

COMMITTEE REPORT

Date: 12 August 2010 **Ward:** Clifton
Team: East Area **Parish:** Clifton Planning Panel

Reference: 10/01179/FUL
Application at: 45 Ashton Avenue York YO30 6HW
For: Detached 2 storey dwelling with associated detached garage
By: Miss Kristen Mortimer
Application Type: Full Application
Target Date: 10 August 2010
Recommendation: Refuse

1.0 PROPOSAL

1.1 The applicant seeks planning permission to erect a three-bedroom two-storey detached house in the rear garden of 45 Ashton Avenue. Two linked single garages are also proposed to serve the existing and new dwelling and a 2.4m high brick wall is proposed alongside a public footpath to the side.

1.2 The site is part of the large triangular shaped rear garden of 45 Ashton Avenue. 45 Ashton Avenue is a hipped roof semi-detached property at the head of a long cul-de-sac. The surrounding area is largely made up of low to mid density suburban style housing. A public footpath runs to the side of the garden linking Ashton Avenue with Burton Green.

1.3 There is no relevant planning history for the site, nor are there any site-specific policies or proposals relating to the site.

1.5 The application has been brought to committee as the applicant is employed by the City Council.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYGP1
Design

CYGP10
Subdivision of gardens and infill devt

CYGP15
Protection from flooding

CYNE1
Trees, woodlands, hedgerows

CYH4A
Housing Windfalls

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections subject to conditions.

York Consultancy - The development is in a low flood risk area and should not suffer from flooding, however, insufficient information has been included to assess the impact of the proposal on existing drainage systems.

Environmental Protection Unit - No objections subject to informative.

Leisure Services - Contribution required for open space improvements.

3.2 External

Local Planning Panel - No objections, though regret the loss of the hedge adjacent to the public footpath.

Neighbours

43 Ashton Avenue - Being at the turning head of the cul-de-sac there is limited available parking and access to the road is sometimes blocked.

4.0 APPRAISAL

4.1 Key Issues:-

- Impact on street scene
- Impact on neighbours
- Quality of accommodation
- Flood risk
- Highway considerations
- Sustainability

4.2 Development Control Local Plan Policy GP1 'Design' states that development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and vegetation. The design of any extensions should ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.3 Planning Policy Statement 1 sets out the Government's overarching planning policies. Planning Policy Statement 3 relates to Housing. Both statements set out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take the opportunities available for improving an area should not be accepted.

4.4 Policies H4a and GP10 allow for the subdivision of gardens for new development providing it is of an appropriate scale, does not harm living conditions and otherwise accords with planning policy.

IMPACT ON THE STREETSCENE

4.5 The proposed dwelling would have a pyramidal roof and would be 7.2m high at its peak. It is considered that this scale of development would appear incongruous in the open rear garden and would not appear subservient or relate to any existing structures. The dwelling would be located immediately adjacent to a public footpath that cuts between rear gardens in the area. It is considered that the structure would be unduly dominant when viewed from the path and would detract from its current generally open setting. The proposed 2.4m high wall would also be an unacceptably dominant structure adjacent to the path.

4.6 The proposed garage would be subservient to the main house and not be unduly dominant.

IMPACT ON NEIGHBOURS

4.7 There is adequate space around the house and garage to avoid undue harm to most neighbours. However, the proposed dwelling is only a short distance from the rear boundary of 50 Burton Green - the first floor bedroom windows would be only around 6m from the side boundary of the rear garden. This is considered unacceptable within the local context.

QUALITY OF THE ACCOMMODATION

4.8 The proposed dwelling would create good quality accommodation. The host property would still retain a good outlook and have a rear garden of 15 x 9m.

FLOODING

4.9 The development is in a low flood risk area and should not suffer from flooding, however, insufficient information has been included to assess the impact of the proposal on existing drainage systems.

HIGHWAY CONSIDERATIONS

4.10 Two off-street car parking spaces are proposed for the new property and two spaces for the existing property. This is considered acceptable. Space is available for cycle parking.

SUSTAINABILITY

4.11 The proposed dwelling will make more efficient use of land. It is located within a built up area and as such has access to a range of shops and services. The applicant has submitted a sustainability report that addresses key issues including re-cycling and energy efficiency.

5.0 CONCLUSION

5.1 Although the development would create good quality accommodation the new house and high wall would appear incongruous. The house would also detract from the privacy of the property to the rear. In addition, the application fails to provide adequate information to satisfactorily address issues of flood risk.

5.2 It is recommended that the application be refused.

6.0 RECOMMENDATION: Refuse

1 It is considered that the scale and design of proposed dwelling, and height of the brick wall adjacent to the public footpath leading from Ashton Avenue, would appear incongruous and detract from the character of the surrounding area. The scale and form would also dominate the public footpath, creating a stark , imposing feature for pedestrians using the path. As such, the proposal conflicts with Policies GP1 (criterion a and b) and H4a (criterion c) of the City of York Draft Local Plan (Fourth Set of Changes) 2005 and Central Government advice relating to design quality and context contained within Planning Policy Statement 1 (Delivering Sustainable Development) and Planning Policy Statement 3 (Housing).

2 The proposed two-storey development would be in close proximity to the rear garden of 50 Burton Green. It is considered that it would appear unduly dominant when viewed from this direction and would introduce an unacceptable degree of overlooking of the rear garden of 50 Burton Green from the proposed first floor rear bedroom window, within 6 metres of the boundary with that property. As such, the proposal conflicts with Policy GP1 (criterion i) of the City of York Draft Local Plan (Fourth Set of Changes) 2005.

3 The application fails to indicate how surface water run-off from the site will be adequately attenuated. As such the application conflicts with national planning advice contained within Planning Policy Statement 25 (Development and Flood Risk), Policy GP15a of the City of York Draft Local Plan (Fourth Set of Changes)

approved April 2005 and advice contained within the City Of York Strategic Flood Risk Assessment (approved September 2007).

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