

COMMITTEE REPORT

Committee: West/Centre Area
Date: 17 July 2008

Ward: Holgate
Parish: No Parish

Reference: 08/00462/FUL
Application at: 14 Braeside Gardens York YO24 4EZ
For: Conversion and extension of garage to create 1 no. dwelling with single storey pitched roof front conservatory, erection of pitched roof detached garage
By: Bill Redhead
Application Type: Full Application
Target Date: 7 May 2008

1.0 PROPOSAL

1.1 The application is for the conversion of the garage to a dwelling with a single storey front extension and single storey pitched roof front conservatory, and erection of pitched roof detached garage.

1.2 The application comes before sub-committee with a site visit at the request of Cllr Crisp because of concerns for the residential amenity of the occupants of the neighbouring dwellings.

1.3 14 Braeside Gardens is set behind 15 and 16 Braeside Gardens off a small lane. 14 Braeside Gardens is a large three bedroomed bungalow which has had a number of extensions. The only garden space is to the front of the dwelling.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYGP1
Design

CYH4A
Housing Windfalls

CYGP10
Subdivision of gardens and infill devt

CYL1C

Provision of New Open Space in Development

CYH5A
Residential Density

CYGP4A
Sustainability

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 10/04/2008
Site Notice - Expires 25/04/2008
Press Advert - N/A
Internal/External Consultations - Expires 10/04/2008

8 WEEK TARGET DATE 07/05/2008

3.2 INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

There seems to be no provision of cycle storage for 14 Braeside Gardens due to the conversion of the existing garage. Could be covered by condition

LIFELONG LEARNING AND LEISURE - As there is no on-site open space commuted sums should be paid to the Council for (a) amenity open space - which would be used to improve a local site such as the West Bank Park (b) play space - not applicable (c) sports pitches - which would be used to improve access to local facilities within the West Zone of the Sport and Active Leisure Strategy. The contribution to off site provision is to be based on the latest York formula through a Section 106 Agreement. The open space contribution would be £360

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

2 LETTERS OF OBJECTION

- The increase in the size of the existing garage would overshadow the garden of 13 Braeside Gardens
- Would be overbearing and overdeveloped for the size of the plot and the siting
- The plans are not to scale
- Will reduce the value of surrounding property
- Proposed garage will be too close and overbearing to the occupants of 15 Braeside Gardens

4.0 APPRAISAL

RELEVANT SITE HISTORY

99/00479/FUL - Erection of pitched roof side extension and conservatory with pitched roof over existing flat roof extension - Approved

97/01940/FUL - Erection of pitched roof replacement detached garage - Approved

ADDITIONAL PLANNING POLICY

Planning Policy Statement 1 - 'Planning for Sustainable Development'
Planning Policy Statement 3 - 'Housing'

KEY ISSUES

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

ASSESSMENT

PLANNING POLICY

4.1 Planning Policy Statement 1 - 'Planning for Sustainable Development' aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2 Planning Policy Statement 3 - 'Housing' (PPS3) sets out Government policy on housing development and encourages more sustainable patterns of development through the reuse of previously developed land, more efficient use of land, reducing dependency on the private car and provision of affordable housing. PPS3 also advises that car parking standards that require more than 1.5 spaces per dwelling are unlikely to secure sustainable development

4.3 Policy GP1 'Design' of the City of York Council 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 Policy H4a 'Housing Windfalls' of the CYCDCLP states that permission will be granted for new housing development on land within the urban area providing: it is vacant/derelict/underused or involves infilling, redevelopment or conversion; has good access to jobs, shops and services by non-car modes; and, is of an appropriate scale and density to surrounding development and would not have a detrimental impact on existing landscape features.

4.5 Policy GP10 'Subdivision of Gardens and Infill Development' states that permission will only be granted for the development or subdivision of gardens areas where it would not be detrimental to the character and amenity of the local environment.

