

## DELEGATED REPORT

**Committee:** West/Centre Area  
**Date:** 17 September 2009

**Ward:** Bishopthorpe  
**Parish:** Acaster Malbis Parish Council

**Reference:** 09/01353/FUL  
**Application at:** Park Farm Foss Field Lane Acaster Malbis York YO23 2XA  
**For:** First storey pitched roof side extension  
**By:** Mr Richard Blacker  
**Application Type:** Full Application  
**Target Date:** 25 September 2009

### 1.0 PROPOSAL

1.1 This application seeks permission for a pitched roofed first floor extension, above a ground floor addition, which is currently under construction. This addition proposed is to create an additional bathroom, along with balcony area. Matching brickwork and window design is proposed.

2.2 The application is brought to Committee due to the applicant being related to a Council employee.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

DC Area Teams GMS Constraints: West Area 0004

Floodland GMS Constraints: Flood Zone 2

Floodzone 2 GMS Constraints: Flood Zone 2 CONF

2.2 Policies:

CYGB1  
Development within the Green Belt

CYH7  
Residential extensions

CYGB4  
Extension to existing dwellings in GB

### **3.0 CONSULTATIONS**

3.1 Acaster Malbis Parish Council - Any response will be reported verbally.

3.2 Any response to neighbour notification letters will be reported verbally.

### **4.0 APPRAISAL**

#### 4.1 Key Issues

1. Impact upon the openness of the greenbelt
2. Impact upon neighbouring properties
3. Impact upon appearance of dwelling and area.

4.2 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

4.3 DRAFT LOCAL PLAN POLICY CYGB4 - states inter alia that extension of dwellings in the Green Belt will be permitted providing the proposal a) would not cause undue visual intrusion; and b) is appropriate in terms of design and materials; and c) is small scale compared to the original dwelling.

4.4 DRAFT LOCAL PLAN POLICY CYGB1 'Development within the greenbelt' states inter alia that planning permission for development will only be granted where: a) the scale, location and design of such development would not detract from the open character of the Green Belt; and b) it would not conflict with the purposes of including land within the Green Belt; and c) it would not prejudice the setting and special character of the City of York; AND it is for an approved use - including limited extension, alteration or replacement of existing dwelling.

4.5 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.

4.6 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.

4.7 Policies YH9 and Y1 of The Yorkshire and Humber Plan (Regional Spatial Strategy to 2026) defines the outer boundary of the York Green Belt at about 6 miles from York City Centre and states that its general existing extent should not be changed.

4.8 National planning policy is set out in Planning Policy Statement 1: Delivering Sustainable Development (PPS1) and Planning Policy Guidance Note 2: Green Belts (PPG2). PPS1 encourages good design. PPG2 outlines the presumption against inappropriate development within the Green Belt and considers limited extension of existing dwellings in the Green Belt to be appropriate, providing it does not result in disproportionate additions over and above the size of the original building and that the visual amenities of the Green Belt are not injured by its siting, materials or design.

4.9 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.

#### 4.10 Relevant Site History

Application No. 03/03998/FUL - Two storey rear extension - Approved 02.04.04.  
Application No. 08/00025/FUL - Two storey pitched roof side extension - Refused 11.02.08. - Appeal dismissed 27.02.09.  
Application No. 08/02370/FUL - Two storey pitched roof side extension (resubmission) - Refused 03.1.08.

#### Assessment

4.11 This two-storey detached cottage is sited within the greenbelt and forms part of the domestic curtilage of a working farm. The dwelling has previously been extended by the addition of a conservatory to the front, two-storey rear extension, single storey porch/utility area to the rear and single storey side extension (forming an office).

4.12 Documentation has previously been provided to show an existing two-storey side extension and porch (though now re-built) were erected prior to 1948, thus should be considered as part of the original footprint. Though this existing two-storey side extension may be taken as original to the dwelling when calculating the area of the footprint, it does give the appearance of an extension. The cumulative scale of existing additions, ie. two-storey rear extension; rear porch/utility front conservatory and single storey side extension have resulted in the footprint of the original dwelling being increased in size in excess of 50%. It is considered any further addition due to the scale and height would further add to the harm to its appearance within the green belt and would result in inappropriate development.

4.13 Though the ground floor element is now being constructed within permitted development rights, the erection of the proposed first floor would result in an extension which is identical to both of the previously refused schemes, including that refused by the appeal Inspector.

4.14 As part of the appeal process mentioned above, documentation in support of the use of the ground floor office was received for its use in conjunction with the working farm - this element now under construction. An additional bathroom for the dwelling was provided within the two-storey rear extension, within the application approved in 2003. It is understood that this element of the dwelling is currently let, to provide additional income for the farm. This first floor proposal, again seeks consent for an additional bathroom (3 in all) for the dwelling, along with a balcony. This use is not considered to constitute the very special circumstances needed to justify development in the green belt; and this was the view taken within the Planning Inspectors Appeal Decision - appendix 1.

4.15 The proposed side extension would be highly visible from the highway and also within the surrounding green belt, with little screening surrounding the site.

4.16 A low hedge measuring approximately 1 metre abuts the dwelling to the front and side, with orchard of low trees to the side of the site. Sufficient amenity space is available within the gardens surrounding the dwelling, along with sufficient car and cycle parking provision within the curtilage and garage.

## **5.0 CONCLUSION**

It is considered the proposal would harm the openness of the Green Belt and fails to demonstrate very special circumstances which are required to outweigh the general presumption against inappropriate development in the Green Belt. Furthermore the proposal would conflict with national policy advice in PPG2 and local plan policies GB1 and GB4 of the City of York Local Plan, therefore, refusal is recommended.

## **6.0 RECOMMENDATION:** Refuse

1 The application site is within the Green Belt. Supporting text to policy GB4 of the City of York Draft Local Plan (incorporating 4th set of changes) approved April 2005, states that extensions within the Green Belt should not cause undue visual intrusion and should be small in scale compared to the original dwelling. The proposed extension by virtue of its volume and height, in conjunction with existing additions, the footprint of the original dwelling having already been extended in excess of 50%, would be a disproportionate addition that would harm the openness of the Green Belt and would be contrary to City of York Council Supplementary Planning Guidance to Householders (dated March 2001); policies GB1 and GB4 of the City of York Draft Local Plan and Central Government Guidance contained in Planning Policy Guidance 2 "Green Belts"

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