

## COMMITTEE REPORT

**Date:** 15 November 2023      **Ward:** Haxby And Wigginton  
**Team:** West Area                      **Parish:** Wigginton Parish Council  
**Reference:** 23/01501/FUL  
**Application at:** 69 Kirkcroft Wigginton York YO32 2GH  
**For:** Conversion of double garage to habitable space, garage to side elevation and gate to front (resubmission)  
**By:** Mr Tony Speck  
**Application Type:** Full Application  
**Target Date:** 26 September 2023  
**Recommendation:** Householder Refusal

### 1.0 PROPOSAL

1.1 69 Kirkcroft is a detached dwelling located on a residential street within the Wigginton area of York. The proposal seeks permission for a single storey side extension along with double garage conversion into living accommodation and gate to the side.

#### Planning History

1.2 18/00312/FUL, First floor side and rear extension, porch to front and installation of boundary wall and gate to part side and rear boundary. Approved.

23/00369/FUL: Conversion of double garage to habitable space and garage to side elevation. Refused

#### Call-in

1.3 The application has been called in to Planning Committee by Councillor Cuthbertson for the following reason: When permission was sought for the changes to the first floor of the building (18/00312/FUL), it seems clear that the question of the massing of this proposed development and the matter of its conformity with planning legislation was felt by the case officer not to prevent its approval; the application (23/01501/FUL) is primarily for the conversion of an existing double garage to habitable space and for the addition of a garage at the west elevation; here, although a pitched roof with projecting ridge was originally proposed, this has now been changed to a hipped roof which has a less imposing appearance. It is relevant to point out that the officer report in 18/00312/FUL also makes clear that there is no established building line to the east of Green Dyke – indeed, looking at this part of the application site along Green Dike from both south and north, it is

clear that the addition of the proposed garage at this end of the structure has little, if any, effect on either view.

## **2.0 POLICY CONTEXT**

### Draft Local Plan 2018

D11 - Extensions and Alterations to Existing Buildings

## **3.0 CONSULTATIONS**

3.1 Wigginton Parish Council – no objection.

## **4.0 REPRESENTATIONS**

4.1 No comments received.

## **5.0 APPRAISAL**

### KEY ISSUES:

- Design and Visual Amenity
- Impact on neighbouring amenity

### Relevant planning policy:

5.1 National planning policy is contained in the National Planning Policy Framework (NPPF). This sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development.

5.2 Paragraph 130 states that planning policies and decisions should ensure that developments will achieve a number of aims, including:

- 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.

5.3 The NPPF also places great importance on good design. Paragraph 134 says development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design. Significant weight should be given development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

5.4 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF

5.5 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 positively contribute to the site's setting, protect the amenity of current and neighbouring occupiers, and contribute to the function of the area. The policy is given significant weight in decision making as it has been subject to full examination and no modifications are proposed.

5.6 Supplementary Planning Document 'House Extensions and Alterations' dated December 2012 referred to in Draft Local Plan Policy D11 provides guidance on all types on domestic types of 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 it is located on. 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. Proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook.

### Design and Visual Amenity

5.7 Planning permission was previously granted for a first-floor side and rear extension which at the time developed over a single storey double garage side projection. It is now proposed to convert the double garage space into living accommodation and build a further garage extension to the side. This is a resubmission for a previously refused scheme which sought to gain approval for a similar scheme with the alteration in this instance being the design of the garage roof.

5.8 This proposed side extension is considered to have a visually detrimental impact upon the surrounding street scene. The householder SPD at paragraph at 7.2 discusses amongst other things how the character of an area will be important in determining the appropriate form, size and relationship of an extension to the boundary. Surrounding properties are predominantly characterised by two-storey dwellings of a similar scale and design to each other. The property has been previously extended with a substantial first floor side and rear extension.

5.9 The application site occupies a prominent corner plot close to the junction between Green Dike and Kirkcroft, so the proposal is relating to both these roads. At paragraph 7.4 a) the SPD discusses how the siting of an extension should not be detrimental to the building line. Whilst it is acknowledged that the extension does not extend right up to the side boundary of the site, it does very much project into the existing gap between the house and the road. Although part of a wider residential context, the area does have a sense of spaciousness with open frontages and space to corners etc. Whilst the first floor side and rear extensions previously built resulted in quite a significantly larger house than originally built, this did still retain a sense of space to the side. However, another further development to this side is considered to undermine that sense of spaciousness by extending into the side area to a significant degree. Although single storey, it represents quite a significant further extension in its own right, being deeper than the wall it will extend off and with a height which finishes only just under the eaves of the house. The house in its existing form also currently aligns through appropriately with the houses immediately to the rear on Green Dike, and this helps add to the sense of space and alignment which generally exists between houses.