4.6 Policy L1c requires that all housing sites make provision for the open space needs of future occupiers. For sites of less than 10 dwellings a commuted payment will be required towards off site provision.

4.7 Policy H5a 'Residential Density' of the City of York Council Development Control Local Plan (2005) states that the scale and design of proposed residential developments should be compatible with the character of the surrounding area and must not harm local amenity.

4.8 Policy GP4a 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development. Development should: provide details setting out the accessibility of the site by means other than the car and, where the type and size of development requires, be within 400 metres walk of a frequent public transport route and easily accessible for pedestrians and cyclists; contribute towards meeting the social needs of communities within the City of York and to safe and socially inclusive environments; maintain and increase the economic prosperity and diversity of the City of York and maximize employment opportunities; be of a high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City; minimize the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during construction and throughout the use of development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of the materials should be considered; minimize pollution, including that relating to air, water, land, light and noise; conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife area and room for trees to reach full growth; maximize the use of renewable resources on development sites and seek to make use of renewable energy sources; and make adequate provision for the storage and collection of refuse and recycling.

INACCURATE PLANS

4.9 The plans submitted are inaccurate, the existing dwelling at 14 Braeside Gardens is shown considerable smaller than it is on site and none of the large extensions to the parent dwelling are shown. The existing garage is also shown substantially smaller on the plans. The distance between the existing garage and the dwelling is circa 1 metre, the submitted plans show a distance of 5 metres. The site including the existing dwelling is shown in the submitted plans to measure 31.4 metres by 28 metres while on the Council GIS system it is shown to measure only 24 metres by 21 metres. The submitted plans show the existing garage set back from the front of 14 Braeside Gardens by 5 metres, on site the set back would be circa 0.5 metres. The garage is built up to the side boundary with 13 Braeside Gardens; the submitted plans show it set back from the boundary by 0.4 metres. The extension to the existing garage varies between 2 and 3 metres in depth. There are numerous

other errors. After a request for more accurate plans from the applicant none have been forthcoming.

VISUAL IMPACT ON THE DWELLING AND THE AREA

4.10 The proposed dwelling would appear to be significantly larger than what has been shown on the submitted plans. The relationship between the existing dwelling and the proposed dwelling is considered to be cramped and they would not relate well to each other as separate units. The proposal incorporates a front extension to the garage together with a conservatory whilst the plans (see previous section) show the main body of the extension not protruding further than the existing dwelling, in reality the extension may protrude 2 - 3 metres forward of the 14 Braeside Gardens with an additional 2.5 (or 2.7 metres) with the conservatory. So would protrude significantly further forward of the parent dwelling and increase the built up appearance of the development.

4.11 In suburban locations in order to provide a suitable setting for the dwelling, the size of the private garden amenity space should be in scale with the building it accommodates and should ideally be greater than the floorspace of the dwelling it supports. The proposal clearly fails in this respect, especially in regards to the parent dwelling which is a substantial family-sized three bedroomed property. The development still gives the impression of having been squeezed into a small space within an area of more generously arranged properties. As a consequence the proposed dwelling still appears awkward and cramped in nature.

4.12 The splitting of the site with the additional vehicle access, boundary treatment, and footpaths together with residential 'clutter' such as washing lines, patio furniture, play equipment etc would create a cluttered appearance that would further compound the overdevelopment of the plot (more so if the site is smaller than what is portrayed in the submitted plans).

4.13 A separate unit on this site would be not in keeping with the pattern of development in the area. It is considered that due to the scale and location of the proposed dwelling, the proposed development, if approved, would lead to this prominent site appearing cramped and overdeveloped. The proposal would also appear incongruous and contrived when compared to the existing scale, pattern and form of development within Braeside Gardens and the surrounding streets. The conversion of the garage to a dwelling would therefore constitute an unacceptable form of development on this site as it would have a harmful impact upon the character and visual amenity of the local environment.

