

COMMITTEE REPORT

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

Reference: 11/00925/FUL
Application at: 7 Dairy Farm Court Main Street Fulford York YO10 4PN
For: Single storey side extension
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 a 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 7 Dairy Farm Court. A separate application has been submitted for the erection of an extension at 6 Dairy Farm Court, which is also considered on this agenda.

THE PROPOSAL:

1.2 Planning permission is sought to erect a single storey extension forward of the principal building line. The extension would measure 1.6 metres in length by 5.0 metres in width and would facilitate the formation of an additional bedroom. The total height would be approximately 3.8 metres reducing to approx 2.3 metres at eaves level. It would occupy part of the limited area of amenity space at the front of the principal dwelling.

1.3 The agent has submitted a revised location plan indicating the ownership of land and has confirmed that all buildings have been marked to overcome letters received by the occupiers of Hepworths Chemist in relation to the inaccurate location plan.

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.

1.5 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 bedrooomed dwelling to the rear of 103 Main Street (ref:98/00825/FUL approved 08.04.1998).

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

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

CYHE3
Conservation Areas

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. Proposals 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.

The roof appears a little complicated but that is because it has been designed to keep the ridge line low in relation to the neighbouring site.

Please cover the following through conditions should the scheme be approved:

- 1) gutter detail against the rear wall
- 2) materials should match existing

3.1.1 Highway Regulation - 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 bedroom window

4.0 APPRAISAL

4.1 Key Issue(s):

Design and visual amenity

Impact on amenity of neighbours.

Impact on character and appearance of the Conservation Area.

The relevant polices 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 project forwards by approximately 1.6 metres into the small amenity area to the front of the dwelling and would incorporate a pitched roof in the design. It would facilitate the provision of an additional bedroom at the property, which would be partially formed from the existing kitchen/dining room. The bedroom window would face west towards the adjacent block of flats. It is proposed that the external materials would match the existing dwelling. Whilst the extension would reduce the private amenity space at the front of the dwelling, this is not considered to be so severe as to warrant refusal of the application, given its modest size. The proposed extension is considered to be a subordinate addition to the host property, in accordance with the Council's Supplementary Planning Guidance in relation to house extensions. Thus it is not considered that the extension would detract from the character or appearance of the existing 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 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 in a concealed courtyard, thus is not considered the development will harm the setting or historic character of the conservation area.

HIGHWAY REGULATION COMMENTS:

4.9 No highway objections are raised to the proposed extension. 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 6 Dairy Farm Court. A separate application has been submitted for the erection of a single storey

extension on the side elevation of this property, also considered on this agenda. If both extensions are approved and erected, there would still be a separation distance of approximately 6 metres in-between. The side facing wall of the extension at no. 7 would be blank, whilst the opposing side facing wall of the extension at no. 6 would contain a window serving an en-suite bathroom. On this basis it is not considered that any significant amenity issues would arise, whether the extensions are erected in isolation or concurrently. In addition the development would use an appropriate style of materials in keeping with the character, design and external appearance of the existing property and the surrounding neighbouring dwellings.

NEIGHBOUR OBJECTIONS:

4.11 In the case of this application the objections received from the occupiers of 5 The Orchard relate to the loss of light into a bedroom.

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 approximately 2.0 metres. The highest point of the extension would be 3.8 metres at ridge level, with the roof sloping down to a modest eaves height of approximately 2.3 metres. On this basis it is unlikely that the extension would significantly impede natural light or outlook from the adjacent bedroom window, which is located at first floor level. 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.

4.12 The letters received on the behalf of Hepworths Chemist (Mr and Mrs Hepworth) relate to the inaccurate details of the location plan and the omission of a new building attached to the rear of their establishment and issues of ownership of land. This is a civil issue and not a material planning consideration.

5.0 CONCLUSION

It is considered that the proposed extensions are 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 1.51 received 03/05/2011
- 3 VISQ1 Matching materials

4 Details of the proposed guttering against the rear wall of the extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the finished appearance is to the satisfaction of 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 occupants of neighbouring properties. Nor is it considered that the size, scale or design of the extensions would have any detrimental impact on the character and 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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