

COMMITTEE REPORT

Committee: West/Centre Area
Date: 12 February 2009

Ward: Bishopthorpe
Parish: Bishopthorpe Parish Council

Reference: 08/02636/FUL
Application at: Bracken Lodge 10 Main Street Bishopthorpe York YO23 2RB
For: Part change of use from residential (Class C3) to guest house (Class C1) including two storey and single storey pitched roof side extension, detached single storey garage building
By: Mr And Mrs Alexander Kelly
Application Type: Full Application
Target Date: 5 February 2009

1.0 PROPOSAL

1.1 The application is for part two-storey and part single storey side extension. The two-storey element protrudes further than the front elevation of the original house by 7 metres. The resulting side extension would be 18.4 metres in depth. The application is for a part change of use of the resulting dwelling for a bed and breakfast use (Class C1). The proposed extension would be used as bed and breakfast accommodation. The application would also include a detached hipped roof single storey double garage measuring 8.5 metres in width 5.4 metres in depth and 4.3 metres in height with two uncovered parking spaces to either side.

1.2 The application site is a twentieth century, two storey brick built domestic dwelling, built across the site and set back some distance from the street. The site includes relatively extensive mature planting. Both the orientation of the dwelling, and its set back from the street, are characteristic of the street scene.

1.3 Part of the front garden falls within the Bishopthorpe Conservation Area. The rest of the site is excluded, the boundary of the conservation area corresponding with part of the northeast boundary of the site.

1.4 The application comes before committee at the request of Cllr John Galvin, as it is felt that this application has the potential to have quite an effect on the village and especially the Main Street. It is also believed that a site visit and determination by the Area Committee will give an opportunity for residents to put forward their views. A site visit has been requested.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area: Bishopthorpe 0015

City Boundary: York City Boundary 0001

DC Area Teams: West Area 0004

Schools: Archbishop of York's CE Junior 0183

Schools: Bishopthorpe Infant 0185

2.2 Policies:

CYGP1
Design

CYGP4A
Sustainability

CYHE2
Development in historic locations

CYHE3
Conservation Areas

CYV3
Criteria for hotels and guest houses

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 02/01/2009

Site Notice - Expires 07/01/2009

Press Advert - Expires 09/01/2009

Internal/External Consultations - Expires 05/02/2009

8 WEEK TARGET DATE 05/02/2009

3.2 INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

- It is recommended that the driveway and parking areas be resurfaced with a bonded material as the increase in use of the access is thought likely to result in an increase in carry over of loose materials onto the highway. Request standard conditions HWAY10 and HWAY19

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

- The rear, single storey extension will not be prominent in views of the site.

- The proposed forward extension follows the line of the furthest forward projection of the house to the immediate southwest of the site. Consequently, it would not, in my opinion, be unduly prominent in views into the conservation area from the west. However, seen from in front of the site, or looking northeast along Main Street, from within the conservation area, the extension would be prominent, and draw attention to itself as a form of development otherwise not found in Main Street.
- Being set further forward in the site, the garage will be easily visible. Both in its form and siting, it is alien to the street-scene.
- At paragraph 4.14, PPG 15, Planning and the Historic Environment states that: "The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals which are outside the conservation area but would affect its setting, or views into or out of the area." Although not within the conservation area, it is my opinion that, given the proximity of the site to the conservation area, the proposed forward extension of the house and the construction of a detached garage adversely affect views into and out of the conservation area, and consequently fail to preserve the character of the conservation area.

CITY DEVELOPMENT - No response at the time of writing the report

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

BISHOPTHORPE PARISH COUNCIL - No objections

4.0 APPRAISAL

RELEVANT SITE HISTORY

No planning history

ADDITIONAL PLANNING POLICY

CYC Supplementary Design Guidance - A guide to extensions and alterations to private dwelling houses, 2001
Planning Policy Guidance 15 "Planning and the Historic Environment"

KEY ISSUES

1. Visual impact on the dwelling and the conservation area
2. Impact on neighbouring property
3. Change of use

ASSESSMENT

PLANNING POLICY

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.

4.2 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. Development should: provide details setting out the accessibility of the site by means other than the car and, where the type and size of development requires, be within 400 metres walk of a frequent public transport route and easily accessible for pedestrians and cyclists; contribute towards meeting the social needs of communities within the City of York and to safe and socially inclusive environments; maintain and increase the economic prosperity and diversity of the City of York and maximize employment opportunities; be of a high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City; minimize the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during construction and throughout the use of development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of the materials should be considered; minimize pollution, including that relating to air, water, land, light and noise; conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife area and room for trees to reach full growth; maximize the use of renewable resources on development sites and seek to make use of renewable energy sources; and make adequate provision for the storage and collection of refuse and recycling.

4.3 Planning Policy Guidance Note 15 'Planning and the Historic Environment' (PPG15) sets out the approach to dealing with proposals that affect Listed Buildings and Conservation Areas. PPG15 advises that new buildings intended to stand alongside Listed Buildings should be 'carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials'. New buildings do not have to be detailed copies of their neighbours but should form a harmonious group with them. In making decisions on proposals in Conservation Areas, Planning Authorities have a statutory duty to consider the desirability of preserving or enhancing the character or appearance of the Conservation Area. Policies HE2 'Development within Historic Locations' and HE3 'Conservation Areas' of the City of York Development Control Local Plan are also relevant to this proposal. These policies expect proposals to maintain or enhance existing urban spaces, views, landmarks and other townscape elements and not to have an adverse effect on the character or appearance of the Conservation Area.

