

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No cycle storage is incorporated into the proposal. The driveway is not of sufficient length and therefore any car parked in this area may overhang the footpath.

3.2 External

Heworth Planning Panel - No comments received at the time of writing.

Response to neighbour consultation letters - Two letters received from the residents of 37 and 40 Third Avenue. The following points were raised:

- a) The two storey side extension is an overdevelopment of the site
- b) The proposal would create a tunneling effect
- c) The proposal would block out natural light
- d) The proposal was refused 3 years ago under H7 of the City of York Draft Local Plan and the size of the proposal has not altered
- e) There are no objections to a single storey extension
- f) The building of the extension would cause a lot of disruption to the area through delivery lorries, skips on the road and builders cars and vans
- g) Driveways have been damaged in the past by heavy vehicles
- h) The surface of the road surface at Third Avenue is already in a poor state of repair, the proposed extension would only make this situation worse

4.0 APPRAISAL

4.1 Key Issue(s): Impact on the Street Scene and the Amenity of Neighbours

4.2 The Application Site - 37 Third Avenue is a semi-detached dwellings in Heworth. The dwelling is within a row of semi-detached houses, on the opposite side of the road are terraced houses. There are a number of two storey side extensions in the surrounding area, some of which are on houses of similar design within similar locations. 47 Third Avenue received planning permission for a large two storey side extension in 2000 (00/00333/FUL), this has since been erected. An application was refused in 2003 for a two storey side extension at this property. The differences between the current application and the previous proposal are that the current application incorporates approximately a 0.5 m set back at the front and rear of the side extension and a 0.3 m drop in the ridge height of the roof.

4.3 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; and (iii) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 Draft Local Plan Policy CYH7 states that planning permission will be granted for residential extensions where: (a) the design and materials are sympathetic to the

main dwelling and the locality of the development; and (b) the design and scale are appropriate in relation to the main building; (d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and (e) proposals respect the spaces between dwellings; and (g) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.25) Side extensions should be sympathetically designed to appear subservient to the main house. Their appearance will be improved if the extension is set back from the main building. (1.26) 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.

4.6 Effect upon the Street Scene - It is considered that the proposed side extension would appear subservient to the main house. The extension is not of great width and has been set back from the front of the house with the ridge of the roof below that of the host dwelling. This improves the appearance of the side extension. This detailing was not included on the original application which was refused in 2003. There has been an attempt to match the design principles of the main house onto the proposed side extension, this is shown in the size of the windows and the detailing at the top and bottom of the windows. A condition can be used to ensure the extension is built using similar materials to those on the host dwelling.

4.7 Effect Upon Neighbouring Property - Dwellings at the rear, Eastbourne Grove, are approximately 30 metres away from the applicant site and it is considered amenity impacts on these properties would be minimal. The dwelling most likely to be affected by the proposal is 37 Third Avenue; the proposed extension is close to the curtilage boundary with this property. 37 Third Avenue is East of the proposed extension and therefore there may be some loss of natural light on the west elevation of this dwelling in early evening. However, 37 Third Avenue only has three secondary windows within this elevation, one within the side door and one next to this at ground floor level, both of these serve a kitchen. There is however a large rear window which also serves the kitchen. There is one small window at first storey level which also appears to be secondary in nature. It is considered that the potential loss of natural light into these windows do not unduly harm the amenity which neighbours could reasonably expect to enjoy. One window is proposed for the side elevation of 35 Third Avenue, this is at first storey window and would serve a bathroom. A condition could be included with any approval to ensure that this window is obscure glazed and therefore there is no potential loss of privacy.

4.8 Response to Neighbour Concerns highlighted in paragraph 3.2 - Points a) to h) raised by neighbours are addressed below:

a) It is not considered that the two storey side extension is an overdevelopment of the site. There are a large number of similar proportioned side extensions within The City of York and the application site has sufficient outdoor amenity space to accommodate such an extension.

- b) It is unclear how the proposal would create a tunnelling effect. The extension would be close to the property boundary but there are no primary windows which would look out onto this extension.
- c) This has been addressed in paragraph 4.7 above.
- d) A proposal was refused in 2003. There are some changes between the previously refused proposal and the application under consideration.
- e) Only a two storey side extension is to be considered as part of this application.
- f) , g) and h) General disruption is not a material planning consideration. It is inevitable that all developments will create a degree of disruption to the local area.

4.9 Highway Issues - Communication has taken place with the agent for this application. It is likely that a revised application will be submitted before the date of committee. It is anticipated that the revised plan will incorporate enclosed cycle parking facilities with the proposed extension set back further to allow a car to be parked without it overhanging the footpath. A verbal update will be given during the Committee Site Visit and Committee Meeting.

5.0 CONCLUSION

It is considered that the two storey side extension would not significantly harm the character and appearance of the street scene or the amenity which neighbouring residents could reasonably expect to enjoy.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2
- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Revised drawing

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.
Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.
- 3 VISQ1
- 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 window in the East elevation of the side extension shall at all times be obscure glazed to a standard equivalent to Pilkington Glass level 3.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

- 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 additional windows other than those shown on the approved plans shall be inserted at any time into the side elevation of the extension.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

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 street scene and the amenity of neighbours. As such the proposal complies with Policies GP1 and H7 of the City of York Draft Local Plan.

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