

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

None

EXTERNAL CONSULTATIONS/REPRESENTATIONS

4 LETTERS OF OBJECTION (3 from the same objector)

- Proposed rear extension would result in a loss of aspect and openness from the kitchen door of No. 14
- The elevation facing No. 14 would be a brick wall, would result in a long dark alleyway measuring 41 inches between the extension and the side elevation of No. 14. Would cause a wind tunnel effect
- Loss of light to kitchen/dining area of No. 14 will result in an increase in the use of electricity
- Retain the legal light to air and light
- Unacceptable to have a living area directly outside kitchen of No. 14
- Would result in a loss of property value of No. 14
- The block plan does not show the existing extension which is built up to the boundary. The block plan shows the extension set away from the side boundary with No. 14
- The proposed ground floor plan does not show the porch nor the chimney
- Proposed rear extension would result in a loss of aspect to No. 8 and would cause a sense of enclosure
- Would result in a loss of light to 8 Dee Close

DRINGHOUSES AND WOODTHORPE PLANNING PANEL - No objections

4.0 APPRAISAL

RELEVANT SITE HISTORY

4.1 09/01386/FUL - Single storey and first floor extension to rear – Refused for the following reason:

The proposed first floor extension by virtue of extending the two storey brick wall the full length of the rear boundary of 8 Dee Close would create an unacceptable sense of enclosure and a loss of outlook to the occupants of 8 Dee Close resulting in an un-neighbourly development that would harm the residential amenity of the occupants of 8 Dee Close

4.2 7/12/6431/PA - Single storey side and rear extension to form kitchen, dining room and hobbies room - Approved

ADDITIONAL PLANNING POLICY

KEY ISSUES

1. Visual impact on the dwelling and the area
2. Impact on neighbouring property

ASSESSMENT

PLANNING POLICY

4.3 National planning policy contained within PPS1 'Delivering Sustainable Development', states that good design is indivisible from planning. Design which is inappropriate within its context, or which fails to take opportunities for improving the character and quality of an area or the way it functions should not be accepted. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.4 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.

4.5 Policy GP1 'Design' of the City of York Council Development Control Local Plan includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.6 Policy H7 'Residential Extensions' of the City of York Council Development Control Local Plan sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.7 The City of York Council's supplementary planning guidance - Guide to extensions and alterations to private dwelling houses states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling. The scale of the new extension should not dominate the original building. An inappropriately designed extension can spoil the appearance of the area. It is particularly important that the design of side extension takes account of the height of the new building in relation to the distance from neighbouring properties.

VISUAL IMPACT ON THE DWELLING AND THE AREA

4.8 The proposed porch to the front of the building would be 1.8 metres in depth and 3.27 metres in height. Whilst the elevations have not shown it is presumed that there would be a door to the front elevation rather than an open porch. The proposed porch is considered to have a rather bulky appearance by virtue of its scale and lack of windows in the side elevations. However the majority of the front garden would be retained. The proposed porch would be viewed against the dwelling and the brick side elevation of the detached garage which is set forward of the dwelling thus reducing its impact on the streetscene.

4.9 The proposed rear extension in the revised plans has been set 0.1 metres away from the shared side boundary with 14 Dee Close to prevent the guttering overhanging the boundary. The revised plans show the proposed rear extension having a depth of 4.7 metres and a width of 4.3 metres. The proposed extension would have a height of 3.95 metres to the roof ridge, and 2.8 metres to the eaves. There is an existing single storey side and rear extension to the building built up to the boundary with 14 Dee Close. The proposed rear extension would be an addition to the existing single storey rear and side extension. The proposal for the rear extension still retains much of the rear garden. The dwelling is part of a housing estate that was built in the 1980s, there are differing styles of dwellings within the street but with a common design theme. The proposal would increase the size of the dwelling in terms of content and footprint, however the design of the proposed extension is not considered to be out of keeping with the area.

IMPACT ON NEIGHBOURING PROPERTY

4.10 The original detached dwelling is set forward of 14 Dee Close, and the proposed extension would not project beyond the rear elevation of the extended 14 Dee Close. The occupant of 14 Dee Close has raised a number of objections to the proposed extension. It is not considered that the proposed extension would impact significantly on the residential amenity of the occupants of the neighbouring dwellings. There is an existing extension built up to the boundary with 14 Dee Close and the proposal would project the extension along the boundary but stepped slightly back from the boundary by 0.1 metres. The proposed extension would enclose the access path to the side however this is not considered to result in harm to the amenity of the occupant, the path is already relatively enclosed. The proposed extension would result in a long brick elevation along the shared boundary, however as this elevation would only be viewed from the path running to the side of No. 14 rather than the rear garden of No. 14 it is not considered that it would be overbearing or over dominant.

