 The Council has a Supplementary Planning Document (SPD) for House Extensions and Alterations. The SPD was subject to consultation from January 2012 to March 2012 and was approved at Cabinet on 4 December 2012. The SPD offers overarching general advice relating to such issues as privacy and overshadowing as well as advice which is specific to particular types of extensions or alterations. The underlying objectives of the document are consistent with local and national planning policies and is a material consideration when making planning decisions. In connection with side extensions the guidance states that if not sensitively designed and located, side extensions can erode the open space within the street and create an environment that is incoherent and jumbled. It goes on to state extensions should also not have a detrimental impact on the streetscene by significantly projecting beyond a clearly defined building line of the adjacent street, or detract from the spaciousness of the area. The roof of a building is an important and prominent element of its design. Unsympathetic roof extensions can have a dramatic effect on a building's visual appearance.

## ASSESSMENT

5.13 The application site is within the Osbaldwick Conservation Area. Within such areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act

1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

5.14 The application site is a detached dwelling located at the junction with Osbaldwick Village and Yew Tree Mews, set behind a large front garden, facing the Green. Planning permission was granted in 1986 for the erection of a two storey side extension to the boundary with 43 Osbaldwick Village. The application has been amended since its first submission to create a more uniform two storey side extension incorporating semi dormer windows to the front and rear elevations.

5.15 The proposed extension would be located immediately adjacent to the existing grass verge to the side of the dwelling. It would be set down from the ridge and would be set back from the front elevation by approximately 500mm. The eaves height of the extension is lower than that of the existing dwelling and as a result semi dormer windows, being set partly within the roof slope and partly within the brickwork of the front elevation, are proposed to the front and rear elevations. The rear elevation will project out slightly past the existing rear elevation of the dwelling.

## DESIGN

5.16 The redesigned scheme appears to be visually more acceptable than the previous submission. The scheme removes the symmetrical element of the design and creates a more asymmetrical scheme, in line with Conservation Architect's recommendations. The drop down in ridge and the set back from the front elevation creates a subservient scheme that does not dominate the front elevation and relates well to the host building. This also results in a reduction in the massing and scale of the roof. The reduced eaves height creates an element of interest and results in the semi dormers which have been replicated to pick up similar design features within the conservation area.

5.17 The scheme also indicates the replacement of the existing upvc windows with windows of a more sympathetic design and proportion. However, the applicant has indicated that these will not be inserted as part of the initial works to the property but will be inserted over time when the existing windows fail and funding is available.

## AMENITY

5.18 There would be no loss of amenity to neighbouring residents as a result of the proposed extension. The nearest property lies to the north of the application site

with the property lying at a distance to the proposed extension. Any shadow cast would only impact upon the neighbour's driveway and not to any amenity space or habitable rooms.

## IMPACT UPON THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA

5.19 The width of the extension has not altered since the previous submission and the extension would still sit close up to the side boundary of the site, although a small area would be retained to prevent footings and eaves overhanging the boundary. However, the revised plans removed previous concerns in connection with its impact upon the openness of the conservation area. The extension will still be visible from Yew Tree Mews, to the rear, but the revised scheme reduces the eaves height of the extension and greatly reduces the massing of the proposed roof. The ridge of the original scheme projected out from the roof of the main dwelling by approximately 3.2m. The revised scheme now indicates this measuring approximately 2m. This reduces the mass and bulk of the extension and as such reduced its prominence and impact upon the openness of this part of the Osbaldwick Conservation Area.

5.20 It is considered that the amendments to the scheme have considerably improved the overall design of the dwelling and its impact upon the conservation area. The property itself now no longer detracts from the character and appearance of the conservation area. The alterations proposed to the windows, the removal of the long cat slide roof and dormer windows creates a more pleasing scheme which sits well within the streetscene. Whilst the extension still results in a blank wall facing onto Yew Tree Mews the overall visual impact and massing of the scheme has improved this relationship, primarily by removing the dormer windows and setting the extension back from the front elevation. It is now considered that the relationship with Yew Tree Mews is acceptable and that there would be no harm to the character and appearance of the conservation area.

5.21 It is considered that the proposals will not harm the character and appearance of the conservation area and as such the application accords with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## 6.0 CONCLUSION

6.1 It is considered that the amendment to the scheme now create an acceptable form of development which sits comfortably within the streetscene and does not harm the character and appearance of the Osbaldwick Conservation Area. There would be no loss of amenity to neighbouring residents as a result of the proposed development and as such the application accords with the NPPF, policies D4 and D11 of the Publication Draft Plan 2018 and policies GP1, HE2, HE3 and H7 of the Development Control Local Plan 2005.

**7.0 RECOMMENDATION:** Delegated Authority to the Assistant Director for Planning and Public Protection to Approve the application at the end of the consultation period. Should any additional consultation responses be received approval shall be in consultation with the Chair and Vice-Chair.

1 TIME2 Development start within three years

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

Drawing number 2019/135/P AL(0)03 Rev B

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

## **8.0 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 (paragraph 38) 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:

Sought revised plans to amend the design in relation to the impact upon the conservation area

#### **Contact details:**

**Case Officer:** Heather Fairy

**Tel No:** 01904 552217