

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Rural West York
Date: 14 December 2009 **Parish:** Copmanthorpe Parish Council

Reference: 09/01702/FUL
Application at: 30 Top Lane Copmanthorpe York YO23 3UJ
For: Extension to front, side and rear, raise height of building to create additional accommodation including rear dormer windows and additional vehicle access
By: Mr Nigel Travis
Application Type: Full Application
Target Date: 4 December 2009

1.0 PROPOSAL

1.1 The application seeks permission for large scale extensions to 30 Top Lane. These include extensions to the side, front and rear, raising the ridge height and constructing two dormer windows to the rear elevation.

1.2 The application has been brought to committee at the request of Cllr Healey. A site visit will take place because an objection has been received and the recommendation is to approve.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

Internal

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.1 Tree Officer - To the front of the site it is proposed to construct a drop kerb adjacent to a tree that borders the public highway. This work will see the trees critical rooting zone damaged. However whilst this tree does have a degree of amenity value, having carried out a visual inspection of the tree from the ground it is noted that the tree has a structural defect and that the tree accordingly has a shortened life expectancy. It would be unreasonable to object to this application due to a negative impact on a tree that has a shortened life expectancy. The applicant is willing to replant at least 2 trees in mitigation for the tree to be lost at the front of the property.

3.2 The development will also be located close to the boundary hedge in the rear garden. The hedge base has a concrete path, which will protect the root zone during construction. However, ground protection up to 2m from the base of the hedge should be provided and conditioned accordingly.

HIGHWAY NETWORK MANAGEMENT

3.3 No objections. The applicant is creating an additional dropped crossing, which is in close proximity to a bus stop. Condition requested to protect pedestrian visibility.

External

NEIGHBOURS

3.4 One email received (address unknown) questioning the total habitable area compared to the original, area of the new footprint, height of the new structure and concerned that the dormers imply a third floor but there are no floor plans. Refers to a property in Merchant Way, which was refused planning permission to create an additional floor and wants to know if this regulation will be implied if this structure is too high.

COPMANTHORPE PARISH COUNCIL

3.5 Object to the application on the following grounds:

- The massing of the proposed extension will overpower adjoining properties
- No roofline drawing to allow comparison with neighbouring properties. There property is to the south of a small bungalow
- Properties along Top Lane drain along their rear gardens joining the main drain in Millers Croft. Request Yorkshire Water are consulted.

4.0 APPRAISAL

4.1 Key issues

- Impact upon the streetscene
- Impact upon residential amenity

4.2 The relevant City of York Council Draft Deposit Local Plan Policies are GP1 and H7. Policy GP1 'Design' of the City of York Local Plan Deposit Draft 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.

Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft 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.

4.3 In addition the Copmanthorpe Village Design Statement applies. This states that extensions should be a 'Good Neighbour' by being set back from plot boundaries; retain neighbours right to light and privacy; avoid terracing effects; complement existing buildings with the building line normally set back with the roof line normally lower than the main building; careful detailing and ensure discrete car parking.

SCHEME

4.4 The application site is a detached 1970's property located within substantial grounds along Top Lane, Copmanthorpe. The dwelling is 2 storeys with a relatively low pitched roof, with a ridge height of 6.6m. It incorporates an attached flat roof garage and store to the front. A single storey extension is currently being erected under permitted development to the north-eastern elevation.

4.5 The majority of the proposed works would be confined to the south-western end of the dwelling, with the exception of the raising of the roof height. It is proposed to raise this to 9.1m with a gable end towards 34 Top Lane and a hipped roof towards 28 Top Lane. The eaves height would only increase by 0.2m. Two small pitched roof dormers are proposed to the rear elevation, which sit comfortably within this rear roofslope and do not detract from the character of the dwelling or impact upon neighbours residential amenity.

4.6 A small pitched roof single storey extension is proposed to the front elevation of the existing dwelling along with a two storey projecting element. This would project out by 2m and would be constructed with a gable end to the front. These elements are small scale and relatively unobtrusive within the streetscene.

4.7 The scheme also seeks permission for the erection of a substantial two storey side, front and rear extension. This would project out to the side at ground floor by 8m and by 6.8m to the rear and would incorporate a garage to the front elevation and a large open plan kitchen/diner to the rear with large glass door opening into the rear garden. The first floor element would only project out by 6m, running flush with the front elevation of the original dwelling, creating a single storey pitched roof element close to the boundary with 28 Top Lane. It would project out to the rear of the original

dwelling by 5.3m and would include large glazed doors to the rear elevation opening onto a small balcony area.

