

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Acomb
Date: 13 November 2008 **Parish:** Acomb Planning Panel

Reference: 08/02073/FUL
Application at: 9 Lochrin Place York YO26 5QL
For: Two storey pitched roof side extension and new boundary wall
By: Mr Julian Davies
Application Type: Full Application
Target Date: 15 October 2008

1.0 PROPOSAL

1.1 The application is for a two storey pitched roof side extension and a new 1.8 metre high boundary wall.

1.2 The dwelling is set towards the end of a cul-de-sac and by virtue of its position on the corner of the road is rather prominent. This side of the road is detached two storey dwellings, while the other side of the street is semi-detached bungalows. The dwellings are set back from the road which gives the area an open suburban character.

1.3 A previous application for a two storey side extension and 1.8 metre high wall was refused (07/01671/FUL) on the grounds that its bulk, mass, increase in built frontage, and prominent position in the streetscene was considered to be over dominant, over developed, and would create a sense of enclosure that would result in harm to the open suburban character of the street.

1.4 The difference from the previously refused application is that the extension is now set back 1.76 metres (previously was set back 0.42 metres. The width of the extension has been reduced by 0.375 metres to 3.891 metres in width. The boundary wall previously extended round the proposed extension. In this application it does not extend further forward of the rear elevation or the proposed side elevation.

1.5 A committee site visit is requested by virtue of the scheme being recommended for approval and the number of objections to the scheme.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

CYGP4A
Sustainability

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 23/09/2008

Site Notice - N/A

Press Advert - N/A

Internal/External Consultations - Expires 25/09/2008

8 WEEK TARGET DATE 15/10/2008

3.2 INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

ACOMB PLANNING PANEL - Object

- Overdevelopment in a well designed residential area
- Proposed development is far beyond the building line of other properties in Lochrin Place
- The development may be partly on land not owned by the developer
- The extension on a corner site will restrict sighting of approaching vehicles

9 LETTERS OF OBJECTION (3 from the same objector)

- Proposed extension would bring the dwelling up to the boundary and may even encroach on common land
- Proposed extension and wall would obstruct clear view of traffic causing a danger
- The large number of vehicles parked in relation to 9 Lochrin Place also cause safety issues
- Submitted the same plans as were previously refused
- Address on the plans is wrong
- Has the applicant purchased council land to build on?
- Has the applicant obtained permission to remove the streetlight and the medium voltage cables including telecommunications cables that the extension would be built over?
- Overdevelopment of the site
- Over the building line of 11 and 13 and beyond land owned by the developer
- There may have been a public footpath, which has been covered with grass
- Plans have been submitted with no measurements

- Proposal is over dominant and would harm the open suburban character of Lochrin Place and would be contrary to Policies GP1 and H7 of the City of York Council Development Control Local Plan (2005) and the supplementary planning guidance - Guide to extension and alteration to private dwelling houses (2001)
- Is already one of the largest houses on the estate to further enlarge it would ruin the residential environment
- By virtue of the parking on the street the street sweeper has only swept half the street for two years
- When the estate was built this was kept open for reasons of visibility and safety
- The extension would reduce the aesthetic appearance of the cul-de-sac

4.0 APPRAISAL

4.1 RELEVANT SITE HISTORY

07/01671/FUL - Two storey pitched roof side extension, new 1.8 metre high boundary wall - Refused

- The proposed two storey side extension and 1.8 metre high wall by virtue its bulk, mass, increase in built frontage, and prominent position in the streetscene is considered to be over dominant, over developed, and create a sense of enclosure that would result in harm to the open suburban character of the street and therefore is contrary to Policies GP1 and H7 of the City of York Development Control Local Plan (2005); and supplementary planning guidance 'Guide to extensions and alterations to private dwelling houses' (2001).

4.2 ADDITIONAL PLANNING POLICY

CYC Supplementary Design Guidance - A guide to extensions and alterations to private dwelling houses, 2001

4.3 KEY ISSUES

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

4.4 ASSESSMENT

PLANNING POLICY

4.4.1 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.

