

- combined negative impact of development at the same time within a small area, eg noise
- over-development of houses that are already housing a large number of students
- erosion of quality of life for neighbouring houses
- terracing of houses which is out of character with the rest of the street
- destruction of views and aesthetics for neighbours.

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

Internal:

3.1 None

External:

3.2 Hull Road Planning Panel - No objections.

3.3 Neighbour responses from: A. Allanson -no address provided -email only and 110 Thief Lane. Objections relate to:

- Property to be occupied by students eroding the balance between student lets and private dwellings.
- Noise from the students
- Noise during construction.

4.0 APPRAISAL

4.1 Key issues:-

- Impact on amenity of neighbours
- Impact on street scene

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.

4.3 DRAFT LOCAL PLAN POLICY CYH7 - "Residential Extensions" 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.

4.4 DRAFT LOCAL PLAN POLICY CYGP1 - "Design" sets out a series of criteria that the design of development proposals would be expected to meet. These include requirements 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.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that two - storey side extensions should be set down from the original roof line and set back behind the building line

4.6 VISUAL AMENITY

The proposed extension would be set down from the main ridge, with the first floor element set back from the front wall, and would thus appear subservient in accordance with the Council's Supplementary Planning Guidance in relation to house extensions. The design of the extension would incorporate a hipped roof, which matches the existing dwelling and would slope away from the shared boundary, reducing its massing and dominance. The applicant intends to use

materials that match the existing dwelling; therefore it is considered that the proposal would not harm the character and appearance of the street scene. The forward projection for the purpose of cycle and bin storage has been reduced in length in line with the bay window, thus incorporates a balanced design within the street scene. In terms of off street parking the single driveway would be extended to a double comprising of a distance in the region of 5.5 metres in depth to the highway. In addition the existing dropped kerb would be extended to accommodate this situation.

4.7 The extension would incorporate a hipped roof sloping away from the shared boundary, projecting a distance of approx 4.0 metres from the existing rear wall, with a total height of 4.0 metres reducing to 3.8 metres at the eaves. The extension would be set off the boundary, therefore the scale, massing and design of the extension are considered to be satisfactory.

4.8 RESIDENTIAL AMENITY

The proposed extension would be located at an angle to the closest neighbour at 113 Newland Park Drive, who has a two storey side extension set away from the shared boundary separated from the application site by low level planting. In terms of loss of light it is not considered that the proposal would have any significant additional impact on the amount of sunlight entering the adjacent property, which is located to the north west. However, this property is exposed to the application site and potential loss of privacy by virtue of the existing modest boundary treatment. The applicant intends to erect a new 1.8metre high fence during construction to resolve any privacy issues resulting in the proposed development. This can be conditioned. No principal rooms or garden areas would be materially affected.

4.9 The single storey extension would contain 1x windows approx 2.9 metres from the shared boundary with the property at 109 Newland Park Drive, separated by a 1.8 metres wooden, incorporating an acceptable distance from the single storey extension. On this basis it is concluded that the adjacent neighbours on both shared boundaries would not be significantly over shadowed particularly taking into account the orientation of the properties concerned. In terms of overlooking and loss of privacy the windows proposed would be located to the front and rear on the two storey extension, as such would not create any additional overlooking than the present situation.

THIRD PARTY COMMENTS:

4.10 Occupation by Students - Consultation responses from the surrounding residents mainly relate to the extension resulting in the provision of additional bedrooms to the property and occupation by students. However provided that facilities within the property such as kitchens and bathrooms are shared, and the property is occupied as a single dwelling by no more than six people, then there

would be no material change of use for which planning permission would be required. The layout of the extended property incorporates six bedrooms with communal kitchen and living areas, with two bathrooms. The application before the Council is not for a conversion of the dwelling to self contained student flats; it is for an extension to a residential dwelling and has to be considered on that basis. Should the property be occupied by more than six people, either now or in the future, then the property would be likely to fall outside the "Class C4" use class for which planning permission would be required. It is considered that this matter can be addressed by means of an informative on the decision notice.

4.11 Other issues relating to late night noise from students and noise during construction are not material to this application however , could be dealt with under separate legislation such as the Environmental Protection Unit.

5.0 CONCLUSION

5.1 The design and materials are considered acceptable therefore the proposal would not detract from the character and appearance of the residential area. Subject to satisfactory screening, it is not considered that the development will appear overbearing or give rise to any unreasonable loss of amenity to adjoining residents. The proposal would, therefore, comply with national planning advice in relation to design contained within Planning Policy Statement 1 ("Delivering Sustainable Development"), Policies GP1 (a and b) and H7 (a, b and e) of the City of York Draft Local Plan (April 2005), and with the Councils Supplementary Planning Guidance "A Guide to Extensions and Alterations to Private Dwelling Houses" (March 2001).

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

2 PLANS1 Approved plans - Drwg No 111/NEW/002

3 VISQ1 Matching materials -

4 Prior to the occupation of the extension hereby approved, screen fencing of a height of 1.8 metres shall be erected along the section of the side boundary located between the proposed single storey extension and 113 Newland Park Drive.

Reason: To protect the privacy of the occupiers of the neighbouring property.

5 HWAY19 Car and cycle parking laid out -

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 amenity and living conditions of adjacent occupiers and the impact on the street scene. As such the proposal complies with Policies GP1 "Design" and H7 "Residential Extensions" of the City of York Local Plan Deposit Draft and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

2. You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

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