

COMMITTEE UPDATE – 9.9.2010

Plans Item 4b – 34 Eastward Avenue, Fulford (10/00258/FUL)

1. The Council's Highway Engineer has confirmed that the minimum standard width to allow a vehicle to pass is 1.8m. This allows a vehicle to pass, though would not allow for doors to be opened. The pinch point created by the house and new pier to support the railings that is shown on the drawings is 1.8m. The remainder of the driveway beyond this is shown on the drawings as 2.2m. As a result, the Highway Engineer does not consider that there are sufficient highway safety grounds to refuse the application.
2. A petition with 19 signatories was handed to officers at the site visit. It raises the following points:
 - Rear extension will significantly impact on the amount of light to neighbours, with overshadowing and overbearing;
 - Overdevelopment of the back garden leaving little or no back garden – a rear garden 12.2m x 8.5m would remain;
 - Unwelcome precedence;
 - Front boundary totally out of character and would appear over-obtrusive, destroying rhythm of the road and upsetting community feel.
3. Response to revised drawings from Fulford Parish Council, who welcome the reduction in size and massing of rear extension but continue to object due to:
 - Scale and massing of rear extension and impact on neighbours light, shadowing and outlook;
 - Design of gates, which are out of character and not justified by fear of crime.
4. An email has been received from a local resident requesting the imposition of two conditions if the application is approved:
 - Hours of construction to be added in the interests of residential amenity;
 - A condition preventing the erection of a wall or fence at the side of the house in the interests of highway safety.Officers consider that the second suggested condition is acceptable and meets the required tests, but that the first is not normally attached to applications for household extensions.
5. Members should have received email correspondence from local residents prior to the Committee or circulated before you today.

46) Eastward Avenue



4b)

Eastward
Avenue

Summer
2010



Cumming, Judith

From: Cllr. K. Hyman
Sent: 08 September 2010 18:20
To: Cumming, Judith
Cc: Glazier, Simon
Subject: FW: Planning application 10/00258/FUL extension to 34EastwardAvenue - 9th September 2010

Judith

Another objection to table at the meeting. It has been sent to all members but not subs so can you bring a few copies please?

Keith

-----Original Message-----

From: scribblemoose@gmail.com [mailto:scribblemoose@gmail.com] **On Behalf Of** Helen Kenwright
Sent: 08 September 2010 14:49
To: Cllr. Brian Watson; Cllr. R. Moore; Cllr. D. Taylor; Cllr. K. Hyman; Cllr. S. Wiseman; Cllr. C. Funnell; Cllr. P. Firth; Cllr. H. Douglas; Cllr. R. Cregan; Cllr. K. Orrell
Cc: Verna Campbell
Subject: Planning application 10/00258/FUL extension to 34EastwardAvenue - 9th September 2010

Dear Councillor,

I am emailing with regard to the planning application for 34 Eastward Avenue, which is on the planning committee agenda for 9th September [10/00258/FUL], as I am unfortunately unable to take time off work to attend the meeting in person.

I have a number of concerns with the application, and with the points made in the report you have received.

My main concern is that the proposed development is out of character with the surrounding area, and would provide a precedent which future developments might follow. There is also the fact that the parking area behind the new gates is unsuitable. The owner does not use the workshop/garage at the rear for parking purposes - access to the rear is boarded up as a matter of course with a hardboard structure above the level of the existing 5'+ wall (I noted that he had removed this structure prior to the Site Visit this morning, only to put it back again as soon as the visiting party had gone).

I also have worries that the owner is adapting the house not for family use but to enhance its profitability as a rental property in the future - he is a landlord of other properties in the City and has rented out this house before. I have no problem with that in principle - I believe the City needs more affordable housing - but the modified building would have capacity for a large number of tenants: too many, I would argue, for the nature of the house and the street it's in. Most importantly, as this procedure of obtaining, converting and then renting out properties is the joint business of both the owner and his brother, the current resident, it makes it hard to believe that the huge extension to the house at the expense of the garden is for the needs of their family. The grand gates proposed, for example, make much more sense as the frontage for high rent flats. We are very aware that planning permission, once granted, cannot prevent these sort of changes later.

I would also like to comment on the applicant's concerns over racial attacks. We were shocked to hear that he had such fears and of course would wish him and his family to feel safe in their home. My husband, for example, approached the owner and secured his help so that he could improve provision for Muslim burial in Fulford cemetery, the city council's main burial site. But there has never been a threat of that nature in Fulford, which is well known for its low crime rate and I believe there is evidence in research that suggests that overt security can encourage particular criminal activity rather than deterring it, if it is unusual in its setting.

Fulford in general and Eastward Avenue/Fulfordgate in particular is a friendly, cohesive neighbourhood. I have discussed issues of racism with asian neighbours elsewhere in the street and they assure me they feel very safe and welcome: in fact we have a new asian couple moving in just opposite the proposed development and they are very comfortable about the neighbourhood. While I do not wish to undermine the applicant's fears I do believe them to be unfounded, and am concerned that the development he proposes could backfire at a later date.