4.4 Policy V3 'Hotels and Guest Houses' of the City of York Council Development Control Local Plan (2005) states that planning permission will be granted for new, and extensions to existing, hotels and guest houses within defined settlement limits, providing the proposal; is compatible with its surroundings in terms of siting, scale and design; and would not result in the loss of residential accommodation which

when originally built had less than four bedrooms; and would not have an adverse effect on the residential character of an area; and is well related in terms of walking, cycling and access to public transport in relation to York City Centre or other visitor attractions.

4.5 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 or group of buildings has a well-defined building line it should be retained. Extending forward of the building line should be avoided; only in exceptional circumstances will this be appropriate. Side extensions should be sympathetically designed to appear subservient to the main dwelling. Their appearance will be improved if the extension is set back from the main dwelling. It is particularly important that the design of side extension takes account of the height of the new building in relation to the distance from neighbouring properties. Spaces between dwellings are an important contribution to the street scene and character of an area. Side extensions to houses must be designed in a way that respects the privacy and access to light of adjacent properties.

VISUAL IMPACT ON THE DWELLING AND THE CONSERVATION AREA

4.6 The proposed garage would measure 8.5 metres in width 5.4 metres in depth and 4.3 metres in height with two uncovered parking spaces to either side. A 2 metre high wall would protrude further along the boundary either side of the garage.

4.7 The proposed garage would, by virtue of its siting to the front of the dwellings, be unduly prominent from the street and the conservation area and would be at odds with the street pattern at the south side of Main Street. Its prominence would be amplified by virtue of the large parking area to the front of Bishopthorpe Social Club, which gives uninterrupted views of the proposed garage from Main Street. It is acknowledged that the trees in the front garden would provide a degree of screening when the dwelling is viewed directly from the front, However by virtue of its siting the garage would appear alien and out of character with the street. There are no extensions or buildings set in the front gardens on the south side of Main Street. The northern side of Main Street the buildings are built up to the road. The modest scaled buildings on the north side of the street together with the significant set back from the road on the south side of Main Street gives the street a spacious semi-rural character.

4.8 The proposed two storey side extension would protrude forward of the original dwelling by 7 metres creating a gable to reflect the existing gable. Including the single storey element at the rear, the side extension would be 18.5 metres in depth and 8.2 metres in height

4.9 The proposed forward extension follows the line of the furthest forward projection of the house to the immediate west of the site (1 Croft Court). Consequently, it would not be unduly prominent in views into the conservation area from the west. However, seen from in front of the site, or looking northeast along Main Street, from within the

conservation area, the extension would be prominent, and draw attention to itself as a form of development otherwise not found in Main Street.

4.10 Although not within the conservation area, given the proximity of the site to the Bishopthorpe Conservation Area, the proposed forward extension of the house and the construction of a detached garage adversely affect views into and out of the conservation area, and consequently fail to preserve the character of the conservation area.

4.11 The proposed single storey rear extension would not be visible from the conservation area and would be obscured from Croft Court by virtue of screening from walls to the west boundary of 1 Croft Court

IMPACT ON NEIGHBOURING PROPERTY

4.12 The proposed garage by virtue of its siting with Bishopthorpe Social Club is not considered to impact the residential amenity of the occupants of neighbouring dwellings.

4.13 The single storey extension to the rear is not considered to impact on the amenity of the occupants of 1 Croft Court. The roof slopes away from the boundary and this part of the boundary between the properties is marked by an evergreen hedge, therefore it is considered that the a single storey extension to the rear would be unlikely to have a significant further impact on the amenity of the occupants of 1 Croft Court than the evergreen hedge in terms of loss of light, overshadowing etc.

4.14 The rainwater goods of the proposed garage and the two storey side extension would appear to be overhanging both boundaries to the side, notice has been served on the neighbours and no objection has been received from the neighbouring dwellings.

4.15 The two-storey side extension by virtue of its mass and bulk would enclose and overshadowing the area to the east of 1 Croft Court. There are two windows at ground level in the side elevation facing 10 Main Street, from a site visit it was unclear what rooms these were windows for, although judging by their size they could possibly be secondary windows. There is a conservatory in this elevation of 1 Croft Court (1 Croft Court also has a conservatory on the west elevation). By virtue of building up to the boundary and the height of the proposed extension it would cause a significant amount of overshadowing to this conservatory. However the existing garage of 10 Main Street already creates a degree of enclosure, and prevents little direct sunlight to the conservatory and therefore the increase in overshadowing is not considered to cause sufficient harm to the amenity of the occupants of 1 Croft Court to warrant refusal.

CHANGE OF USE

4.16 The use of the proposed extension as a guest house is not considered to cause harm to the character of the area, The proposed use fulfils three of the four criteria set out in Policy V3. There are a mixture of uses within the street and whilst proportionally it is mostly residential the proposed bed and breakfast use would be

small scale and is not considered to impact on the residential character of the area. There are public transport links into York. It would not result in a loss of residential accommodation. However as discussed above, the extension to the dwelling to provide the guesthouse facilities is not compatible with the surroundings in terms of siting and scale and therefore the proposal fails Policy V3 criteria (a) in this respect.

5.0 CONCLUSION

5.1 The proposed two storey extension and the garage to the front would be unduly prominent in the streetscene and when viewed from the conservation area. They would appear alien and would jar with the semi-rural character of the streetscene.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The proposed two storey side extension and detached garage building to the front by virtue of the proximity of the site to the conservation area, would adversely affect views into and out of the conservation area, and consequently fail to preserve the character of the conservation area and therefore would be contrary to Policies GP1, HE2, HE3, and V1 of the City of York Council Development Control Local Plan (2005); City of York Council supplementary planning guidance - Guide to extensions and alterations to private dwelling houses (2001); and national planning guidance Planning Policy Guidance 15 'Planning and the Historic Environment'.

7.0 INFORMATIVES:

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