

## COMMITTEE REPORT

**Date:** 30 March 2021      **Ward:** Rawcliffe And Clifton  
Without

**Team:** West Area      **Parish:** Rawcliffe Parish Council

**Reference:** 21/00045/FUL  
**Application at:** 33 Patterdale Drive York YO30 5TW  
**For:** Dormer to front (resubmission) (retrospective)  
**By:** Mr And Mrs Stephenson  
**Application Type:** Full Application  
**Target Date:** 1 April 2021  
**Recommendation:** Refusal

### 1.0 PROPOSAL

1.1 This application seeks permission for the erection of a dormer to the front roofslope of a single storey semi-detached dwelling in Rawcliffe. This is a retrospective application, and a resubmission of the scheme previously refused under application reference 20/01842/FUL.

#### 1.2 Property History:

- 20/01842/FUL – dormer to front. Refused 06/01/2021 on the grounds of visual amenity. The appeal was dismissed by decision dated 18.03.21, the Inspector concluding “that the proposal would be of a design and scale that would lead to significant harm to the character and appearance of the host dwelling and the streetscape”.

1.3 This application has been called in by Cllr. Smalley for consideration by the sub-committee so as to provide the opportunity to discuss considerations such as any impact on the street scene, proposals in the development plan and previous planning decisions on Patterdale Drive.

### 2.0 POLICY CONTEXT

Draft Development Control Local Plan 2005

GP1 – Design

Application Reference Number: 21/00045/FUL

H7 – Residential Extensions

City of York Publication Draft Local Plan 2018

D1 – Placemaking

D11 – Extensions and Alterations to Existing Buildings

### **3.0 CONSULTATIONS**

3.1 Rawcliffe Parish Council – no objections.

### **4.0 REPRESENTATIONS**

4.1 One letter has been received raising the following objections:

- Visual amenity – approval of the development would set a precedent for similar schemes affecting all other bungalows in the area. Velux windows should be installed instead, which would be in keeping with other properties in the area.
- Other issues - the brick porch referred to in the planning application would contravene the building line.

### **5.0 APPRAISAL**

#### **KEY ISSUES**

5.1 Impact on the dwelling and character of the surrounding area; impact on neighbour amenity.

#### **POLICY CONTEXT**

5.2 The National Planning Policy Framework (NPPF) February 2019 sets out the Government's overarching planning policies, and at its heart is a presumption in favour of sustainable development.

5.3 Paragraph 38 of the NPPF (Chapter 4, 'Decision-Making') 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 (NPPF Chapter 12, 'Achieving Well-Designed Places') states that planning policies and decisions should ensure that developments will achieve a number of aims, including:

- that they will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- that they will be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- that they are sympathetic to local character and history, including the surrounding built environment and landscape setting;
- that they will help 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 Publication Draft Local Plan 2018 for the City of York ('2018 Draft Plan') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. In accordance with paragraph 48 of the NPPF the following 2018 Draft Plan policies can be afforded moderate weight:

5.7 Policy D1 (Placemaking) of the 2018 Draft Plan states that proposals that fail to make a positive contribution to the city or cause damage to the character and quality of an area, or the amenity of neighbours will be refused.

5.8 Policy D11 (Extensions and Alterations to Existing Buildings) states 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 and 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.

5.9 The Development Control 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 their weight is limited except when they are in accordance with the NPPF.

5.10 The 2005 Draft Local Plan policy GP1 states that, with respect to Design, development proposals will be expected to (i) respect or enhance the local environment; (ii) 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; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks, the rural character and setting of villages and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

5.11 Draft Local Plan 2005 Policy H7 concerns Residential Extensions, and states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality of the development; (ii) the design and scale are appropriate in relation the main building; (iii) there is no adverse effect on neighbour amenity; (iv) proposals respect the spaces between dwellings; and (v) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

5.12 The Supplementary Planning Document 'House Extensions and Alterations' (dated December 2012) (SPD) provides guidance on all types on domestic type development. Section 14 of the SPD relates to dormer windows and roof extensions. Paragraph 14.1 of the SPD states that; if poorly located or designed, dormer windows and roof extensions can make a building appear 'top heavy' and cluttered, and harm its balance, or symmetry. Paragraph 14.5 of the SPD advises that, when located on bungalows with a shallow roof pitch, dormers are considered unacceptable on the front roof slope, as to create adequate head height they will inevitably dominate the roof slope and make the building appear 'top heavy'. In

streets where there are few dormer windows it is unlikely that new dormers will be allowed on the front elevation unless it can be clearly shown that they will not detract from its character.

