

COMMITTEE REPORT

Date: 18 November 2010 **Ward:** Rural West York
Team: Householder and Small Scale Team **Parish:** Copmanthorpe Council Parish

Reference: 10/01921/FUL
Application at: 9 Lynwood View Copmanthorpe York YO23 3SW
For: One and two storey extensions to front and side
By: Mr Paul Horsman
Application Type: Full Application
Target Date: 2 November 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 This application seeks permission for one and two storey extensions to the front and side of 9 Lynwood View. The two storey extension will project 2m from the original front wall of the property.

1.2 The dwelling is a two storey detached dwelling which sits within a small cul-de-sac of ten properties.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175
DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1 Design

CYH7 Residential extensions

3.0 CONSULTATIONS

INTERNAL

3.1 HIGHWAY NETWORK MANAGEMENT - The proposal complies with CYC parking standards and therefore no highway objections are raised.

EXTERNAL

3.2 COPMANTHORPE PARISH COUNCIL - The Parish Council objects to the proposal on the grounds that the mass of the extension will overpower existing properties and will have a detrimental effect on the character of the cul-de-sac. It is also felt to result in a loss of amenity for neighbouring properties.

3.3 PUBLICITY - The application was advertised by neighbour notification letter. 9 letters of objection have been received from residents in Lynwood View who raised the following concerns:

- the proposed extensions are significant when compared to the existing footprint of the dwelling and will result in overdevelopment
- the attractive and pleasing outlook of the cul-de-sac will be adversely affected
- the extensions will cross over the existing building line leading to a reduction of the open outlook of the street breaking the natural line of development
- the extensions will impact on privacy and natural light levels for neighbouring properties, specifically between 1pm-4pm during the winter months
- scale and positioning of the proposed extensions is totally out of character with the cul-de-sac
- the decrease in the side of the driveway will increase the need for on-street parking
- no. 8 Lynwood View will be pushed further into the corner of the street and would have a cramped appearance to the street
- extending to the front in this way will set a precedent of which wouldn't be sustainable in the area
- the property would become very dominant within the street if it were to be extended in this way, there are no other extensions to the front of properties in the street.
- within the darker months of the year, the street lighting at the corner of 1 Lynwood View would be of no benefit to an already dark corner at no. 8, properties would be in greater risk of burglaries resulting in larger insurance premiums for each household
- access and egress of the street would become more difficult due to the front extension
- the proposed side door will cause a loss of privacy, being able to look directly into the lounge of no. 10
- a covenant was placed on the individual plots in 1961 to preserve the design and character of the development and states that the front wall of any house or building shall not project beyond the building line.
- the front extension would be contrary to the recommendations of the Copmanthorpe Village Design Statement.

A 60 signature petition has also been received which objects to the proposal on the grounds that the front extension would set a precedent for future development.

4.0 APPRAISAL

KEY ISSUES:-

- Visual impact on the dwelling and the streetscene
- Impact on neighbouring property
- Highway Issues
- Other Issues

RELEVANT PLANNING POLICY

4.1 Draft Local Plan Policy GP1 states that development proposals will be expected to respect or enhance the local environment, 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; and ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.2 Draft Local Plan Policy H7 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 (iv) proposals respect the spaces between dwellings; and (v) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.3 The City of York Council Supplementary Planning Guidance - Guide to extensions and alterations to private dwelling houses (2001) states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling and should also appear subservient. The scale of the new extension should not dominate the original building. Proposed extensions should have pitched roofs and the materials should match those of the main property. For single storey extensions, obscured glazing should be fitted to any essential windows facing the neighbouring boundary where there may be a loss of privacy for neighbours.

4.4 Copmanthorpe Village Design Statement states that extensions should be set back from plot boundaries, retain neighbours right to light and privacy and should be designed to compliment existing buildings and materials.

VISUAL IMPACT ON THE DWELLING AND STREETSCENE

4.5 The proposal will extend the whole of the front elevation forward by 2m and will extend above the garage to the side to enlarge the third bedroom. A single storey extension will also provide a utility room to the side of the kitchen diner with a small extension to the front of the garage which is linked by a pitched roof to the first floor extension. The extensions have been sympathetically designed to match the appearance of the dwelling in accordance with CYC policies GP1 and H7 and the Copmanthorpe Village Design Statement, with matching materials proposed. The extensions are felt to be in character with the appearance of the property, the first floor side extension appearing subservient due to its 2m set back from the front elevation. A gap of 1.2m is retained to the side boundary. It is not considered that the proposal constitutes over development of the site.