4.8 The front element incorporates a large two storey gable end extension, which would project out by 4.8m and have a width of 5.6m. It would attach to the original dwelling in part and the proposed two storey side extension in part. It would incorporate a 4.2m wide single storey element to the side, adjacent to the boundary, which forms part of the proposed garage. Its front elevation would lie on the line of the existing flat roof garage, still some 7m back from the footpath.

4.9 The dwelling at present is part brickwork and part rendered. The proposed scheme indicates that the ground floor would be constructed of brick whilst the first floor would be rendered.

IMPACT UPON RESIDENTIAL AMENITY

4.10 The neighbouring resident at number 34 Top Lane is located some 22m away from the application site and as such the raising in the ridge height will not have any impact upon their amenity. However the neighbour at number 28 Top Lane lies within 1.6m of the site boundary and adjacent to the majority of the proposed works. This property is a small bungalow constructed with gable ends to all elevations and a ridge height of in the region of 5m.

4.11 Concerns are raised that the proposed extension would have an over-dominant impact upon this neighbouring bungalow. However, the applicant has designed the scheme to try to reduce this impact. The bungalow would be at a distance of 2.8m from the single storey side element of the scheme. This has been designed with relatively low eaves, at 2.3m, and a shallow pitched roof to appear subservient in relation to the bungalow. The two storey element would be at a distance of 4.6m from the side elevation of the bungalow and would be set back 2m from the bungalows front elevation. It would be constructed with a hipped roof, again to reduce the over-dominance, which has an eaves height of 4.9m, similar to the ridge of the bungalow. Whilst the proposed extensions are large scale, on balance, the scheme does not appear to over-dominate the neighbouring property to an unacceptable level.

4.12 In addition there would be no loss of light to the neighbouring bungalow as the application site lies to the northeast. There would, however, be a loss of light to the obscure glazed window to the side elevation of the bungalow, which appears to open into a bathroom, but this would not warrant a refusal. As for the proposed balcony to the rear views into the neighbours garden would be obscured by a tall conifer hedge to the boundary.

IMPACT UPON THE STREETSCENE

4.13 Again concerns were raised in relation to the impact the works would have upon the streetscene and the character of the area. Top Lane is varied in its character and incorporates a mixture of detached and semi-detached properties of varying styles and ages. The dwellings opposite the site are all detached and set well back from the street. They incorporate rendering and brickwork along with hipped and pitched roofs. The properties on the same side as the application site are located closer to the

highway but again are varied in design. As such there is no uniform feel to the area and it would be difficult to argue that this scheme detracted from its character.

5.0 CONCLUSION

5.1 Whilst the proposed works to the dwelling are large scale they appear to be acceptable. The impact upon the adjacent bungalow has been reduced by creating a single storey section close to the boundary and by setting the two storey side extension back from the front elevation of the bungalow by 2 metres. Its impact upon the character of the area is minimal due to the varying degree of house types and styles within the immediate vicinity. The plot has retained adequate amenity space around the dwelling and it would be difficult to argue that the works would constitute overdevelopment of the site. Officers recommend approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing numbers 30/TOP/001 and 30/TOP/003 received 14th September 2009
Drawing numbers 30/TOP/002 Rev A received 24th November 2009

or any plans or details subsequently agreed in writing by the Local Planning Authority as an 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 Matching materials

4 Before the commencement of and during building operations, adequate measures shall be taken to protect the existing hedging to the rear garden. This means of protection shall be in accordance with BS 5837 (2005) and shall be agreed in writing with the Local Planning Authority and shall be implemented prior to the stacking of materials, the erection of site huts or the commencement of building works.

Reason: The existing planting is considered to make a significant contribution to the amenities of this area and the occupiers of the neighbouring property.

5 Prior to the development coming into use the frontage boundary should be free of all obstructions which exceed the height of the adjacent footway by more than 0.6m at both sides of the junction of any access with the footway, and thereafter be so maintained.

Reason: In the interests of pedestrian safety

7.0 INFORMATIVES: Notes to Applicant

1. HIGHWAY INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

2. 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 character of the area or residential amenity. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance and the Copmanthorpe Village Design Statement.

3. 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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