

## COMMITTEE REPORT

**Committee:** East Area  
**Date:** 11 June 2009

**Ward:** Strensall  
**Parish:** Earswick Parish Council

**Reference:** 09/00709/FUL  
**Application at:** 26 Earswick Chase Earswick York YO32 9FY  
**For:** Conservatory to rear  
**By:** Mr Cuthbertson And Mrs Runciman  
**Application Type:** Full Application  
**Target Date:** 19 June 2009

### 1.0 PROPOSAL

1.1 This application seeks planning permission to erect a conservatory on the rear elevation of a detached dwelling extending from patio doors into the garden area. The proposed conservatory would occupy a small recess at the rear of the property, projecting from the rear wall by a distance of approx 4.5 metres and with a width of 3.85 metres. The height would be a maximum of 3.4 metres, reducing to 2.4 metres at the eaves.

1.2 The property is set within a generously sized plot incorporating a double detached garage positioned to the side of the dwelling. The rear garden area is wholly enclosed by a 2.0 metres timber fence. The rear elevation is designed with a small single storey projection positioned in the centre of the dwelling.

1.3 Revised plans have been submitted to reduce the length from 5.0 metres to 4.5 metres, in order to reduce the long appearance on the shared boundary.

1.4 This application is to be determined by the Planning Committee as one of the applicants is a serving Councillor.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYGP1  
Design

CYH7

Residential extensions

### **3.0 CONSULTATIONS**

#### 3.1 Internal

None

#### 3.2 External

#### 3.3 Earswick Parish Council - Support the application

3.4 Response to neighbour consultation letters - No objections at time of writing expires 18.05.09

### **4.0 APPRAISAL**

#### 4.1 Key issue(s):

- impact on neighbours
- impact on streetscene

The relevant policies and guidance:

4.2 DRAFT LOCAL PLAN POLICY CYH7 - residential extension 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.

4.3 DRAFT LOCAL PLAN POLICY CYGP1 - design sets out a series of criteria that the design of development proposals would be expected to meet. These include requirements 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.

4.4 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001

#### 4.5 Assessment :

The proposed conservatory would be situated between an existing small rear projection and the shared boundary, In terms of appearance the proposed

conservatory would be constructed with a brick dwarf wall supporting glazed panels and glazed pitched roof. The size and scale of the proposed conservatory is considered acceptable in relation to the rear elevation of the existing dwelling, positioned on an area of existing hard standing extending from patio doors, situated within the large rear garden. It is considered the east side elevation facing the dwelling at no. 24, should be designed with obscure glazing to ensure privacy is retained for both the existing residents and the neighbours on the shared boundary.

4.6 Revised plans have been submitted in order to reduce the length and massing close to the shared boundary. The revised plans would reduce the length of the conservatory by approx 500mm which is considered to create a more subservient structure and would reduce the impact on the adjacent property.

#### 4.7 Effect upon the Street Scene.

The proposed conservatory is large in scale but would be in keeping with the character, design and external appearance of the existing property and the surrounding area. It would not be readily visible from the surrounding streets. The building materials to be used would blend in with the existing property and will not affect the visual amenity of the surrounding area.

#### 4.7 Effect On Neighbours:

In terms of neighbour amenity a projection of 4.5 metres from the rear elevation is considered acceptable, given the 1.0 metre distance from the eastern boundary shared with the dwelling at no24. The glazed roof would slope away from the boundary incorporating a 30% pitch with an eaves height of 2.4 metres and a height to the ridge of 3.4 metres. The dwelling at no 24 has an existing gable extension with a side facing windows situated approx 6.7 metres from the shared boundary. The reduction in length to 4.5 metres would reduce dominance and over shadowing into the garden area, given the proximity of the neighbour's extension to the proposed conservatory. Given the orientation of the dwellings, the separation distances achieved within the site together with the existing boundary treatment, it is felt that the proposal would not cause any significant detriment to the residential amenity of neighbouring property. It is considered, however, that a condition requiring the glazing facing the neighbour (no. 24) to be obscure and maintained as such would be appropriate, in order to ensure that privacy is maintained.

## 5.0 CONCLUSION

5.1 The design and materials are considered acceptable therefore the proposal is unlikely to detract from the character and appearance of the residential area. With a condition requiring that the side elevation facing no. 24 be obscure glazed, it is not considered that the development will appear overbearing or give rise to any unreasonable loss of amenity or privacy to adjoining residents.

**6.0 RECOMMENDATION:** Approve

- 1 TIME2 Development start within three years
- 2 PLANS1 Approved plans - Drawing no. 18456 01 dated 20.04.09
- 3 VISQ1 Matching materials

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), the glass panels situated on the east elevation of the conservatory closest to the neighbour at 24 Earswick Chase shall be obscure glazed in a type of obscure glazing to be agreed in writing with the Local Planning Authority prior to occupation of the property.

Reason: In the interests of the amenity and privacy of occupants of the adjacent residential property.

INFORMATIVE: It is recommended that the glazing is obscured to a minimum of Pilkington Level 3 or an equivalent standard.

**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, the proposal would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the residential amenity of neighbours and the effect on the character and appearance of the area. As such the proposal complies with Policies H7 and GP1 of the City of York Local Plan Deposit Draft.

**Contact details:**

**Author:** Sharon Lickers Development Control Assistant  
**Tel No:** 01904 551359