## ASSESSMENT

### The scheme

5.13 The scheme proposes a flat roofed dormer to the upper part of the front roofslope of the dwelling, utilising red tile cladding and white UPVc windows. The application is retrospective, with the majority of the dormer having been constructed at the time of the site visit.

### Impact on the dwelling and character of the surrounding area

5.14 The proposed dormer is considered to be an incongruous addition to the shallow front roofslope of the host bungalow. The structure sits just beneath the ridge, towards the top of the roof, and results in the dwelling appearing 'top heavy'. This, together with the relatively shallow depth of the dormer, represents a poorly proportioned scheme and is considered poor design. The dormer is also considered to harm the balance between the host dwelling and its semi-detached neighbour, no.35, which has no similar addition to its roof.

5.15 Although the surrounding streetscene does contain a few examples of flat roofed front dormers, these are mainly original features of dwellings which differ in design from the host dwelling, and include steeper and larger roofslopes which are better able to accommodate front dormer additions. The host dwelling is a smaller bungalow with a smaller, much shallower roofslope, in keeping with the majority of the rest of the street, including the host dwelling's semi-detached neighbour. It is not considered, overall, that front dormers are a particular characteristic of the street, and the proposed dormer is considered out of keeping with the wider character and prevailing pattern of development along the street. Approving this development would set an unacceptable precedent for other similar schemes which may be difficult to resist.

5.16 In dismissing the appeal for the refusal of application 20/01842/FUL, the Inspector concluded that "due to the size and height of the dormer, this would give the resultant building an ungainly and top-heavy appearance. This would also contrast uncomfortably with the unaltered and uncluttered roofscape of nearby

bungalows of a similar design”. In terms of the other front dormers nearby in Patterdale Drive he stated “These dwellings are of a design which is able to accommodate dormer windows whilst maintaining an acceptable appearance, particularly in respect of the extent of roof slope above and below the dormer.” With reference to the applicant’s reference to similar dormers in Borrowdale Drive the Inspector concluded “this is some distance from the appeal site and does not set a visual context for the appeal proposal. In any event, the dormers referred to indicate the incongruous and unsightly appearance of this form of development on dwellings similar to the appeal property.”

### Impact on neighbour amenity

5.17 It is not considered that the proposed extension would have any undue impact on the amenity of the neighbours to either side, by virtue of its scale and position on the dwelling.

## **6.0 CONCLUSION**

6.1 The proposal is not considered to comply with National Planning Policy Framework (2019), policies D1 and D11 of the City of York Publication Draft Local Plan 2018, policies GP1 and H7 of the 2005 City of York Draft Local Plan, and advice contained within Supplementary Planning Document 'House Extensions and Alterations' (December 2012).

## **7.0 RECOMMENDATION: Refusal**

- 1 The proposed dormer to the front roofslope would have a detrimental impact on the character and appearance of the host dwelling and the visual amenity of the wider streetscene, constituting an addition of unsympathetic and dominant scale and design in the context of the shallow roofslope of the host bungalow. This would be out of character with the largely unaltered roofscape on similar properties along Patterdale Drive. The proposal is considered to represent poor design contrary to paragraphs 127 and 130 of the National Planning Policy Framework (2019), policies D1 and D11 of the City of York Publication Draft Local Plan 2018, policies GP1 and H7 of the 2005 City of York Draft Local Plan, and guidance contained within Supplementary Planning Document 'House Extensions and Alterations' (December 2012), in particular paragraphs 14.1 and 14.5.

## **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 considers that the proposed extension would clearly result in a harmful impact on the visual amenity of the host dwelling and the wider streetscene. No amendments could be suggested in order to make the proposal acceptable, due to the retrospective nature of the application. Planning permission is therefore being refused for the reasons stated and a positive outcome could not be achieved.

#### **Contact details:**

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