

COMMITTEE REPORT

Date: 11 August 2011 **Ward:** Fulford
Team: Householder and **Parish:** Fulford Parish Council
Small Scale Team

Reference: 11/00993/FUL
Application at: 6 Dairy Farm Court Main Street Fulford York YO10
4PN
For: Single storey side extension (revised scheme)
By: Mr Derek Binns
Application Type: Full Application
Target Date: 7 July 2011
Recommendation: Approve

1.0 PROPOSAL

THE SITE:

1.1 The site forms part of a small development located behind 103 Main Street, Fulford. The site comprises of two - storey block of flats known as 1-5 Dairy Farm Court situated towards the front of the site with associated areas of vehicle parking and cycle and bin storage. The area behind accommodates two low level two storey houses incorporating pitched roof dormer windows known as 6 and 7 Dairy Farm Court. This application relates to 6 Dairy Farm Court. A separate application has been submitted for the erection of an extension at 7 Dairy Farm Court, which is also considered on this agenda.

THE PROPOSAL:

1.2 Planning permission is sought to erect a single storey pitched roof extension measuring 3.3 metres in length by 3.0 metres in width on the north (side gable) elevation of the property, set back from the principal elevation and extending behind the existing pitched roof porch. The total height would be approximately approx 3.7 metres reducing to approx 2.5 metres at the eaves level. The proposal is a revised submission of a previous application for a significantly larger two storey side extension (ref:10/01352/FUL), refused under delegated powers on 18.08.2010. The property is separated from the main open plan communal parking/turning areas provided for the flats and property at 7 Dairy Farm Court by a small 1.0 metre wooden fence which encloses a parking area at the side of the property and small area of open space to the front.

1.3 The agent has supplied a more recent site plan (Drwg No 1.60) which provides a clear indication of property ownership and other extensions adjacent to the site.

1.4 The application has been called in for determination by the East Area Planning Sub-Committee by Councillor Keith Aspden as the development has very limited space and is an overdevelopment of a small courtyard. There is already limited parking and amenity space for the number of flats and households in the area.

1.4 PROPERTY HISTORY:

Land to the Rear of 103 Main Street erection of part three and two storey block of flats (ref:7/501/00316/FUL - approved 14.06.1996).

Erection of a two bedroomed dwelling to the rear of 103 Main Street (ref:98/00825/FUL approved 08.04.1998).

Erection of a two bedroomed dwelling to the rear of 103 Main Street (ref: 02/03616/FUL approved 20.11.2002).

Two storey side extension (ref:10/01352/FUL) refused 18.08.2010

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Fulford CONF

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

INTERNAL:

3.1 Design Conservation and Sustainable Development - The extension would be subsidiary to the main house and its design would be in scale with the house. The proposal would not have any additional impact on the character and appearance of the conservation area as they are remote from the main road, behind the apartment block, and small in scale.

No objections to the development subject to material being conditioned.

3.1.1 Highway Regulations - No objections

EXTERNAL:

3.2 Fulford Parish Council - Objections:

Overdevelopment - would further erode the appearance and overall amenity of the courtyard.

Loss of amenity space

Inadequate parking arrangements.

PUBLICITY

3.3 Neighbours

One letter received from 5 The Old Orchard:

Loss of natural light to kitchen

An ugly lead flashing will replace the existing coping stones

4.0 APPRAISAL

4.1 Key Issue(s):

Design and visual amenity

Impact on amenity of neighbours.

Impact on character and appearance of Conservation Area.

The relevant policies and guidance:

4.2 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. Planning Policy Statement 5 provides advice on development proposals in historic environments and confirms the aim of conserving such environments and heritage assets.

4.3 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, and (iii) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 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.

4.5 Draft Local Plan Policy CYHE3 reflects the statutory obligation of the Local Planning authority and states that within conservation areas, proposals for external alterations will only be permitted where there is no adverse effect on the character and appearance of the area.

