

## COMMITTEE REPORT

**Committee:** East Area  
**Date:** 8 January 2009  
**Ward:** Hull Road  
**Parish:** Hull Road Planning Panel

**Reference:** 08/02445/FUL  
**Application at:** 41 Lilac Avenue York YO10 3AS  
**For:** Two storey pitched roof side extension and new vehicular access  
**By:** Mr John Seppings  
**Application Type:** Full Application  
**Target Date:** 17 December 2008

### 1.0 PROPOSAL

1.1 The application property is a traditionally constructed hipped-roof two-storey semi-detached house. It is located within a predominantly residential area.

1.2 It is proposed to erect a two-storey side extension to the house. The extension would project beyond the rear of the house by approximately 1.4m. The house currently has a vehicular access located to the front. The proposal includes an additional access and parking space to the side. Revised plans have been received removing the proposed windows from the rear elevation of the extension and incorporating them on the side elevation.

1.3 The internal layout of the new house is annotated to show 4 bedrooms on the first floor and two-additional bedrooms and lounge/kitchen on the ground floor. It would be possible to use the house as extended as a 4 bedroom or 6 bedroom house. The application is brought to Committee due to the unusually large volume of local concern that has been expressed.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary : York City Boundary 0001

DC Area Teams : East Area (1) 0003

2.2 Policies:

CYH7  
Residential extensions

CYGP1  
Design

### **3.0 CONSULTATIONS**

#### 3.1 Internal

Highway Network Management - No objections subject to conditions

#### 3.2 External

Hull Road Planning Panel - Do not object but have concerns about the potential number of cars that might park at the extended property.

#### Neighbours

7 letters of objection to the application have been received from neighbours. The issues raised are:

The proposal will result in the loss of a reasonably priced family home as the remaining garden will be too small to meet the needs of a large family.

'Studentification' of the area – more accommodation for students should be provided within the University expansion plans

There are already a lot of student lets in the area upsetting the balance of the community.

Overdevelopment – the extension will almost double the size of the original house and would not be appropriate to the original house or surrounding buildings.

The extension will be an overdominant feature in the streetscene.

Inadequate car parking given the proposed number of bedrooms – cars already park on the grass verges causing damage to the grass.

The road is used as a cut through from Hull Road to Tang Hall Lane and additional on-street parking would create an accident black spot.

Both vehicular and pedestrian safety would be compromised.

Insufficient cycle parking given the likely use by students

Unattractive design.

Loss of light to neighbouring houses.

Increased flooding of neighbouring gardens.

Loss of trees

### **4.0 APPRAISAL**

4.1 The main considerations in assessing the application are:

- impact on streetscene
- impact on neighbours
- impact on trees
- highways/parking
- "studentification"
- drainage

4.2 Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft 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 the area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.3 Local Plan Policy GP1 'Design' states that development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and vegetation. The design of any extensions should ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 Planning Policy Statement 1 sets out the Government's overarching planning policies. It sets out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take opportunities available for improving an area should not be accepted.

#### 4.5 Impact on streetscene

It is considered that the fenestration scale and design of the extension is sympathetic to the original house. The level of side projection of the extension reflects the adjoining side building line on Lilac Avenue. Although the property is located on a corner it is not a prominent vista. It is not considered that the site would appear overdeveloped and adequate space would remain between the side of the extension and the adjoining footpath.

#### 4.6 Impact on neighbours

The main neighbour affected is 39 Lilac Avenue. The only glazing on the side elevation of this house is a door and a non-habitable room - therefore it is not considered that the proposal would have a significant impact on living conditions in the house. The main garden of this property is to the side. It is not considered that the extension would unduly reduce light to the garden. Given the degree of cross-street separation to the opposite side of Lilac Avenue (24m house to house) it is not considered that harm would be caused in respect to light, outlook or privacy.

#### 4.7 Trees

There is a belt of trees along the front garden boundary with number 39. These include relatively unkempt deciduous trees and a tall conifer. It would appear that the trunks of the deciduous trees are located on the boundary or within the garden of the application property and the trunk of the conifer within the garden of 39. There is some doubt as to whether the trees closest to the application property are small enough to comfortably co-exist with the houses as existing. It is possible that the development may impact on some of the trees and lead to them being removed or cut back, however, the trees are not considered worthy of a Tree Preservation Order.

#### 4.8 Highways/Parking

The property proposes an additional off-street parking space so that two spaces would be provided. This is in line with the Council's maximum standards. The Highway Officer has considered issues of highway safety and subject to conditions on visibility does not consider that the local road conditions would impact adversely

upon highway safety. It is the case that the new access that would be created would not be unlike others within the vicinity and could typically be undertaken under permitted development rights. Access to the rear garden for cycle parking would remain.

#### 4.9 'Studentification'

The annotation of the rooms on the layout plan indicates that four upstairs rooms intend to be bedrooms along with two downstairs rooms. It is possible that the extended dwelling could be let to students, however, this would not require a separate planning permission subject to the occupants living as a single household. Under the current planning regulations/policies there are no grounds to refuse the proposal because of fears of 'studentification'.

#### 4.10 Drainage

The house is located within flood zone 1 and as such the area would not normally be considered at risk of flooding. The applicant has indicated that additional surface water from the extension will drain into the existing mains drainage system. It will be conditioned that the new driveway has a permeable surface.

### 5.0 CONCLUSION

4.1 For the reasons given above it is recommended that the application be approved. The concerns of local residents are acknowledged, however, it is not considered that either individually, or cumulatively, there are planning grounds to refuse the application.

### COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

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

Revised plans 'Rev A' received by the Local Planning Authority 13 November 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.

3 VISQ1 Matching materials

4 Prior to the development coming into use 2.0 x 2.0m sight lines, free of all obstructions which exceed the height of the adjacent footway by more than 0.6m, shall be provided both sides of the junction of any access with the footway, and shall

thereafter be so maintained.

Reason: In the interests of pedestrian safety.

5 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with plans to be approved in writing with the Local Planning Authority.

Reason: To prevent the egress of water and loose material onto the public highway and encourage permeable surfacing.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), unless otherwise agreed in writing with the Local Planning Authority no openings shall be created in the external elevations of the extension other than those shown on the approved plans.

Reason: To protect neighbours' living conditions.

## **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 to the impact on the streetscene, the amenity and living conditions of adjacent occupiers, impact on trees, car parking and highway safety. As such the proposal complies with Policy H7 and GP1 of the City of York Local Plan Deposit Draft.

### 2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

### **Contact details:**

**Author:** Neil Massey Development Control Officer (Wed/Thurs/Fri)

**Tel No:** 01904 551657