

CYGP10
Subdivision of gardens and infill devt

CYH4A
Housing Windfalls

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - Awaited.

Landscape Architect - Awaited.

3.2 External

Parish - Object for the same reasons as the original schemes. (case officer - objections to 07/01806/FUL were on the grounds of highway safety. Objections to 08/0892/FUL also related to over-development and harm to trees.

Neighbours - At the time of writing this report objections from two neighbours have been received. The following issues have been raised:

The reasons for refusal of the previous scheme are equally valid.
The proposal is an overdevelopment of the site
The development will have a dominating and overbearing impact

Internal Drainage Board - No objections

4.0 APPRAISAL

4.1 Proposals to make more efficient use of land for residential accommodation within previously developed accessible locations are in line with the thrust of current local and national planning policy. The definition of previously developed land includes the application site. However, in assessing the acceptability of the application it is important to ensure that the proposal does not cause harm to issues of acknowledged importance.

4.2 Policy GP10 and H4a of the Local Plan relate to infill development and the subdivision of gardens. They place particular significance on avoiding over-development and ensuring that new development is not detrimental to the character and amenity of the local environment. The application site is within the defined settlement limit of Elvington although it is not within the Elvington Conservation Area. The south-west corner of the rear garden abuts the green belt.

4.3 The planning officer recommended the original scheme submitted in September 2007 for refusal on the grounds of the impact on the amenity of the occupiers of Grange House and 3 Loraine Avenue and because of concerns in respect to the

close relationship to trees. Bearing in mind that planning permission was subsequently granted it would be inappropriate for Members to re-visit the principle of development, however, the officer's opinion on these aspects is as previously reported. This report focuses on the differences between the scheme that was approved by Members in September 2007 and the scheme currently submitted. The key considerations are:

The Impact on the Streetscene
The Impact on Neighbours' Living Conditions
Highway Issues
The Quality of Accommodation.

IMPACT ON THE STREETSCENE AND TREES

4.5 The changes to the scheme will not increase the dominance of the development when viewed from the street. The main issue is the impact of the development on adjoining trees and the visual impact of any loss of these trees. Although the eaves height will be increased slightly it is not considered that the revised scheme would have a materially different impact on surrounding trees than that which was approved previously. The fenestration facing the main row of trees (south) is little changed

IMPACT ON NEIGHBOURS' LIVING CONDITIONS AND ENVIRONMENT

4.6 The footprint of the scheme is the same as that which was approved previously. The only significant change is the increase in the eaves height of the building. Although the eaves height of the building is only proposed to increase from 2.7m to 3.3m it is considered that this increase in height would have a material impact on the mass of the building when viewed from surrounding properties. When viewed from surrounding houses and gardens residents would largely just see the roof of the approved house. Significantly more of the walls of the revised scheme would be visible and its impact on the character of the backland site would be greater. This is significant given that Policy GP10 that relates to the Subdivision of Gardens and Infill Development states that new development should not be 'detrimental to the character and amenity of the local environment"

HIGHWAY ISSUES

4.7 Highways officers have previously raised no safety objections to the development. It is not considered that the increase in the number of bedrooms would create such a rise in traffic levels to cause concern.

THE QUALITY OF ACCOMMODATION

4.8 Because of the existence of a belt of trees along the southern elevation it is the case that the outlook from the property and light levels entering the property would be restricted. The revised scheme would not be significantly different in this respect than that which was approved.

4.9 The garden of the approved scheme was fairly modest with fragmented areas often in the shade around the house. It was, though, considered adequate to meet the needs of the property. The larger scheme that was refused had a smaller area of garden and one of the reasons for refusal related to the garden size. The current scheme has the same size garden of the scheme that was approved, however, the internal size of the house has increased to create an additional bedroom. Paragraph 17 of PPS3 (Housing) states that where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreation areas, including private gardens, play areas and informal play space. Although the garden size is small, prospective occupiers would typically have a choice in respect of whether to live in the home and may decide that they did not want, or need a larger garden. Given that the development is for one house only and there are other houses in the vicinity with gardens more suitable for children's play it is not considered that the layout is such to justify refusal.

5.0 CONCLUSION

5.1 The main change between this scheme and the approved scheme is the increase in the eaves level of the house. The house is in relatively close proximity to the boundaries of the site and the change would significantly increase the mass of the building. Within the context of the local environment it is considered that this would detract unacceptably from the character of the site and the enjoyment of neighbouring gardens. It is recommended that the application be refused on these grounds.

5.2 The statutory period for consultation responses expires on 12 September 2008. To ensure that the decision is made within an eight week period (1 October 2008) it is requested that delegated authority be given to refuse planning permission.

6.0 RECOMMENDATION: Delegated Authority to Refuse

1 The proposed dwelling would be located in close proximity to the garden boundary of surrounding properties, particularly Grange House and 1 and 3 Lorraine Avenue. It is considered that the increase in eaves height in comparison to the approved scheme would increase the mass and dominance of the proposed house to a degree that would make it unduly prominent and intrusive when viewed from these properties and have a detrimental impact on the established character and amenity of the local environment. As such the proposal fails to comply with Policy GP1 (criterion a, b and l), Policy GP10 and Policy H4a of the City of York Local Plan 4th Set of Changes 2005.

Contact details:

Author: Neil Massey Development Control Officer (Wed/Thurs/Fri)
Tel No: 01904 551657