Finally, I am concerned about the building work and associated noise, dust and disruption which is likely to go on for an extended period of time. The applicant often conducts work of a noisy nature in the workshop to the rear of his property, often late into the night and at weekends, and when he built the workshop (without planning permission and higher than building regulations allowed) and again when he modified the front of the house a couple of years ago the work was protracted, noisy and caused significant inconvenience to his neighbours, including ourselves. (This in contrast to the work carried out to extend No 30 and no 36, which caused minimal disruption and only ever during reasonable hours).

This last point is a particular concern at the present time, as my husband is seriously ill and spending nearly all his time at home and requires rest and peace and quiet, as do other disabled residents in the vicinity. The work proposed would confine him to the house rather than him being able to sit out in the garden, which would cause even further distress at an already difficult time.

In summary, I ask you please to vote to reject this application at the meeting on Thursday.

kind regards,

Dr Helen Kenwright
32 Eastward Avenue
York
YO10 4LZ
tel: 01904 628366 (home) 01904 770314 (work)

Cumming, Judith

From: Cllr. K. Hyman
Sent: 08 September 2010 18:33
To: Cumming, Judith
Cc: Glazier, Simon
Subject: FW: Planning Application 10/00258/FUL

Judith

Another one. Only sent to me so will need copies for all.

Keith

-----Original Message-----

From: Philip Bell [mailto:member@eward30.freemove.co.uk]
Sent: 07 September 2010 16:23
To: Cllr. K. Hyman
Cc: Cllr. K. Aspden; verna.campbell@tiscali.co.uk
Subject: FW: Planning Application 10/00258/FUL

Dear Councillor Hyman

It has come to our attention that you will be present at a site visit on Wednesday 8th Sept 2010 in connection with the above Planning submission and having just been made aware of the revisions to the scheme and assessed these, would make the following comments and ask you to take into account our views when reaching a decision, which we understand will be taken at committee on Thursday this week.

Whilst acknowledging the significant revisions to the design since the first application we would still contend the proposed gated frontage to the property is totally out of character with the rest of the streetscape, whereas we acknowledge that low railings on top of boundary walls do exist within the Avenue the proposed double gates could not be described as similar in appearance.

With regard to the proposed extension to the rear of the property, the reduced projection from the existing building and the omission of the first floor terrace are welcome revisions, however, we would still question the validity of a 2 storey extension on the grounds this is likely to set an unwelcome precedent for future development to the rear of properties in the area.

Clearly the 'Rights of light' issues, in connection with this 2 storey extension, affecting the neighbouring properties Nos 32 & 36 you will no doubt address both during the site visit and at committee with your colleagues.

MR & MRS Bell

30 Eastward Avenue
York

09/09/10

Message Received: Apr 07 2010, 07:36 PM
From: "Philip Bell"
To: planning.enquirieseast@york.gov.uk
Cc:
Subject: Planning Application 10/00258/FUL

Dear sir or madam

We write in response to the Resubmission of the Full Planning application currently under review 34 Eastward Avenue York YO10 4LZ 10/00258/FUL

The drawings submitted do in fact show minor revisions to the scheme namely the reduction in roof height i.e. ridge line to the two storey rear extension and retention of the hipped roof to the side of the existing property, however in all other respects the proposed extensions are ostensibly the same as the previously rejected application. In fact do not attempt to address the residents previous concerns with regard to the Architecture or Streetscape being inappropriate in relation to the Avenues' existing environment.

Granted the applicant has provided more detailed analysis of the sun pattern but we would remind you that we are not blessed with year long wall to wall sunshine in this part of the world and any natural light is a precious commodity for adjacent properties.

In the main our comments and objection (as outlined below) remain valid for this resubmission and therefore would urge members to reach the same conclusion, thereby rejecting this new application.

MR & MRS Bell

30 Eastward Avenue
York

Message Received: Dec 13 2009, 03:27 PM
From: "Philip Bell"
To: planning.enquirieseast@york.gov.uk
Cc:
Subject: Planning Application 09/01988/FUL

Dear sir or madam

We write in response to the Full Planning Application currently under review 34 Eastward Avenue York YO10 4 LZ 09/01988/FUL

Eastward Avenue consists in the main Semi-detached properties built mid twentieth century all of which generally have retained either low boundary walls or pivot style hedges fronting the street. There are a number of properties which have benefitted from extensions but these have been subject to previous Planning regulations and are sympathetic to the character and style in which the original houses were built.

The application in question has three distinct sections.

1. The provision of what can only be described as security fencing and gates to the front boundary abutting the public footpath is totally out of character with the rest of the street, their size and construction would be so imposing.

2. The two storey extension to the front of the property comprising ground floor porch, first floor extension to the line of the existing bay together with a pitched roof (which breaks up the line of the existing hipped roof) destroys the symmetry present in all other pairs of properties within the area. The size and look of this part of the application is totally unacceptable.

3. The two storey proposed extension to the rear by its very size will create great problems for the adjoining properties in respect of their natural light they currently enjoy and it is almost bound to deprive some properties further away from sunlight especially during the 3 seasons excluding summer. The proposed roofline exceeds that of the existing which I believe contravenes current Planning guidelines.

We would urge the Officers to deny this application as any of the three parts described above we believe would not only fall outside the Planning guidelines but such a development with its future look and inconvenience to neighbours would be totally detrimental to the neighbourhood we currently enjoy.

MR & MRS Bell

30 Eastward Avenue
York

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