4.4.2 Policy H7 'Residential Extensions' of the City of York Council Development Control Local Plan sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.4.3 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.

4.4.4 The City of York Council's supplementary planning guidance - Guide to extensions and alterations to private dwelling houses states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling. The scale of the new extension should not dominate the original building. An inappropriately designed extension can spoil the appearance of the area. Where a street of a group of buildings has a well-defined building line it should be retained. It is suggested that side extensions should be set back at least 0.5 metres from the front of the building. Extending forward of the building line should be avoided. Side extensions should be sympathetically designed to appear subservient to the main dwelling. Spaces between dwellings are an important contribution to the streetscene and character of the area.

VISUAL IMPACT ON THE DWELLING AND THE AREA

4.4.5 The dwelling is set on a corner plot towards the head of the cul-de-sac. The proposed extension is set back from the main front elevation by 1.76 metres; it does not protrude further back than the original rear elevation. The width of the proposed extension would be 3.928 metres in width (4.287 metres including the chimney); the original dwelling is 8 metres in width. The proposed extension is set back by 1.76 metres, and the height to the roof ridge has been reduced by 0.5 metres. It is considered that the extension would appear subservient in relation to the original dwelling. The revised application has seen a large reduction in size and bulk to the streetscene by virtue of the substantial set back from the front elevation. The proposed extension by virtue of the layout of the street would have a slight element of prominence at the end of the cul-de-sac however it is not considered to be significantly harmful to the visual amenity or the open character of the street as to warrant refusal.

4.4.6 The proposed boundary wall reflects the style of the existing wall. There would be garden retained in front of the extension of the boundary wall. The part of the wall closest to the dwelling would extend further out towards the road by 0.4 metres than the existing it would impinge very slightly on the service strip, Highways Network Management have raised no objections to this. At the time of writing the report Highways Network Management had yet to clarify the status/ownership of the service strip.

4.4.7 The Town and Country Planning (General Permitted Development)(Amendment) Order 2008 has changed permitted development rights including the cubic content allowances. This would mean in theory that the dwelling could be substantially extended at the rear without having to make an application for planning permission. It is considered that in this case as this extension would be rather sizeable and there is only a modest sized garden to the rear that permitted developments be removed to prevent overdevelopment of the dwelling.

IMPACT ON NEIGHBOURING PROPERTY

4.4.8 The proposed side extension and 1.8 metre high wall with timber panels are not considered to impact on the residential amenity of the occupants of the neighbouring dwellings by virtue of the distance of the extension from the neighbouring dwellings. The first floor window in the rear elevation is for a bathroom and is not set any further back than the windows in the original rear elevation. The windows to the front of the extension are not considered to cause a loss of privacy to the surrounding dwellings; they are set further away from the neighbouring dwellings than the windows in the original front elevation. By virtue of its distance to neighbouring dwellings the proposed extension is not considered to cause any overshadowing or loss of light to any of the neighbouring dwellings and gardens

IMPACT ON HIGHWAY SAFETY

4.4.9 The proposed extension and the boundary wall are not considered to impact on vehicular sightlines. Highways Network Management does not have concerns regarding the highway safety and have raised no objections to the proposed development.

5.0 CONCLUSION

5.1 The proposed side extension is considered to be subservient to the main dwelling. The substantial set back from the front elevation and the reduction in bulk is considered to overcome the previous reasons for refusal. It is not considered to cause undue harm to the visual amenity of the streetscene. The proposed extension is not considered to harm the residential amenity of the occupants of the neighbouring dwellings.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Drawing Number PBS/MP.159/01-02 received 19 August 2008;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

2 The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

3 VISQ1 Matching materials

4 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no extensions or curtilage buildings of the type described in Classes A, B, C, and E of Schedule 2 Part 1 of that Order shall be carried out to the dwelling without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the dwelling.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the dwelling and the locality, and highway safety. As such, the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan (2005); national planning guidance contained in Planning Policy Statement 1 "Delivering Sustainable Development"; and supplementary design guidance contained in the City of York's "A guide to extensions and alterations to private dwelling houses".

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