

EXTERNAL

Micklegate Planning Panel

3.1 No objection subject to views of neighbouring residents being duly taken into account.

Neighbour Notification

3.2 One letter of objection from No. 10 St Aubyn's Place concerning overshadowing/loss of light to dining room; loss of visual amenity due to tunnelling effect further to length of extension; increased noise levels further to additional hard surfacing; proposed materials; sewers, retaining walls not shown on drawings.

INTERNAL

Design, Conservation and Sustainable Development

3.3 The City Archaeologist has been notified as the application site is with the Area of Archaeological Importance. Any response will be reported verbally.

4.0 APPRAISAL

KEY ISSUES

4.1. Visual impact on the dwelling and surrounding area;

4.2 Impact on neighbouring properties

4.3 The relevant development plan is The City of York Council Draft Deposit Local Plan, which was placed on Deposit in 1998. Reflecting points made, two later sets of pre inquiry changes (PICs) were published in 1999. The Public Local Inquiry started in 1999 but was suspended by the Inspector for further work to be done on the Green Belt. A Third Set of Changes addressing this further work was placed on deposit in 2003. Subsequently a fourth set of changes have been drafted and approved by Full Council on 12th April 2005 for the purpose of making Development Control Decisions, on the advice of the GOYH

4.4 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.

4.5 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.

4.6 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.

ASSESSMENT

4.7 This large semi-detached dwelling is sited within a residential area, outside of the Conservation Area. The road is made up of similar style traditional dwellings. The integral garage and driveway area to the front provide sufficient car and cycle storage space; and access from the front to the rear garden will still be maintained via access to the side of the dwelling. A large garden abuts the dwelling to the rear providing ample amenity space.

4.8 The rear garden slopes steeply upwards towards the rear of the garden, currently laid out in a terracing effect; with a patio area immediately adjacent to the dwelling, with steps up to a lawned area; then further steps up to a children's play area.

4.9 Fencing approximately 1.8 metres in height runs along both site boundaries with No. 10 and 14 St Aubyn's Place, along with some mature shrubbery in place. Brick built outbuildings to the Elm Bank Hotel are sited along the rear boundary.

4.10 As the proposed addition is all to the rear, it will not be open to public view. The extension is of a contemporary design but will be faced in matching brickwork. Though the proposal is rather long, the original dwelling is substantial and sited within a large plot. The proposed steps and retaining wall will not be any higher than the existing level of the lawn. It is therefore, not considered this addition will harm the appearance of the dwelling nor surrounding area.

4.11 Approximately only the first 3 metres of the extension will be visible from neighbouring dwellings/garden areas at ground floor level because of the height of the existing side boundary fencing. The length of the extension will be visible from the first floor of No. 10 St Aubyn's Place, though its appearance will be broken up by the canopy element being of a translucent nature. This neighbouring dwelling also has a large rear garden and it is not considered this will cause significant loss of visual amenity.

4.12 Rendered blockwork was originally proposed throughout, though further to amendments received, matching brickwork is now proposed. The side wall of the extension with No. 10 St Aubyn's Place will set in from the boundary by approximately 0.6 metres immediately adjacent to the dwelling, and be of matching brickwork. Due to the orientation of the dwellings it is not considered that significant overshadowing will occur to this neighbouring dining room, nor garden area. Again, due to the existing boundary treatment in place; modest proposed height at approximately 3.1 metres and

proposed siting off this joint boundary, it is not considered to cause significant loss of amenity, sufficient to warrant refusal, due to being overly dominant nor causing loss of light.

4.13 It is also important to consider what could be built under permitted development rights. The fall-back position is normally regarded as an important element in decision making which must be considered, although the weight to be given depends on the real likelihood of any fall-back actually being exercised in the event of refusal. Currently a 3m long extension no higher than 3m at eaves level and no higher in total than 4 metres could be constructed in this location without the need for planning permission.

4.14 It is not considered that a significant increase in noise will occur further to this extension and additional patio area, over and above that of the existing french doors and patio/garden area.

4.15 Building over a sewer is matter dealt with within Building Regulations and is not considered within the planning process.

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

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| 1 | TIME2 | Development start within three years |
| 2 | VISQ1 | Matching materials |
| 3 | PLANS1 | Approved plans - Revised plans received on 12.08.09. and 13.08.09. |

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 and City of York Supplementary Planning Guidance to Householders (Approved March 2001)

2. PARTY WALL ETC ACT 1996

You are advised that the development may involve building work covered by the Party Wall etc Act 1996 that is separate from planning or building regulations control. An explanatory booklet may be obtained from this section, alternatively it is available on the ODPM website: www.communities.gov.uk

Contact details:

Author: Carolyn Howarth Development Control Assistant

Tel No: 01904 551344