

The total length closest to the boundary would be approx 10.0 metres extending to approx 14.2 metres stepped in from the boundary by approx 1.5 metres.

PROPERTY HISTORY:

1.4 Listings of other two storey extensions in this area.

2 Manor Beeches - two storey side and single storey rear extension (ref: 12/00454/FUL).

14 Manor Beeches - two storey side and single storey rear extension (ref: 10/01200/FUL).

8 Manor Beeches - one and two storey side extension (ref: 06/01163/FUL).

20 Manor Beeches - two storey side extension (ref:03/01505/FUL).

SUPPORTING INFORMATION:

1.5 The application includes a Daylight and Sunlight Assessment which describes any potential loss of light and/or overshadowing.

1.6 This application has been brought before East Area Planning Sub-Committee by Councillor Brooks on the basis of overdevelopment and neighbour amenity.

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 Design, Conservation and Sustainability (Landscape Architect) - Impact on the roots of the mature Oak Tree at 24 York Road. A method statement regarding protection measures is requested by condition.

EXTERNAL:

3.2. Dunnington Parish Council - Objections on the following issues:

-Disproportionate in the context of being outsized and will seriously detract from all other surrounding dwellings.

-Impact on the adjacent neighbouring properties.

-Detract from the re- saleable value of the properties.

No reference to surface water drainage.

3.3 Neighbour consultation letters were sent out on 8th November 2012 on the original submission. Additional neighbour consultation letter were sent informing of the revised plans. Objections received from the occupiers of 34 and 38 Manor Beeches on the following issues:

34 Manor Beeches (objections to original application only). Any further comments can be up dated during the committee meeting:

-Development would be in full view of rear garden on (no 34).

-Size and scale is excessively intrusive.

-Loss of open space.

- Impact on trees.

38 Manor Beeches:

-Overdevelopment/ size and scale.

-Detrimental to the surrounding area/ alters the character of the area.

-Loss of light.

-Loss of privacy.

-Loss of space between the dwellings.

-Disregard for the Dunnington Village Design Statement.

- Loss of re- sale value.

-Drainage/ sewerage system in the location of the extension.

4.0 APPRAISAL

4.1 KEY ISSUES:

- Impact on amenity of neighbours.
- Impact on street scene.
- Impact on trees

THE RELEVANT POLICES AND GUIDANCE

4.2 Planning Policy Frame Work (2012) sets out the Government's overarching planning policies. As one of 12 core planning principles, it states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). It states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (paragraph 56). It states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (paragraph 64).

4.3 Draft Local Plan Policy CYH7 - states that residential extensions will be permitted where (a) the design and materials are sympathetic to the main dwelling and the locality (b) the design and scale are appropriate to the main building (d) there is no adverse effect upon the amenities of neighbours and (e) proposals respect the spaces between dwellings.

4.4 Draft Local Plan Policy CYGP1 - sets out a series of criteria that the design of development proposals are expected to meet. These include requirements to (a) respect or enhance the local environment, (b) 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; (c) 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; (e) 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 (i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.5 Draft Local Plan Policy HE11- "Trees" states that existing trees and landscape which are part of the setting of conservation areas will be required to be retained, and provision made for planting with new development, where appropriate.

4.6 SUPPLEMENTARY PLANNING GUIDANCE 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling and should also appear subservient. The appearance of the side extension will be improved if it is set back from the main building. The scale of the new extension should not dominate the original building and should have pitched roofs and the materials should match those of the main property.

4.7 Dunnington Village Design Statement: This document contains a number of recommendations setting out a framework for future development in the village.

DESIGN & VISUAL AMENITY

4.8 The proposed two-storey extension would be situated on the eastern side elevation of this detached dwelling. In terms of visual impact, it would be set back from the principal elevation by approx 3.7 metres and set down from the highest point of the roof ridge by approx 1.1 metres. As such it would comply with the Council's Supplementary Planning Guidance in relation to house extensions. The single storey extension on the opposite side elevation would incorporate a pitched roof following the line of the existing principal elevation, and would incorporate an 'up and over' garage door. Thus it would appear subservient to the house and accord with the general pattern of the surrounding street scene. Comments have been made by Dunnington Parish Council that the extensions are disproportionate to the main house and would be out of scale given the surrounding area. It is acknowledged that this is a large development that would alter the appearance and configuration of the dwelling. Nevertheless, taking into account the proposed distance of the two storey extension from the principal elevation, it is not considered that the extension would adversely affect the views from public areas. Nor is it considered that the design and scale of the extensions would dominate the existing dwelling to such a degree that refusal could be warranted on these grounds. Furthermore, there are other noticeable side extensions within the immediate vicinity. The extensions on the rear elevation would be visible only when viewed from the rear gardens of the adjacent dwellings.

IMPACT ON TREES

4.9 The rear garden of the application site is bounded to the rear of 24 York Street, which is located within Dunnington Conservation Area. This property has a mature oak tree positioned close to the rear boundary. The root protection area of the tree would extend into the rear garden of the application site. The Landscape Architect has raised concerns that compaction and contamination could occur over the rooting zone and impact on the well being of the tree. Therefore, in order to avoid this, officers would recommend a requirement for fencing to be erected as close to the proposed building line as possible to create an exclusion zone.

