

COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Dringhouses And Woodthorpe
Date: 21 June 2007 **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 07/00959/FUL
Application at: 100 Tadcaster Road Dringhouses York YO24 1LT
For: Two storey pitched roof rear extension, detached double garage and replacement windows to front and back
By: Mr And Mrs M Kaye
Application Type: Full Application
Target Date: 22 June 2007

1.0 PROPOSAL

1.1 The application seeks planning permission for the erection of a two storey rear extension (first floor in roof space) in replacement of a series of single storey rear extensions, and a detached double garage which would be located at the west end of the host's garden.

1.2 The application relates to No.100 Tadcaster Road; a detached dwellinghouse. There are access lanes to each side of the house, which run west toward newer built houses developed in what were originally the gardens of No.s 98 and 100. Of note are 98a which faces south towards the proposed garage and the house presently being constructed in what was part of the curtilage of the host. This dwelling would be to the west of the proposed garage.

1.3 Councillor A Reid has requested that the application is brought to planning committee.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYNE1
Trees, woodlands, hedgerows

CYGP1
Design

CYH7

Residential extensions

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

3.1 Landscape architect advises that although the relocation of the garage moves it from the canopy spread of the beech tree (T21), given the proximity of the already approved adjacent dwelling, it is important that the remaining rooting zone is adequately protected. It is recommended that the garage is moved 10 metres away from the tree to protect the rooting zone.

3.2 The Countryside Officer advises that there are no records that bats are located in or nearby this property. However this does not mean that bats are not present. Although it is not asked that a bat survey be carried out, if bats are discovered English Nature or the Local Planning Authority should be contacted, as bats are protected. An informative is proposed. It is also suggested that bat friendly features such as bat bricks or bat tiles are provided to promote / provide bat habitation, this could be a condition of approval.

3.3 The Archaeology Officer advises that this site lies in an area which has produced very important archaeological features and deposits. These include, a Roman road and associated roadside structures, Roman burials. The development proposal will have an effect on archaeological deposits which might be preserved within the boundaries of the site. Therefore, an archaeological watching brief on all groundworks for the development will be necessary. This watching brief should be secured by means of the standard condition ARCH 2.

3.4 Highway Network Management - No objections.

EXTERNAL

3.5 Planning Panel - No objections.

3.6 The application was publicised by letters of neighbour notification. The deadline for comments was 23.5.07. Objections have been made by the occupants of 98 Tadcaster Road, 98a Tadcaster Road, and the developers building the new dwellinghouse to the west of the site.

3.7 The application has been objected to on the following grounds;

- The garage would have a detrimental effect on the outlook and amenity from the main living room of the new dwelling (west of the host), and from 98a. The occupants of 98a have asked that the garage be reduced to a single sized garage that is also single storey.

- The occupants of 98 consider that the proposed garage may lead to a loss of light, and that the garage would add to the overdevelopment of the site, considering the recently approved house and because of the height / size of the proposed garage.
- The garage may harm the condition of nearby trees.
- There may not be adequate space to park a vehicle outside the garage without obstructing the lane which runs to 100a and b.

3.8 In response to comments the applicant has revised the proposals for the garage. The overall height of the garage has been lowered and the roof shape changed from gable to pitched, so it now slopes down toward the north boundary. The occupants of 98a and the developers building the house to the west have been informed of this revision and have confirmed that their initial reasons for objection remain. A further revision reduced the length of the garage by 1 metre and moved it 2.5 metres nearer the road.

4.0 APPRAISAL

KEY ISSUES

4.1 The key issues are the effect on the character and appearance of the building and surrounding area, including vegetation, and whether there is material harm to the amenity of the occupiers of the surrounding properties.

RELEVANT POLICY

4.2 PPS1 seeks to deliver high quality development through good and inclusive design and states that design which fails to take the opportunities available for improving the character and quality of the area should not be accepted.

4.3 Policy H7 of the draft Local Plan states that planning permission will be granted for house extensions where: the design and materials are sympathetic to the main dwelling and the locality of the development; the scale is appropriate; there is no adverse impact on residential amenity; proposals respect space between dwellings; and that the proposed development does not result in an unacceptable loss of private amenity space within the curtilage of the dwelling. Policy GP1, reinforces H7, it sets out design guidance for all development proposals.

4.4 NE1 states that trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation, or historic value will be protected by refusing proposals which will result in their loss or damage. The policy intends to safeguard trees or hedgerows, which are outside conservation areas and not covered by tree preservation orders. When trees are to be removed, appropriate replacement planting should be proposed to mitigate any loss.

DESIGN

4.5 The rear extension proposed replaces previous single storey extensions. It would be 1 metre from the north boundary side wall; it would project around 9.5

metres from the rear of the original house and be around 5.4 metres wide. The eaves level of the extension would be set down about 1.5 metres from that of the house, so it would be at around the same level of the first floor window cills. The roof would be pitched, to match that on the original dwelling; the ridge level would be some 2 metres below that of the dwelling. The first floor level windows would be within the roof; they would sit low on the roof plane, at eaves level, and in appearance would match the dormer window on the rear roof plane. One would face west down the garden and the other south.

