



### 3.1 No objections.

## 4.0 REPRESENTATIONS

### Original Submission

4.1 Objections were received from neighbouring residents at nos. 9 and 10 Beech Way and Brambles, Main Street, Upper Poppleton which are summarised as follows;

- The application site is on the edge of the conservation area so should be carefully considered.
- The extension would increase the scale of the house, which has previously been extended, and would lead to overdevelopment of the property.
- The first floor extension would infill the gap between the houses and harm the streetscene blocking views and the relief through and between the dwellings.
- The extension would result in a terracing effect and a loss of openness between the houses.
- The ridge level of the extension should be reduced so that the extension is subservient to the main house.
- The rear part of the extension is beyond the building line of the original house and would detract from the outlook of neighbouring residents at 10 Beech Way, reduce light levels in adjacent rooms and sunlight in the rear garden.
- The design of the rear gable of the extension would dominate the existing house.
- The high level glazing to the rear gable of the extension, which would serve an en-suite bathroom, appears incongruous. The principle of a large area of glazing on a north facing elevation is questioned in terms of sustainability.
- Street congestion with cars should not be increased.

### Revised Proposals

4.2 Objections received from neighbouring residents at 10 Beech Way and Brambles, Main Street, Upper Poppleton which are summarised as follows;

- Due to the proximity of the first floor side extension to the side boundary, the proposals will become overbearing and result in terracing.
- A detailed roof plan is not included in the revised proposals illustrating the relationship between the eaves of the side extension and the side boundary of 10 Beech Way.
- The excessive mass of the gable form of the rear part of the extension that would project beyond the building line of the original house.

- The large first floor window to the rear elevation of the extension would reduce privacy in the rear garden of 10 Beech Way. The small reduction in the ridge level of the extension is considered insufficient to address the monolithic scale and domineering effect of the proposals on neighbouring properties.
- The reduction in the vast expanse of glass at first floor level is welcomed although the shape and style is considered to be out of keeping with adjacent properties and the surrounding environment.

## **5.0 APPRAISAL**

### **KEY ISSUES**

- Design and visual impact on dwelling and surrounding area
- Neighbouring amenity

### **PLANNING POLICIES**

#### National Planning Policy Framework

5.1 In the absence of a formally adopted local plan in York 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.

5.2 In NPPF Chapter 4 Decision-making, Paragraph 38 advises that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available 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.

5.3 In NPPF Chapter 12 Achieving well-designed places, 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.

5.4 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.

#### Upper Poppleton and Nether Poppleton Neighbourhood Plan 2017

5.5 The Development Plan for Upper/Nether Poppleton is the Upper Poppleton and Nether Poppleton Neighbourhood Plan which came into force with effect from 19 July 2017. Section 38(6) of the Planning and Compensation Act 2004 and NPPF at para 14 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. Village Design Statement PNP 4 states that proposals for development within the villages of Upper Poppleton and Nether Poppleton will be supported where they bring forward high quality design appropriate to their character and appearance. All new developments within the settlement limits of the villages should respect the Design Guidelines.

#### Publication Draft York Local Plan 2018

5.6 The Publication Draft City of York Local Plan 2018 ('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).

The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications.

5.7 2018 Draft Plan Policy D11 (Extensions and Alterations to Existing Buildings) is relevant here. This says that proposals to extend, alter or add to existing buildings will be supported where the design responds positively to its immediate architectural context, local character and history in terms of the use of materials, detailing, scale, proportion, landscape design and the space between buildings. Proposals should also sustain the significance of a heritage asset, positively contribute to the site's setting, protect the amenity of current and neighbouring occupiers, contribute to the function of the area and protect and incorporate trees that are desirable for retention.

#### York Development Control draft Local Plan 2005

5.8 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 the policies should be afforded very limited weight except when they are in accordance with the NPPF.

5.9 Development Control Local Plan Policy GP1 refers to design, for all types of development. Of particular relevance here are the criteria referring to good design and general neighbour amenity. Development proposals will be expected to 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. Development proposals will be expected to ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

5.10 Development Control Local Plan Policy H7 states that residential extensions will be permitted where; the design and materials are sympathetic to the main dwelling and the locality; the design and scale are appropriate to the main building; there is no adverse effect upon the amenities of neighbours; the proposals respect the spaces between dwellings; and the proposals would not result in an unacceptable reduction in private amenity space.

5.11 The Supplementary Planning Document 'House Extensions and Alterations' (SPD) dated December 2012 provides guidance on all types of domestic type 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/streetscene where it is located. 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 where required. Proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook.

### Poppleton Village Design Statement 2003

5.12 Poppleton Village Design Statement, adopted August 2003, includes design guidelines and advises that to conserve the special character of the traditional communities, the size, scale and massing of new buildings and extensions should harmonise with neighbouring properties and spaces. The use of local characteristic details and materials is to be encouraged.

## ASSESSMENT

### DESIGN AND VISUAL AMENITY

5.13 It is proposed to erect a first floor side extension above the existing flat roof single storey side extension. The detached two storey house has been the subject of previous alteration and extension with a single storey rear extension, front porch and two bay windows to the ground floor front elevation in situ.

