

## COMMITTEE REPORT

**Date:** 10 February 2011                      **Ward:** Fulford  
**Team:** Householder and Small Scale Team                      **Parish:** Fulford Parish Council

**Reference:** 10/02529/FUL  
**Application at:** 124 Heslington Lane York YO10 4ND  
**For:** Hipped gable to both sides with dormers to front and rear  
**By:** Mr Haydn Kelly  
**Application Type:** Full Application  
**Target Date:** 19 January 2011  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 This application seeks planning permission for a hipped gable to both sides with dormers to front and rear, on a detached bungalow at 124 Heslington Lane, Fulford.

1.2 Relevant property History : Consent was granted for a single story rear extension and conservatory on 03.03.2005 ref. 05/00031/FUL. An application for the 'Erection of first floor over existing bungalow and two storey rear extension' was refused on 13.11.2003. ref. 03/00963/FUL.

1.3 The application has been called in to Committee by Councillor Aspden, due to the impact on the amenity of neighbours, and to enable local residents to express their views in a public forum. A site visit is also recommended, in order that the impact on the streetscene, and upon adjacent residents, can be assessed.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1  
Design

CYH7  
Residential extensions

### **3.0 CONSULTATIONS**

#### 3.1 Internal - none

#### 3.2 External

3.2.1 Fulford Parish Council - Objection 12.01.11 - The Council objected on the grounds of; 'Harm to the streetscape' as a result of 'size and massing' and 'unsympathetic design'; 'Effect on the amenity of neighbours', as a result of 'overlooking' and 'significant loss of privacy' from the proposed rear dormers; 'Overdevelopment' in terms of the change from an original two-bed bungalow to 'essentially a four-bed house'

3.2.2 Neighbour Response - Four letters of objection were received. The occupants of 14 Heath Moor Drive objected on the grounds their garden and bedroom windows would suffer from loss of privacy, and concerns the property would become student accommodation. The occupants of 12 Heath Moor Drive considered the resulting property would be 'out of keeping' with the neighbourhood; it would result in 'lack of privacy'; concerns about an additional HMO' being created. The occupants of 126 Heslington Lane considered the proposal would 'change the look of the street' and 'affect the privacy of our gardens.' The occupants of 122 Heslington Lane considered the creation of a 'four bedroom dormer bungalow' would be 'totally unacceptable for this location' and would 'overlook our gardens and affect our privacy.'

### **4.0 APPRAISAL**

#### 4.1 Key issue(s): Effect upon neighbouring property and the street scene

4.2 Draft Local Plan Policy CYGP1 states that development proposals will be expected to (i) respect or enhance the local environment; (ii) 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; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.3 Draft Local Plan Policy CYH7 states that planning permission will be granted for residential extensions where: (a) the design and materials are sympathetic to the main dwelling and the locality of the development; and (b) the design and scale are appropriate in relation to the main building; (d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and (e) proposals respect the spaces between dwellings; and (g) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.4 Planning Policy Statement 3 (PPS 3) Efficient Use Of Land - 'The desirability of using land efficiently and reducing, and adapting to the impacts of climate change.'

4.5 The Application Site. This application seeks to create additional living accommodation in the form of two additional bedrooms in the loft space, achieved by hipped gables to both sides, and front and rear dormers. There is an attached garage on site and additional off-road parking. No issues arise in terms of cycle or refuse storage. Although the property has previously been extended to the rear, there is a spacious rear garden and ample amenity space. It is not considered that the proposal would constitute overdevelopment. By making more efficient use of land, the proposal accords with national planning advice contained within Planning Policy Statement 3 (Housing).

4.6 Effect upon the Street Scene. This section of the south east side of Heslington Lane is mainly comprised of two storey detached dwellings. The application property is the first of a row of six bungalows close to the junction with Broadway. It is a detached property, with the next four being semi-detached, and the final one detached. The intention is to raise the ridge height by approx 1.0m, taking it to approx 6.0m. The previously refused scheme ref. 03/00963/FUL sought to increase the roof height to approx 7.2m. It should be noted that changes to the General Permitted Development Order in October 2008 allow side dormers, and hip to gable enlargements, within a generous cubic allowance.

4.7 The key issue in this case relates to design, and the raising of the ridge height. The previously refused scheme was for the creation of a five bedroomed house. In design terms it failed to respect the uniformity of the line of two storey houses running immediately to the south west. For this reason it was deemed to be discordant and unsympathetic to its neighbouring properties. The current scheme retains the property as an enlarged bungalow, with a cohesive front elevation incorporating a single pitched roof dormer. It will form a natural visual step down between the house immediately to its right, and the row of bungalows to its left, and as such would not appear detrimental to the street scene.

4.7 Effect Upon Neighbouring Property. In terms of properties immediately to the rear of the application site; the separation distance from rear window to rear window is approx 30m. This compares to a typical separation of approx 25m a little further along Heslington Lane, against a guideline of 21m, used to assess potential loss of privacy between facing development. The proposed rear dormer windows will be no higher than those on the rear elevations of these neighbouring houses. In terms of overlooking into adjacent properties rear gardens, it should be noted that rear dormers usually constitute permitted development, even when spanning the full width of the roof. There are no windows indicated on either side elevation of the roof. In terms of overshadowing and over-dominance, the modest increase in ridge height would not take place beyond either the forward, or rear building lines of the two adjacent properties. Again it should be noted that the sole reason given for the refusal of the previous larger scheme, was 'it would be incongruous to the street scene' and would therefore have an 'adverse impact on the visual amenity of the area.' It was not considered to have a serious impact on neighbouring properties.

4.8 House in Multiple Occupation - There has been no indication from the applicant of any intention to turn this property into student accommodation. In any event; as of October 2010, the Government made changes to the previous legislation, and allowed freedom of movement between user classes C3 (Dwelling Houses) and C4 (HMO's). So even if the applicant had expressed such intent, it would not have constituted a material planning consideration in terms of this application.

## 5.0 CONCLUSION

The proposal is unlikely to detract from the character and appearance of the area or have a detrimental impact on neighbours within close proximity.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

- |   |        |                                      |
|---|--------|--------------------------------------|
| 1 | TIME2  | Development start within three years |
| 2 | PLANS1 | Approved plans - Received 02/11/2010 |
| 3 | VISQ1  | Matching materials                   |

## 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 occupants of neighbouring properties. Nor is it considered that the size, scale or design of the extension would have any detrimental impact on the street scene. As such the proposal complies with Policies H7 and GP1 of the City of York Draft Local Plan.

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