4.6 The proposed rear extension is considered to be of a scale and design which complements, and would enhance the appearance of the dwelling. Despite the loss of some land at the rear for a new house, the host dwelling and its plot remains of an adequate size to accommodate such a sized extension without it appearing disproportionate. The appearance and proposed matching materials mean the rear extension would appear harmonious with the host dwelling and of a more ordered appearance than as existing.

4.7 The double garage would be located at the end of the plot. The design has been revised, omitting the proposed roof accommodation, and moving the structure nearer the access road. The garage would now have a pitched roof and be around 2.9 metres to eaves level, 6 metres to ridge level. Originally the garage had a gable roof, around 6.4 metres to ridge level. The garage would have a footprint of 6 metres by 7 metres and setback 2.5 metres from the road. The proposed garage is freestanding and is considered to be of acceptable design.

TREES

4.8 When planning permission was granted for the new dwelling to the west of the host (application 06/01713/FUL) the submitted arboricultural report concluded that the mature beech tree was a good specimen of high amenity value. The council's landscape architects confirmed that they considered this tree to be one of the best trees on site, which although not worthy of tree preservation order status, it ought to be retained. The revised plan means the garage would be around 8.5 metres away from the trunk of the beech tree and away from the crown spread. This is felt to be an adequate separation from the tree to allow it to grow, further away from it than the approved dwelling (7.5 metres). It is accepted that there may be some harm to the roots of the tree but it has to be taken into account that a new dwelling has been allowed nearer to the tree than the proposed garage, which only requires permission because of its height, a structure under 4 metres high could be built immediately next to the tree, or hardstanding could be laid, without the need for planning permission, which may cause more harm to the health of the tree. On balance it is considered that the steps taken to preserve the tree are acceptable.

RESIDENTIAL AMENITY

4.10 Because of its location only No.98 would be significantly affected by the proposed rear extension. The extension is 1 metre from the side boundary and there is an access road between the host's plot and the rear garden of number 98. It is considered there would be little additional impact on 98 as a consequence of the proposed rear extension. The extension projects around 3 metres less than previous

extensions and although the proposed extension has a first floor level, the eaves level of the proposed extension is only around 500mm higher than the existing buildings (to be removed) and after that the roof slopes away from the side boundary. Because of the design of the extension and the separation distance between it and the side boundary of 98 (4 metres) only a small proportion of the garden would suffer from some loss of light in the evening / afternoon as a consequence of the extension. This is considered not to be grounds for refusal. It is also worth noting that the occupants of 98 have raised no objection to the proposed rear extension. There are no overlooking concerns as the only opening on the north elevation (facing 98) is a rooflight for the bathroom. A condition is proposed to prevent any new openings above ground floor level in this elevation.

4.11 The objections to the application all relate to the proposed garage. The garage would be around 18.5 metres from the front elevation of 98a and 12 metres from the side elevation of the new dwelling, which as approved has living room windows facing the proposed garage. The boundary treatment around the garage consists of a wall to the north and vegetation to the west (the approved plans for the new house show a 1.5m high timber fence along the boundary). Because of the boundary treatment, around the top 1 metre of the wall and 3 metres of the pitched roof would be seen from the surrounding properties. It is noted at this point that a single garage was indicated on the outline application for the dwelling presently under construction, in a similar position to the garage proposed. The only significant change in appearance from the new build in this respect would be the possible roof shape or its height. In officer's opinion the amount of overshadowing, overdominance, and loss of outlook that may occur as a consequence of the single storey garage would not be harmful. The house to the west would be able to see the top of the garage from the living room, however the structure would not be overly dominant. Adequate light from the south would still be available to the main garden area. Because of the separation distance and the access road between the buildings, 98a would again only be affected in that the garage could be seen from that house; the garage would not be overdominant or overbearing.

HIGHWAYS

4.12 There is around 2.5 metres between the garage and the access road, it is thus likely that vehicles would either have to reverse in or out of, the garage. Because the access lane only serves three other houses and the garage would be at a point which is at least 15 metres from the nearest bend in the road (to the west) it is considered that vehicles reversing into the road would not cause a threat to safety to the extent that could warrant refusal of the application. Officers from Highway Network Management have visited the site and raised no objection to the application.

5.0 CONCLUSION

5.1 It is considered that the proposed development would be of acceptable design and would not harm the amenity of nearby occupants or safety. It is recommended that the application be approved.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 PLANS1 Approved plans
- 2 TIME2 Dev. start within 3 years
- 3 VISQ1 Materials to match
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no door, window or other opening additional to those shown on the approved plans shall at any time be inserted in the north side elevation, at first floor level or above, in the rear extension or garage hereby approved.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

- 5 ARCH2 Archaeological watching brief required
- 6 Prior to development commencing details of bat friendly design measures to be incorporated into the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of promoting new habitats for a species protected law, in accordance with policy NE7 of the City of York Draft Local Plan.

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 design, local and residential amenity and safety. As such the proposal complies with Policies GP1, NE1 and H7 of the City of York Local Plan Deposit Draft.

2. Bats

You are advised that if bats are discovered during building works English Heritage or the Local Planning Authority should be contacted as it is an offence to disturb or handle a bat without the appropriate licenses.

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