

COMMITTEE REPORT

Committee: West/Centre Area
Date: 14 May 2009

Ward: Acomb
Parish: Acomb Planning Panel

Reference: 09/00607/FUL
Application at: 41 Albion Avenue York YO26 5QZ
For: Two storey pitched roof side extension, dormer windows to rear, and single storey rear extensions (resubmission)
By: Mr David Richardson
Application Type: Full Application
Target Date: 29 May 2009

1.0 PROPOSAL

1.1 Full planning permission is sought for the erection of a 2-storey side extension including single storey rear extension and covered courtyard. The length of the proposed extension is approximately 7.80 m, its width is 2.70 m, height to eaves level is 5.20 m and height to ridge level is the same as existing. The principal windows are to the front elevation (east) and rear (west) elevation. The rear extension measures approximately 3.60 m x 3.60 m. The height to eaves is 2.70 m and the total height is 3.60m.

1.2 The proposal includes the formation of a store, kitchen and utility room, sun room and covered courtyard at ground floor level and 1 large bedroom at first floor level and the formation of an additional bedroom with en-suite within the loft space of the building, including rear dormer.

SITE

1.3 No.41 and no.39 form a pair of semi-detached dwellings. Albion Avenue is a street of two storey semi-detached housing in an estate of mainly similar housing. The detailed designs of the pairs of semi-detached units vary, but the constant building line and the gaps between the pairs gives the street a certain uniformity of character. No.41 and its neighbour, together with the pair of dwellings opposite (nos. 40-42) are distinguished by the use of gabled front bays, which give some distinction to the entrance to the street.

HISTORY

1.4 An application was refused in July 2008 for the extension of this dwelling (08/00912/FUL). The applicants subsequently appealed against the decision (APP/C2741/A/08/2085568). The Inspector dismissed the appellants appeal. Copies of the relevant information are attached as appendices.

COUNCILLOR REQUEST

1.5 This application is being presented to Planning Committee at the request of Councillor Simpson-Laing due to the concerns raised by the applicants.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding : Air Field safeguarding 0175

City Boundary : York City Boundary 0001

DC Area Teams : West Area 0004

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

INTERNAL

3.1 Highways Network Management - no objections.

EXTERNAL

3.2 Acomb Planning Panel - No Comments.

3.3 Neighbours - No comments have been received as of 29 April 2009. Any comments received after this date will be presented to Committee as an update.

4.0 APPRAISAL

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POLICY

4.1 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.

4.2 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.

4.3 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.

4.4 The main considerations are:

- Visual Impact

VISUAL IMPACT

4.5 The proposed development would create a substantially larger dwelling than that which exists at present. Due to the siting of the dwelling, the extension would be reasonably prominent within this long cul-de-sac.

4.6 The Councils Supplementary Planning Guidance concerning extensions to residential properties, states that side extensions should be sympathetically designed to appear subservient to the original dwelling. The guidance notes that their appearance will be improved if the extension is set back from the main building and two storey extensions should not rise above the existing eaves level.

4.7 The SPG further states that it is particularly important that the design of side extensions takes account of the height of the new building in relation to the distance from neighbouring properties. Extensions which go up to a property boundary may result in a terracing effect. This tends to occur when a two storey side extension is added to a semi-detached house and then the neighbouring house carries out a similar extension. It is further exacerbated when where there is a continuation along the front building line of the buildings. If the spaces between houses become filled by side extensions in this way it can alter the character of an area and produce a terracing effect.

4.8 The SPG also notes that the terracing effect can be avoided by simple design principles. For example, if sufficient space is available, leaving a space between the extension and the boundary of about one metre will allow for maintenance of the side extension. If an extension is built to the next door property in the same way, the gap between them avoids an impression of a terracing effect. The extension can be set back from the original building line and have a lower ridge height, thus providing a break in the street frontage. The SPG advises that the setback should be at least 0.5 metres from the front wall of the dwelling to give this break in the frontage of the properties.

4.9 Policies H7 and GP1 of the Draft City of York Local Plan give a clear policy presumption in favour of new residential extensions, where the design and materials are sympathetic to the main dwelling and the locality of the development. The design and scale should also be appropriate to the main building and there should also be no adverse impact upon the residential amenity of neighbouring residents.

4.10 Since the previous application was refused and their appeal was dismissed, the applicants have attempted to agree a scheme with the Council prior to submitting this application. Unfortunately it has not been possible to agree a scheme, however it is noted the applicants have amended their proposals where they feel it is possible. These amendments include a reduction in the size of the rear dormer, alterations to the design of the roof and alterations to the scale and design of the front elevation.