4.6 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.11 Design and Scale) The basic shape and size of the extension should be sympathetic to the design of the original house. (1.12) Good design and a scale of development that respects the original dwelling and established pattern of development are essential to making a quality extension.

DESIGN AND VISUAL AMENITY:

4.7 The proposed extension would be located on the side elevation of the host dwelling adjacent to the shared boundary with the dwelling at 5 The Old Orchard to the east of the property, and the dwelling at 7 Dairy Farm Court to the north. In terms of design the extension would incorporate a pitched roof with detailing and materials to match the main dwelling. The additional accommodation would provide an extension to an existing bedroom and a small en-suite bathroom. The window serving the bedroom would face west towards the block of flats at 1 - 5 Dairy Farm Court and the en-suite bathroom window would face towards the dwelling at 7 Dairy Farm Court. With a footprint of approximately 10 sq metres, the extension is considered to be of modest scale and being single storey would not have an overbearing or overdominant appearance. Therefore, it is not considered that the extended footprint, height or scale of the extension would be disproportionate to the host dwelling or surrounding residential area. For this reason, the proposal is considered to comply with Policies GP1 and H7 of the City of York Draft Local Plan.

IMPACT ON THE CONSERVATION AREA:

4.8 In terms of impact on the Conservation Area, the existing Dairy Farm Court development has been identified in the Fulford Conservation Area appraisal as being excessive in scale, to have inappropriate classical detailing and therefore largely detrimental to the character of the designated conservation area. However, within the context of this application the Conservation Officer states that the position of the development would be largely unseen from public views in the conservation area, located within a concealed courtyard, thus it is not considered the development will harm the setting or historic character of the conservation area.

HIGHWAY REGULATION COMMENTS:

4.9 Officers have no objections to the position of the proposed extension and comments that there is a distance of approximately 7.6 metres for turning and reversing, which is an additional 1.6 metres over and above the recommended distance of 6.0 metres. The location of the extension would not compromise the approved parking arrangements for the Dairy Farm Court development.

NEIGHBOUR AMENITY:

4.10 In terms of impact on the adjacent neighbours the main issue would be the impact on the dwellings at No 7 Dairy Farm Court. This property is situated to the north of the application site with its main habitable windows facing across its only amenity space towards the proposed extension. The proposed extension would move the property closer to the principal elevation of no7; however there would be a separation distance of approximately 6.0 metres. Notwithstanding the fact that the extension would result in a reduction of the existing open amenity space between the dwellings, it is not considered that this would have the potential to create an unduly oppressive and overbearing impact, by virtue of its modest size and scale and the closest window being a small en- suite bathroom window. Nor is it considered given the orientation and the relationship between the dwellings that there would be an unacceptable loss of light and overshadowing for the occupiers of 7 Dairy Farm Court.

NEIGHBOUR OBJECTIONS:

4.11 The objections received from the occupiers of 5 The Orchard relate to the loss of light into a kitchen area and the presence of lead flashing on the garden wall.

The rear garden of this property has been visited to assess the potential impact of the extension. In terms of the loss of light the extension would be screened from this property by established boundary wall exceeding 2.0 metres in height. On this basis it is unlikely that the extension due to the moderate roof height and orientation would result in an unacceptable loss of light or overshadowing. In addition the property is situated within an ample rear garden resulting in an acceptable separation distance from the extension. As such the proposal will not be significantly detrimental to the amenity of adjacent residents. The issue with the lead flashings on the rear elevation would not be a material consideration in terms of planning and would be covered under the Building Regulations and/or Party Wall Act.

5.0 CONCLUSION

It is considered that the proposed extension is acceptable in terms of size and scale in relation to the surrounding area, nor would undue harm

be caused to the living conditions of nearby neighbours. As such approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 PLANS1 Approved plans - Drwg No 1.56 REV A received 03/05/2011
- 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 character or appearance of the Conservation Area. As such the proposal complies with policies H7, GP1 and HE3 of the City of York Draft Local Plan and with the Council's Supplementary Planning Guidance "Guide to extensions and alterations to private dwelling houses" (March 2001).

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