4.14 The main body of the proposed dwelling would have no windows but would have roof lights, there would be a conservatory to the front. The lack of conventional windows would create an unsatisfactory living environment for occupiers of this dwelling, resulting in an unacceptable standard of residential accommodation and amenity. As such this would not comply with Central Government advice relating to design quality contained within PPS1 (Delivering Sustainable Development) and PPS3 (Housing).

IMPACT ON NEIGHBOURING PROPERTY

4.15 The applicant has confirmed in writing that the proposed garage should be removed from the application although no plans have been submitted showing this. The proposed garage would have caused a sense of enclosure to the occupants of 15 Braeside Gardens, their small area of amenity space being adjacent to the proposed garage.

4.16 The proposed dwelling has a door, which opens out onto the proposed area belonging to 14 Braeside Gardens, this is considered to cause a loss of privacy to the occupants of 14 Braeside Gardens and further emphasises that there may not be enough space to create a separate dwelling on this site.

4.17 Whilst there is the potential for overlooking and loss of privacy from the proposed conservatory obscure glass could be conditioned if approval was granted. It is unclear what the distance is between the proposed conservatory and 15 Braeside Gardens.

OTHER ISSUES

4.18 There is also no cycle provision shown for the proposed dwelling or the existing dwelling.

4.19 A sustainability statement in line with Policy GP4a was requested, at the time of writing it had not been received.

4.20 The applicant has agreed to make an open space contribution in line with Policy L1c of the City of York Council Development Control Local Plan (2005).

5.0 CONCLUSION

5.1 The proposed conversion of the garage to create a dwelling by virtue of the residential paraphernalia, boundary treatment and the poor relationship between the host dwelling and the proposed dwelling would appear cramped and overdeveloped resulting in harm to the parent dwelling and the character of the area. The proposal would be out of keeping with the pattern of development in the area and therefore would be contrary to Policies GP1, GP10, H4a, and H5a of the City of York Council Development Control Local Plan (2005)

5.2 The lack of conventional windows would result in poor living conditions and amenity to the occupants of the proposed dwelling and therefore would be contrary to Policies GP1, GP10, H4a, and H5a of the City of York Council Development Control Local Plan (2005),

5.3 No sustainability statement has been submitted in line with Policy GP4a of the City of York Council Development Control Local Plan

5.4 The proposed side door would cause in a loss of privacy to the occupants to the parent dwelling - 14 Braeside Gardens resulting in a loss of residential amenity and

therefore would be contrary to Policies GP1, GP10, H4a, and H5a of the City of York Council Development Control Local Plan (2005).

5.5 The plans are not to scale and show a large number of significant errors and as such cannot be fully and accurately assessed by the Local Planning Authority.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The proposed conversion of the garage to a dwelling by virtue of its scale, location, and residential paraphernalia would appear cramped and overdeveloped and would appear incongruous when compared to the existing scale, pattern and form of development within Braeside Gardens and the surrounding streets and therefore would be contrary to design guidance in PPS1 (Delivering Sustainable Development) and Policies GP1, GP10, H4a, and H5a of the City of York Council Development Local Plan (2005).

2 The proposed lack of traditional windows would create an unsatisfactory living environment for occupier/s of the proposed dwelling would result in an unacceptable standard of residential accommodation and amenity. As such this would not comply with Central Government advice relating to design quality contained within PPS1 (Delivering Sustainable Development) and PPS3 (Housing).

3 The proposed plans submitted are not drawn to a recognised scale and inaccurate and as such cannot be fully and accurately assessed by the Local Planning Authority.

4 No sustainability statement has been submitted, without this document the Council cannot judge the sustainability of the scheme against this Policy GP4a and therefore the proposal is contrary to Policy GP4a of the City of York Council Development Local Plan (2005).

5 The proposed side door opening onto amenity space belonging to 14 Braeside Gardens would result in a loss of privacy to the occupants of this dwelling and would cause harm to their residential amenity and therefore is contrary to Policies GP1 and GP10 of the City of York Council Development Local Plan (2005).

7.0 INFORMATIVES:

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