4.11 Unfortunately these amendments, whilst welcome, do not satisfy the Council's adopted guidance concerning extensions to residential dwellings. In particular the following elements are still unacceptable:-

- Roof - The design of the roof is not subservient to the original dwelling. This is the principal failing of this scheme. When considering two storey side extensions the Council advise that roofs should be stepped down from the original ridge line of the dwelling and stepped back. The applicants propose to extend the original roof and not provide any articulation/ break in the roof. This creates a large expanse of roof with no visual break. Such a design would create an overly bulky and plain frontage to the building which is not subservient. The incorporation of a set back within the roof slope would add interest to the building, reduce its bulky appearance and reduce the terracing effect caused by building the extension directly adjacent a similar bulky extension.
- Insufficient set back - The Council generally require extensions to be set back at least 500 mm at ground floor and first floor so as to create a break between buildings and reduce the impact of the extension within the street and effect upon the existing building. There are exceptions to this general rule within the street, most notably at no. 43 (adjacent). However, in this instance a set back is important as it would create a visual break between no.41 and 43, reducing the terracing effect between the properties and also provide a more visually attractive extension. It should also be noted that the extension to no.43 is set down from the original's ridgeline.

4.12 In mitigation the applicants state that whilst they would have liked to have compromised further in terms of the design of the roof, they were limited by Building Control requirements. Building Control require a minimum head height of 2.00 m is provided for the staircase and roof space. The applicants state that if the roof were stepped down to satisfy planning policy, the extension would fail Building Control requirements. The applicants haven't investigated whether it would be possible to relocate the staircase to provide adequate headroom.

4.13 The applicants state that there are 2 existing extensions within the street which are either not set back or are equally visually intrusive. These are no. 43 which is directly adjacent their property and no.42 opposite. They also note that

no.39 has an extant planning permission for an extension which doesn't include a setback.

4.14 In his appeal decision the Planning Inspector stated, when dismissing the applicants appeal, that very few of the properties in the street have been extended to the side and where this has been done (for example at nos. 65 and 79), the extensions have normally been set back from the frontage with lowered ridges. This has effectively prevented the creation of a "terracing" effect and maintained the attractive rhythm which characterises the street. There are a few exceptions to this pattern including the neighbouring property to the north (no. 43) though the side extension to the rear is set back. Perhaps more curious - and certainly less successful - is the timber clad side extension at no. 42 opposite. Despite these oddities, the general street rhythm remains largely unspoilt and all the extensions noted retain a hipped roof to the side.

4.15 It is the officers opinion, that whilst there are two extensions within the street which do not comply with the Council's current design requirements, such examples do not in themselves provide justification for similar inappropriate schemes, each application should be considered on its own merits. This matter was also considered by the Inspector and was not judged to be strong enough justification for an inappropriate extension.

4.16 With regard to the rear dormer window, the Council generally require dormer windows to be pitched, so as to match the existing roof design. However in this instance, as a compromise to provide adequate space within the roof void, it was agreed that a mono-pitched roof would be acceptable. The applicants seek permission for a flat roof. It would be preferable if the dormer were amended to mono-pitched roof.

4.17 The rear extension is the least contentious issue concerning this scheme and is considered acceptable in design terms and impact upon adjacent neighbours amenity.

5.0 CONCLUSION

5.1 Whilst the applicants have a specific need to extend their dwelling, they are to some extent constrained by Building Control requirements as well as their own aspirations. Unfortunately in this instance, Planning and Building Control requirements create a conflict which has not been solved. As a consequence the applicants hope Planning can 'relax' its requirements and approve this scheme. Unfortunately, it is considered that the impact upon the existing dwelling and the area is unacceptable in terms of design and appearance. The extension would have a harmful effect on the character and amenity of the local environment due to its lack of set-back and bulky appearance. Just as importantly, if Planning were to judge this scheme acceptable, it would create an awkward precedent in attempting to refuse future inappropriate side extensions or negotiate amendments with applicants.

5.2 As a consequence the proposed extension is recommended for refusal as it fails to satisfy policies H7, GP1 of the City of York Draft Local Plan and Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 It is considered that the proposed 2-storey side extension, by virtue of its design, constitutes an overlarge and unsympathetic extension that would be detrimental to the appearance of the dwelling and the visual amenity of the locality. As such the proposal fails to satisfy policy GP1 of the City of York Draft Local Plan that states development proposals must respect or enhance the local environment and be of a scale, mass and design that is compatible with the surrounding area, and also policy H7 which states permission shall only be granted for house extensions which respect space between dwellings and are of appropriate design and scale with reference to the main building and its locality. The proposal is also contrary to PPS1: Delivering Sustainable Development which states that design which is inappropriate to its context, or which fails to take the opportunities available for improving the character and quality of an area should not be accepted

Contact details:

Author: Richard Beal Development Control Officer
Tel No: 01904 551610