5.10 The additional extension would also lead to a very wide house compared to the original, introducing a cumulative scale and overall width at odds with the prevailing character of houses in the area and introducing a large and unduly wide building on this prominent corner plot. Paragraph 12.4 states that side extensions should not be unduly wide with the extension not exceeding 50% of the width of the original property.

5.11 The previous application (18/00312/FUL) for the first floor extension was also wide, and developed the house at first floor across this full width and has already exacerbated the visual prominence of the dwelling within the street scene, but as stated above, was considered to be acceptable given that it retained an appropriate sense of space to the side, and was considered to relate to the houses behind fronting Green Dike in an acceptable manner. But it is also noted that previous to that extension being built, this side projection was only single storey across the double garage width, a design which was more in accordance with the prevailing character and form of the area, and the visually prominent position of the house.

5.12 Whilst the 2018 first floor extension was considered acceptable for the reasons outlined above, this further addition to the side has a cumulative impact by introducing a further development to the side which harms the spacious character of the plot in this corner position, which is at odds with the wider area which does enjoy a basic sense of openness around properties, both at their fronts, which are generally open plan, but also to the sides on junctions where space is generally maintained appropriately. Paragraph 12.7 states that extensions should not be overbearing on pedestrians using the footpath. It should also not project further than a clearly defined building line or detract from the spaciousness of the street.

5.13 What this previous addition of the double width first floor extension did do was alter the appearance of the house in the street-scene on this corner plot and this becomes a factor in the consideration of this further application here, in terms of cumulative impact. Paragraph 12.2 of the SPD states that if not sensitively designed and located, side extensions can erode the open space within the street and create an environment that is incoherent and jumbled. The property already has a double garage and whilst it is understood the desire to create the additional lounge space by converting the existing garage, the property has been originally designed with garage accommodation contained appropriately within the plot. To previously build above this original side projection, convert that double garage space and then build a further garage to the side on this corner plot, does result in the creation of a very wide, and somewhat dominant looking house, which combined with its position, is considered to result in streetscene harm, and the extension would not appear as a subservient further addition to the already significantly extended dwelling.

### Neighbouring Amenity

5.14 33 Green Dike sits across the road from the host house and looks towards the side of the house. Given the cross street separation distance there will not be a detrimental impact on the house as a result of the development.

5.15 22 Green Dike sits opposite the dwelling to the front and will look upon the rooms created by the development. The converted rooms will have windows located within the ground floor front elevation however these windows would not result in a detrimental impact to this property given their position and relationship with this house.

5.16 The nearest house to the rear at 20 Green Dike will not be impacted due to the relationship and distance of the host to this house and the lack of new openings facing this property. In any event these would be at ground floor and unlikely to be harmful.

5.17 No other properties will be impacted as a result of the proposed works.

## **6.0 CONCLUSION**

6.1 For the reasons described above, the proposed extension to the side of the dwelling is felt to be contrary to draft Local Plan policy H11 and the council's householder design guide due to the detrimental impact on the street-scene and is therefore recommended for refusal.

## **7.0 RECOMMENDATION: Householder Refusal**

1 The proposed side extension is considered to be detrimental to the surrounding streetscene. In particular, the extension, when viewed together with the previously approved first floor side extension would not appear subservient to the

host dwelling, representing an overall disproportionate addition, particularly when compared to the original house. This results in a very wide house on this prominent corner plot, and consequently erodes the space to the side of the house, harming the spacious character and appearance of the streetscene. The conversion of the two integral garages to be replaced by a further side extension providing garage accommodation does not provide sufficient benefit to overcome the councils concerns regarding the impact upon the streetscene.

The proposal thus results in poor design which conflicts with national guidance in Paragraphs 130 and 134 of the NPPF, Policy D11 in the Draft Local Plan 2018. And the Supplementary Planning Document for House Extensions and Alterations.

## **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 an attempt to achieve a positive outcome:

Considered the revised roof design against planning policy and guidance.

However, for the reasons set out in the refusal reason the application is considered to be unacceptable.

#### **Contact details:**

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