4.11 The occupants of 14 Dee Close have raised concerns about then potential loss of light to the obscurely glazed kitchen door in the side elevation (the main kitchen window is in the rear/north elevation and would be unaffected). It is not considered that the loss of light to a glazed door would be significant enough to warrant refusal.

4.12 It is not considered that the proposed extension would affect the air supply to the dwelling.

4.13 The rear garden of 14 Dee Close is not considered to be affected by undue overshadowing or loss of light given the siting of the single storey rear extension in relation to the garden. 12 Dee Close causes an existing element of overshadowing to 14 Dee Close is it not considered that the proposed single storey rear extension would significantly increase the loss of light and overshadowing to the rear garden of 14 Dee Close by virtue of the orientation of 12 Dee Close.

4.14 There are no windows proposed in the elevations facing 14 Dee Close and if approval is granted it is recommended that there is a condition removing permitted development rights for additional windows to prevent windows being added to the elevation at a later date. The boundary of the rear garden of 12 Dee Close is demarcated by a 1.8 metre high fence. There are windows proposed in the rear elevation and the side/east elevation, the existing fencing would provide screening of the windows from the neighbouring dwellings and they are not considered to result in a loss of privacy to the occupants of the neighbouring dwellings.

4.15 Objections have been received by 8 Dee Close that the proposed rear extension would cause a sense of enclosure, loss of light, and loss of outlook. The proposed extension would be 12 metres from the rear elevation of 8 Dee Close. In addition to the distance the proposed extension would be viewed obliquely, with a 1.8 metre high fence creating an element of screening. The proposed extension would be viewed against the side elevation of No. 14 and it is not considered it would impact on the openness of the area. It is not considered that the proposed rear extension would result in a loss of outlook or create a sense of enclosure. Given the height of the proposed extension and the distance to No.8 is it not considered to result in a loss of light.

4.16 The proposed porch is not considered to impact on the residential amenity of the occupants of the surrounding dwellings.

4.17 A concern was raised regarding the potential for the extension to harm the property value of the neighbouring dwellings, however impact to property values are not a planning consideration.

5.0 CONCLUSION

5.1 The proposed porch is not considered to cause undue harm to the character and appearance of the dwelling, streetscene and surrounding area. It is not considered to result in a loss of residential amenity to the occupants of the neighbouring dwellings.

5.2 The proposed rear extension would not extend beyond the rear elevation of 14 Dee Close and is not considered to result in an undue loss of residential amenity to the occupants of the neighbouring dwellings. Sufficient garden space to the rear is retained and the proposed extension would not appear cramped or overdeveloped. It is not considered out of keeping with the character and appearance of the dwelling or the area. Approval subject to the following conditions is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Proposed side elevation (west) received 20 November 2009
Proposed ground floor layout received 20 November 2009
Proposed rear extension received 20 November 2009
Site Plan received 20 November 2009
Block Plan received 20 November 2009
Proposed Front Elevation received 3 November 2009
Proposed side elevation (east) received 3 November 2009;

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.

2 TIME2 Development start within three years

3 VISQ1 Matching materials

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking or re-enacting that order) no additional windows, doors or other openings other than those shown on the approved plans shall be constructed.

Reason: As the insertion of additional windows could have a serious impact on the privacy of neighbours and should therefore be controlled.

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 the residential amenity of the neighbours, and the visual amenity of the dwelling and the locality. As such, the proposal complies with Policies H7 and GP1 of the City of York Council Development Control Local Plan (2005); and supplementary design guidance contained in the City of York Council's "A guide to extensions and alterations to private dwelling houses".

2. THE PARTY WALL ETC ACT 1996

The proposed development may involve works that are covered by the Party Wall etc Act 1996. An explanatory booklet about the Act is available from City Strategy at 9 St Leonard's Place or at:

<<http://www.communities.gov.uk/publications/planningandbuilding/partywall>>

Furthermore the grant of planning permission does not override the need to comply with any other statutory provisions (for example the Building Regulations) neither does it override other private property rights (for example building on, under or over, or accessing land which is not within your ownership).

Contact details:

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