

COMMITTEE REPORT

Committee: West/Centre Area
Date: 14 May 2009

Ward: Holgate
Parish: No Parish

Reference: 09/00323/FUL
Application at: 1 Garfield Terrace York YO26 4XT
For: First floor pitched roof side/rear extension
By: Mr Carl Cameron
Application Type: Full Application
Target Date: 5 May 2009

1.0 PROPOSAL

1.1 This application seeks permission for a first floor side/rear extension, above the existing ground floor extension, to provide two additional bedrooms for the dwelling.

1.2 This application is being heard at Committee at the request of Councillor Denise Bowgett as she considers it to be overdevelopment of the site.

1.3 A site visit will take place due to objections being received along with a recommendation for approval

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary : York City Boundary 0001

DC Area Teams : West Area 0004

Schools : St. Barnabas' CE Primary 0224

York North West Boundary : York North West Boundary CONF

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

Internal

3.1 Highway Network Management - No objection

External

3.2 Response to neighbour consultation letters which expired on 07.04.09. - Two letters received raising concerns re loss of privacy; loss of light/overshadowing; development likely to result in unwanted flats with loss of family housing; loss of house values; parking provision and highway safety. One letter also suggests that a ground floor living room within the main dwelling is currently being used as an extra bedroom, thus the proposal would create 6 bedrooms rather than five.

4.0 APPRAISAL

KEY ISSUES

- 4.1. Visual impact on the dwelling and surrounding area;
- 4.2 Impact on neighbouring properties

Planning Policy

4.3 DRAFT LOCAL PLAN POLICY CYH7 states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours.

4.4 DRAFT LOCAL PLAN POLICY CYGP1 states that development proposals will be expected to (i) respect or enhance the local environment, (ii) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.12) Good design and a scale of development that respects the original dwelling and established pattern of development are essential to making a quality extension. An extension in the style of the existing dwelling is likely to be the most acceptable.

Relevant Planning History

4.6 Permission dated 18.03.1982 (7/00/4305/PA) for a 2 storey side extension, which has not been implemented. This application proposed an extension to similar width as is currently proposed, though did not propose to project beyond the original rear elevation.

4.7 Permission dated 17.06.1088 (7/01/4305A/PA) for a single storey side extension which has been erected and is currently being occupied by family member as a separate residential unit to the host dwelling.

4.8 Application No. 08/00412/FUL - Pitched roof first floor and flat roof ground floor side extensions with access to create 1no. first floor flat - Refused 25.04.08. on the grounds of the overbearing nature of the proposal and loss of amenity due to loss of privacy/overlooking, to neighbouring residents further to the inclusion of an external staircase proposed to the rear.

4.9 Application No. 08/00413/FUL - Conversion of house into 2no. self contained flats with single storey flat roof side extension to existing self contained flat - Refused 28.04.08. on the grounds of the loss of a family house reducing the housing stock of York.

ASSESSMENT

4.10 The application relates to a two storey C20th end town house at the corner of Garfield Terrace/Leeman Road. The property has a number of single storey extensions. A flat roofed single storey side extension which currently operates as a 'granny' flat (Flat 1 A), with conservatory attached and a single storey flat roofed rear extension. The main dwelling house has 3 bedrooms and the adjacent single storey flat has one bedroom.

4.11 The main railway line runs behind the property on higher ground to the south and to the front are terraced properties to Kingsland Terrace and Bright Street. A good-sized garden is sited to the side and rear providing sufficient amenity space with the dwelling being well set back from Leeman Road to the side.

4.12 Further to the two previous refusals last year, detailed above, the application now proposes an extension to the existing dwellinghouse. The projection to the side will be the same as the existing ground floor extension; the front elevation at first floor level will be set back from the front elevation by 0.5 metres, with the ridge being set down from the original, being in line with CYC Supplementary Planning Guidance to Householders.

4.13 Though the cumulative, existing and proposed, additions are large in relation to the original dwelling, it is not considered sufficient reason to warrant refusal of the application on these grounds, and these are not considered to seriously harm the appearance of the dwelling nor surrounding area. Due to the size of the plot and existing ground floor side extension in place, it is not considered this proposal results in overdevelopment of the site.

4.14 The ground floor rear projection will remain as existing and includes a mono-pitched roof towards the two-storey element, which has been reduced in length, from the previous refused proposal, to approximately 2.3 metres. No windows are proposed within the proposed side elevation facing towards No. 3 Garfield Terrace and due to the separation distance of more than 5 metres between the side elevation of the proposed extension and this neighbouring property, it is not considered that

serious loss of amenity will occur due to loss of privacy, loss of light/overshadowing nor harm to visual amenity.

4.15 The Use Classes Order 2005 considers a dwellinghouse can be occupied by any number of persons living together as a family or by no more than 6 persons living together in a single household. Sufficient car parking is available within the existing hard-standing to the front of the dwelling along with sufficient cycle parking storage within the shed to the rear. This would be the case whether the dwelling has 5 or 6 bedrooms.

4.16 House values are not a material consideration to be taken into account as part of the planning process.

4.17 The agent has been advised that a separate planning application is required for the erection of a boundary wall/fence exceeding 1 metre in height adjacent to the highway.

5.0 CONCLUSION

It is considered that the proposal will not seriously harm the living conditions of nearby neighbours or the appearance of the dwelling within the surrounding area.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 VISQ1 Matching materials
- 3 PLANS1 Approved plans - Drawing No. GFT 01 YK and site location plan recd 25.02.09.
- 4 The first floor side extension shall be occupied only in connection with No. 1 Garfield Terrace and shall not be used to extend the living accommodation of No. 1A Garfield Terrace.

Reason: To prevent the creation of an extended second dwelling on this plot which would have inadequate amenity space contrary to policy GP1 of the local plan.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) no windows shall be inserted within the west elevation facing towards No. 3 Garfield Terrace.

Reason: As the insertion of additional windows could have a serious impact on the privacy of neighbours and should therefore be controlled as required by policy GP1 of the local plan.

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 residential amenity of neighbours or the impact upon the streetscene. As such the proposal complies with Policies H7 and GP1 of the City of York Local Plan Deposit Draft.

2. BOUNDARY WALL/FENCE

For your information a fresh planning application will be required for the erection of the boundary wall/fencing proposed, over 1 metre in height adjacent to the highway.

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