

DELEGATED REPORT

Committee: West/Centre Area
Date: 19 July 2007

Ward: Micklegate
Parish: Micklegate Planning Panel

Reference: 07/01252/FUL
Application at: 22 Bewlay Street York YO23 1JT
For: Pitched roof dormer to rear following demolition of existing unauthorised dormer
By: Mr D Wills
Application Type: Full Application
Target Date: 20 July 2007

1.0 PROPOSAL

1.1 The application seeks permission for the erection of a pitched roof dormer to the rear of 22 Bewlay Street, which is a two storey terraced house. This application follows the refusal of planning permission, against officer advice, for the retention of the existing unauthorised flat roofed dormer at the City Centre Area Sub Committee on 4 May 2006 (06/00434/FUL). The applicant appealed the decision of the City Council but this appeal was subsequently dismissed.

1.2 The original application was refused by Members for the following reasons:

"1 The rear dormer by reason of its design, size, appearance and prominence would harm the appearance of the host dwelling and the visual amenities of the area contrary to policies H7 and GP1 of the Development Control Local Plan Incorporating the 4th Set of Changes, the City Council's Supplementary Planning Guidance "Guide to Extensions and Alterations to Private Dwellinghouses" and national planning policy contained in Planning Policy Statement 1 "Delivering Sustainable Development".

2 Because of its height, size and design the rear dormer would result in nearby residential properties being overlooked and dominated by an overbearing structure thereby harming their living conditions contrary to policies H7 and GP1 of the Development Control Local Plan Incorporating the 4th Set of Changes."

1.3 In dismissing the appeal the Inspector noted that "very few of the properties in this terrace, and that in Richardson Street backing on to the appeal site, have rear dormers. Thus the original character and appearance of this part of the area has been largely retained, presenting a harmonious and coherent design" (paragraph 8). Concluding that "the dormer is a discordant element that results in significant harm to the character and appearance of the individual building and the immediate surrounding area. Its size, scale, design form and materials fail to respect the design of the original building and its surroundings" (paragraph 9).

1.4 The Inspector noted other rear dormers in the surrounding area including ones at 8 and 31 Bewlay Street and accepted that a number of rear dormers, "of varying size, scale, design, form and materials have been erected in the wider surrounding area" (paragraph 12). However the Inspector came back to his observation that "the terrace including the appeal premises, and that in adjacent Richardson Street has largely retained its original attractive character, appearance and design - unlike most of the other locations where rear dormers have been referred to. I consider that it is important to ensure that these features

are retained and that any alterations or additions should respect these matters." (Paragraph 13).

1.5 In respect of the second refusal reason the Inspector did not support the Council's decision concluding that "the distance between the dormer and the rear windows of the properties facing provides reasonable separation, and the rearmost windows of these properties tend not to be main habitable rooms." (Paragraph 16).

1.6 Following this appeal dismissal the applicant submitted a further application showing the dormer reduced in width from 3.22m to 2.88m and in height from 2.11m to 1.76m. This application was refused by Members in February 2007 on the grounds of its design, size, appearance and prominence resulting in significant harm to the character and appearance of the host dwelling and the visual amenities of the immediate surrounding area.

1.7 The current application indicates the dormer window being constructed with a pitched roof. It would have a width of 1.5m and a height to eaves of 1.535m and to ridge of 2.4m.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

Floodzone 2 Flood Zone 2 CONF

2.2 Policies:

3.0 CONSULTATIONS

3.1 External

Neighbours - Expired 4th July - Three letters of objection received on the following grounds:

- Loss of privacy into bathroom, bedrooms, study, dining room and gardens of the properties of the rear
- Loss of value of properties to the rear
- Inappropriate materials
- If approved would set a precedent for other dormer windows to be erected
- Should install velux roof lights as opposed to a dormer
- Existing plans do not show the existing unauthorised dormer
- Loss of original character and appearance
- The Planning Inspector objected to any dormer on this building
- The new dormer may be more traditional in shape but not in position

Parish Council - No reply by 4th July

4.0 APPRAISAL

4.1 Key Issues

- Design
- Visual Impact
- Living conditions of nearby houses

4.2 The relevant City of York Council Draft Deposit Local Plan Policy is H7. This supports application for residential extensions where the design and materials are sympathetic to the main dwelling and locality, the design and scale are appropriate and there is no adverse effect upon the amenity which neighbouring residents could reasonably expect to enjoy. Further information is contained within the 'Guide to extensions and alterations to private dwelling houses.' The guide states that as a general rule dormers should not extend across more than one third of the roof span and should not dominate the existing roof. Materials must also match the existing and be of a similar scale and proportion to the original house. In addition dormers should not be higher than the ridge of the roof of the original dwelling and in most cases they should have pitched roofs.

4.3 The application site is a mid terrace property located off Bishopthorpe Road. The dormer window is located on the rear elevation, facing onto the rear courtyard, access road and the terrace properties fronting onto Richardson Street. The dormer as amended would have a width of 1.5m compared to its existing width of 3.22m and a height of 1.53m to eaves compared to the existing height of 2.11m. It would rise to a central ridge height of 2.4m which would adjoin onto the existing ridge of the main dwelling. It would be constructed of lead with timber casement windows with hardwood cills.

4.4 The dormer is located to the rear of the property but not located centrally within the rear elevation. It is considered that the dormer accords with policy and design guide by reason of its reduced width, which now covers just less than one third of the roofs width, and its amended design to incorporate a pitched roof. It is considered that a pitched roof dormer is in keeping with the character of the property, reflects the original pitched roof dormers to the front elevation and follows the vertical attenuation of the rear elevation. Its reduction in size and design would reduce its dominance and its visibility in the wider street scene including views from Rowntree Park. Notwithstanding the comments of the appeal Inspector, the proposed materials are considered to be appropriate.

4.5 Objectors have raised issues in connection with the Inspectors decision letter, for the first refusal, and state that the Inspector objected to any rear dormer on this property. Officers do not believe this is the case as the Inspector stated that 'the terrace, including the appeal premises, and that adjacent in Richardson Street, has largely retained its original character, appearance and design. I consider that it is important to ensure that these features are retained and that any alteration or additions should respect these matters'. He goes on to state that 'while a rear dormer has been erected at 31 Bewlay Street I do not consider that this single instance provides justification for further dormers of non-traditional design and appearance. This indicates that alteration and additions can take place but must respect the original character of the terrace and be of a traditional design. Officers feel that the proposed dormer does this.

4.5 The dormer has introduced an additional window to the rear elevation but it is considered that there would not be any unacceptable overlooking due to the degree of separation between the application site and the neighbour to the rear, in the region of 20m from dormer to the rear projection. In support the Inspector states that there is reasonable separation between the dormer and the rearmost windows of neighbouring properties and would not, in itself, be sufficient to refuse permission.

5.0 CONCLUSION

5.1 The 'Guide to extensions and alterations to private dwelling houses allows for suitably designed rear dormers. The dormer as proposed is in accordance with the design guide, and will have less impact than the existing dormer. The appeal Inspector was clear that he considered that the form of the existing dormer was unacceptable in its impact on the appearance, character and design of the terrace and that any alterations or additions should respect these matters. Officers recommend approval.

6.0 RECOMMENDATION: Approve

1 TIME2

2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing Number W02/292/01 received 25th May 2007
Drawing Number W02/292/03 received 25th May 2007

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

3 VISQ8

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 character of the area or residential amenity. As such the proposal complies with Policy H7 of the City of York Local Plan Deposit Draft.

Contact details:

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