4.6 There have been concerns raised by the residents that the scale of the front extension would be out of character with the cul-de-sac and would dominate the

other properties in the street. Numbers 8-10 Lynwood View are detached dwellings which are set back from the highway in a staggered fashion to varying degrees. As such there is no established building line on this side of the street. The proposed two storey extension will bring the dwelling within 8.4m of the highway, which is considered an acceptable distance and will not project past the front corner of no. 10. As such the extension is not felt to dominate the streetscene or look out of place against the adjacent properties.

4.7 The concern has also been raised by neighbouring residents that the proposed two storey extension would set a precedent for similar developments in the area. However this is not felt to be the case. The proposal in this instance is not felt to be harmful to the street scene due to the staggered layout of the three detached houses on this side of Lynwood View as well as the distance and angle of the host dwelling from neighbouring properties and the highway. This application has been judged on its own merits and as such future applications for similar proposals would also be judged on the individual circumstances of the development site and locality.

IMPACT ON NEIGHBOURING PROPERTY

4.8 Concerns have also been raised by neighbouring residents regarding loss of daylight, specifically with regard to no. 8 Lynwood View, to the north of the application site. The submitted sunlight/daylight assessment shows that there is very little overshadowing to no. 8 and whilst the front extension will result in additional overshadowing to their front lawn and driveway, it will not cause a significant loss of light to the ground floor living areas due to the distance of no. 8 from the application site.

4.9 The proposed extensions, due to the orientation of no. 10 Lynwood View and the application site, will not cause significant overshadowing, however it has been suggested that the proposed side door to the utility room will allow overlooking into the rear garden and living room of no.10 which will result in a loss of privacy. In response to this, the applicant has stated that a new 1.8m high fence will be erected to obscure views from the side door and it is felt that this is an acceptable compromise. It will still be requested however that all windows and doors proposed to this side elevation shall be obscurely glazed in the event that the fence is removed at a later date.

4.10 Residents within the cul-de-sac have also objected to the scheme on the grounds of loss of privacy however the majority of properties are over 21m away from the proposed front extension as required by the CYC supplementary guidance. The occupants of no. 7 have objected as they will look directly onto the first floor bay window, and as such could also be overlooked, however the host dwelling is at 90 degrees to no. 7 and as such the 17m distance between windows is not considered to cause significant loss of privacy.

HIGHWAY ISSUES

4.11 Lynwood View is a small cul-de-sac which currently experiences issues with car parking, due to high levels of vehicle ownership in the street thereby making

access and egress into and out of the cul-de-sac difficult at times. The proposed two storey extension to front will increase the length of the garage thereby reducing the length of the existing drive way of no. 9. Currently two vehicles park on this drive way as the garage is currently not of a standard size and is therefore only considered capable of being used as storage. The extension to the garage will mean that a car and cycles can be accommodated within the garage and still leave sufficient space for a vehicle to be parked on the driveway. The City of York Council's parking standard for a 3 plus bedroom dwelling is a maximum of two car parking spaces, therefore the proposed application complies with this standard. As the number of car parking spaces is unchanged it is not felt that there will be any detrimental impact on parking levels within the street.

OTHER ISSUES

4.12 A covenant was placed on this development in 1961 which states that the front wall of any house or building shall not project beyond the building line or lines shown on the plan annexed to the document. The covenant this is a private matter and does not impact on the ability of the LPA to determine the planning application, however it should be noted that the grant of planning permission does not override the need to comply with this covenant if it remains capable of being enforced through the courts.

5.0 CONCLUSION

5.1 The proposed extensions are considered to comply with the requirements of policies H7 and GP1 of the Local Plan and guidelines contained within the Village Design Statement and the Householder Design Guide. Proposals are not considered to cause significant harm to residential amenity or the streetscene.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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|---|--------|--------------------------------------|
| 1 | TIME2 | Development start within three years |
| 2 | VISQ1 | Matching materials |
| 3 | PLANS1 | Approved plans |

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), the window and door in the south elevation of the side extension shall at all times be obscure glazed to a standard equivalent to Pilkington Glass level 3 or above. Furthermore no additional windows and doors shall be inserted into the side elevation.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

5 The garage shall be retained for the sole use of parking vehicles and bicycles and shall not be converted to additional habitable space unless planning permission has first been granted for such an alteration or use by the Local Planning Authority.

Reason: To retain adequate car parking in the interests of highway safety and the convenience of road users and local residential amenity.

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 to the appearance of the dwelling, street scene and 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.

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).

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