5.14 Following discussions with the agent, revised proposals have been submitted to address design, visual amenity and neighbour amenity issues regarding the original scheme. The first floor side extension would include a bedroom and en-suite bathroom. The side extension would have a pitched roof with the ridge set down approx. 0.4 metres from the ridge level of the existing house. The front elevation of the first floor side extension would be set back approx. 0.6 metres from the front elevation of the existing house, such that the extension would appear subservient and read as a secondary element in the street scene. The side extension would also be set back from the front elevation of the neighbouring dwelling house at 10 Beech Way such that the proposals would not result in a terracing effect in this part of Beech Way.

5.15 The side elevation of the extension would be set away from the side boundary with 10 Beech Way by approx. 0.6 metres, whilst the overhanging eaves would be approx. 0.4 metres from the side boundary. Given that there is a garage to the front of the side extension where cycles and refuse bins can be stored, the spacing to the side of the extension is considered acceptable.

5.16 The first floor side extension includes a gable to the rear elevation. In revised proposals, the projection of the extension beyond the rear elevation of the existing house has been reduced to approx. 1.1 metres. The gable to the rear elevation of the extension would echo the gable form present to the side elevations of the host dwelling and would be set down so that this part of the extension would appear subservient to the existing house. In revised proposals, the glazed element of the rear gable has been reduced to form a central full height window. A lean to pitched roof would replace the existing flat roof to the rear ground floor part of the extension and would complement the lean to roof form of the existing single storey rear extensions.

5.17 With regard to external materials, the extension would be finished in brickwork and roof tiles to match those of the host dwelling. The first floor window to the front of the side extension would have a roof canopy over finished in dark grey coloured GRP. The windows to the front and side elevation of the extension would be framed in white coloured UPVC to match those of the existing house, whilst the first floor gable window and patio doors to the rear elevation of the extension would have dark grey coloured aluminium frames.

5.18 With regard to design and visual amenity, it is considered that the first floor side extension would appear subservient to the host dwelling and would not detract from the streetscene in Beech Way. Due to the set down and set back of the first floor side extension, the proposals would read as a secondary element in public views from Beech Way. The rear gable element of the side extension would echo the gable form of the side elevations of the existing house, and the central glazed panel to the first floor rear elevation would appear contemporary and complement the design of the existing house. Therefore, the proposals are considered acceptable with regard to design and visual amenity and would accord with design guidance in the SPD. The proposals are not considered to harm the setting of the adjoining Conservation Area.

## IMPACT ON NEIGHBOURING AMENITY

5.19 To address matters relating to residential amenity, in revised proposals the length of the rear part of the first floor side extension has been reduced so that the projection would be approx. 0.2m beyond the rear elevation of the neighbouring house at no.10. It is considered that the reduction in the length and mass of the side extension would ensure that the proposals would not appear overbearing or result in a loss of outlook to the neighbouring dwelling house at 10 Beech Way, including its first floor rear facing bedroom window. Due to the orientation of the application site, and the reduction in the mass of the first floor side extension, it is

considered that the revised proposals would not result in a loss of light or overshadowing of the neighbouring dwelling house at 10 Beech Way. It is considered that due to the reduction in the length and mass of the rear part of the first floor side extension, the proposals would not appear overbearing from the rear garden of the neighbouring dwelling house at 10 Beech Way. Therefore, the revised proposals are considered acceptable with regard to residential amenity.

5.20 With regard to the matter raised relating to street congestion with an increase of cars associated with the proposals, the additional bedroom would be for the existing family living in the house and would not be considered likely to generate an increase in street congestion in Beech Way.

## **6.0 CONCLUSION**

6.1 For the reasons stated, the revised proposals are considered acceptable and would comply with the NPPF, Policy D11 (Extensions and Alterations to Existing Buildings) of the Publication Draft City of York Local Plan 2018, Policies GP1 (Design) and H7 (Residential Extensions) of the Development Control Local Plan and City of York Council's Supplementary Planning Document (House Extensions and Alterations).

## **7.0 RECOMMENDATION:** Householder Approval

1 TIME2 Development start within three years

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

Drawing no. 1006.002 revision J dated 08.06.2020

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

3 The materials to be used externally shall match those of the existing dwelling house in colour, size, shape and texture, with the exception of the first floor gable window and patio doors to the rear elevation of the side extension that shall be framed in dark grey coloured aluminium.

Reason: To achieve a visually acceptable form of development.



## **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:

- In discussion with the agent, revised proposals were submitted to address issues raised with regard to design, visual amenity and neighbour amenity.

#### **2. THE PARTY WALL ETC ACT 1996**

The proposed development may involve works that are covered by the Party Wall etc Act 1996. An explanatory booklet about the Act is available at:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

Furthermore the grant of planning permission does not override the need to comply with any other statutory provisions (for example the Building Regulations) neither does it override other private property rights (for example building on, under or over, or accessing land which is not within your ownership).

#### **Contact details:**

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