

3.0 CONSULTATIONS

3.1 Internal

None

3.2 External

Haxby Town Council - No objections.

Neighbours

Objections have been received from the occupants of 5 and 9 The Avenue. The following concerns are raised:

This is the latest in a series of developments that have eroded neighbours living conditions, we feel let down by the City Council.

If this retrospective application is approved it makes a mockery of the planning system.

The view from the kitchen window of number 5 is now just bricks and tiles.

In the future it is likely that the conservatory will be removed and the sides of the extension infilled.

Loss of privacy, daylight, sunlight and wellbeing

Devaluation of property due to intrusive nature of the development

Loss of outlook

4.0 APPRAISAL

4.1 The proposal would not be prominent from the street and there is adequate garden space remaining to meet the needs of the property. The key issue to assess is the impact on neighbouring properties.

4.2 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 the 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 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.

4.4 Planning Policy Statement 1 sets out the Government's overarching planning policies. It sets 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.

IMPACT ON LIVING CONDITIONS

4.5 There is adequate separation to the property to the rear. Number 9 is located to the east. This property will be largely screened from the proposed development by the existing off-shoot of the application property.

4.6 The key issue to assess is the impact on number 5. The development is located approximately 3 metres from the side garden boundary with number 5, with the side elevation of number 5 being approximately 3 metres from the garden boundary, giving a total separation of approximately 6 metres.

4.7 It is not considered that the proposed alterations would be unduly harmful in respect to the impact on light and outlook when viewed from the conservatory of number 5. The extension is to the east of the conservatory and will be partly viewed against the existing off shoot of the house. Any additional loss of morning sunlight will be limited. Given the separation and the fact that the roof of the extension is hipped it is not considered that it would be unduly oppressive.

4.8 There is also a window serving a kitchen-diner in the side of the existing house. The extension would be to the north-east of this opening and will therefore cut out little direct sunlight. It is considered that the overall impact on light and outlook will also be limited due to the level of separation and the hipped roof design of the structure.

4.9 It may be the case that the applicant removes the conservatory in the future and inserts windows in the proposed roof overhang and brick pillars around the structure. It is not considered there would be any material gain in requiring a new planning application for such works. New glazing would be closer to number 5, however, it would be serving a ground floor room and as such it would be relatively easy to screen the openings when viewed from number 5. At the present time the occupier of number 5 has several conifers located in large plant pots providing some screening along parts of the side boundary. In addition, the erection of a 2m fence along this boundary would typically not require planning permission

5.0 CONCLUSION

5.1 Although the proposal is unusual, the design it is reasonably sensitive to the main house. The proposal will result in some overshadowing of the side windows of the adjoining property, however, it is considered that the separation distance to the building and its orientation in respect to the passage of the sun is such that it would not cause sufficient harm to merit refusal.

5.2 It is recommended that the application be approved.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 VISQ1 Matching materials

3 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing nos TAH/2/04 and TAH/2/05 received by the Local Planning Authority on 24 January 2011.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

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 impact on the light, outlook and privacy of adjacent occupiers. As such the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

Contact details:

Author: Neil Massey Development Management Officer (Wed/Thurs/Fri)

Tel No: 01904 551352