This considerably restricts the area of land available for construction operations; however, the applicant/ agent aware of this. Officers request a condition detailing tree root protection.

RESIDENTIAL AMENITY

4.10 In terms of the surrounding neighbours, objections have been received from the residents at each adjacent side to the proposals at 34 Manor Beeches (on the original submission only) and 38 Manor Beeches. Site visits were undertaken to both the application site and the neighbours objecting to the proposal to ascertain the impact of the extensions would have on these occupiers. Following this assessment, amended plans were requested on 27th November 2012.

4.11 In addition Dunnington Parish Council have objected to the size of the extension having a detrimental impact on the closest neighbours.

4.12 The objections from the occupants of 34 Manor Beeches objections are listed below:

- Development would be in full view of rear garden on (no 34).
- Size and scale is excessively intrusive.
- Loss of open space.
- Impact on trees.

4.13 The proposed single storey extension would be positioned on the shared boundary visible from the rear garden of (no34). The extension would comprise a pitched roof angled away from the shared boundary with a height of approx 2.2 metres at the eaves level. This property is situated to the north west of the application site with its main habitable windows facing on to the rear garden and set away from the rear extension. Thus it is not considered that the extension would have a significant adverse impact on the property. Nor would the size and scale compromise the open spacious appearance of the rear garden to an unacceptable degree. Furthermore in isolation this extension could be virtually erected within permitted development limits without the need for planning permission.

4.14 38 Manor Beeches objections listed below:

- Overdevelopment/ size and scale.
- Detrimental to the surrounding area/ alters the character of the area.
- Loss of light.
- Loss of privacy.
- Loss of space between the dwellings.
- Disregard for the Dunnington Village Design Statement.
- Loss of re- sale value.
- Drainage/ sewerage system in the location of the extension.

4.15 In terms of size and scale, the ground floor extension would occupy a larger footprint than the existing garage; however the bulk of the single storey element would be largely screened by the existing 2.0 metres panelled fence. The first floor element would be positioned at an angle to the shared boundary comprising of a distance of approx 1.5 metres from the closest point on the side elevation of (no38), increasing to approx 4.8 metres at the rear point visible from the rear garden of (no38). Whilst it is acknowledged that the first floor element of the extension would be in full view from the rear garden of (no38) due to the set back position of the application site from the front, the angled position means that the impact reduces along the length of the extension as it moves further from the boundary. The impact is further mitigated by the fact that (no38) is elevated at the rear by the incorporation of a raised patio with steps down to a grassed area. The first floor extension would also be set away from the habitable outside areas of (no38). On balance, it is not considered that the site development would overdominate the rear of the adjacent property, or that the extensions would appear out of keeping in their spacious surrounding. Nor would the plot be overdeveloped given the extent of remaining curtilage.

4.16 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 south west. As such no principal rooms or garden areas would be materially affected. Furthermore, the windows proposed on the rear elevation would look down towards the rear garden boundary, thus would leave an acceptable distance from the main living areas of the adjacent property, and would not create any additional loss of privacy or overlooking than the present situation.

DRAINAGE

4.17 There is no specific evidence that the proposed development would result in drainage problems. The site is not within an area that has been identified as being at risk of flooding. Drainage issues on small scale developments such as this are a matter that would be dealt with under the Building Regulations.

PROPERTY DEVALUATION

4.18 Whilst the impact of development can affect land or property value, the potential for any devaluation of property in itself is not a material planning consideration.

5.0 CONCLUSION

5.1 It is not considered that the amount of development would create demonstrable harm to the detached nature and open plan frontages of the residential character of the street scene.

5.2 It is considered that the revised design of the extension and proportions of the adjacent rear gardens the proposal would not create any significant harm to the amenity of the neighbours in terms of proximity, light or overlooking. For this reason, the proposal is considered to comply with Policies GP1 and H7 of the City of York Draft Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

- 1 TIME2 Development start within three years -
- 2 PLANS1 Approved plans - Revised plans -Drawing Numbers K/22-PL-05b, 06C, 07C and 08B
- 3 VISQ1 Matching materials -
- 4 Before the commencement of development including demolition, building operations, excavations and the importing of materials, a method statement regarding protection measures for the neighbouring Oak tree in the garden of 24 York Street shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing to be shown on a plan; phasing of works; site access during demolition/construction; type of construction machinery/vehicles to be used (including delivery and collection lorries); arrangements for loading/off-loading; parking arrangements for site vehicles; locations for storage of materials.

The protective fencing line shall be adhered to at all times during development operations to create an exclusion zone. None of the following activities shall take place within the exclusion zone: excavation, raising of levels, storage of any materials or top soil, lighting of fires, mechanical cultivation, parking or manoeuvring of vehicles. Within the exclusion zone there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches or services or drains. The fencing shall remain secured in position throughout the development process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

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 effect on residential amenity and the impact on the street scene. As such the proposal complies with Central Government advice contained within the National Planning Policy Framework (March 2012), policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

2. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) and taken account of all relevant local policies, and considers the proposal to be satisfactory. Amendments were sought during the processing of the application, in order to reduce the size, scale and massing of the two storey extension to reduce the impact on adjacent occupier at 38 Alexander Avenue and improve the visual impact on the street scene. This was achieved by ongoing discussion with the agent in order to identify solutions to problems arising from the proposed development.

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