

COMMITTEE REPORT

Date: 4 July 2013 **Ward:** Strensall
Team: Householder and **Parish:** Earswick Parish Council
 Small Scale Team

Reference: 13/00876/FUL
Application at: 12 Whitelands Earswick York YO32 9FX
For: Two storey rear and single storey front and rear extensions
(revised scheme)
By: Mr Chowdhury
Application Type: Full Application
Target Date: 10 July 2013
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 The proposal relates a previously approved development for a two storey rear extension and single storey extensions to the front and rear (ref: 12/00733/FUL) approved 16th April 2012. This application seeks planning permission for the construction of a tiled canopy roof extended to create an extension to the covered area of the external entrance. In addition retrospective planning permission for the following alterations to the approved plans:

1.2 Front Elevation:

- Removal of existing gable fenestration to incorporate a raised cill and insertion of a roof light on the roof slope.

1.3 South (side) Elevation:

- 1x ground floor obscure glazed window incorporating a centre opening.
- 1x additional 3 paned clear glazed window incorporating centre opening at first floor level.
- 1x obscure glazed first floor window.

1.4 North (side) Elevation:

- 1x ground floor obscure glazed window incorporating centre opening
- 1x obscure first floor window incorporating centre opening.
- Approved clear glazed window relocated on the first floor and increased in size.

1.5 Rear (north) Elevation:

- 1x additional roof light on tiled ground floor canopy roof

- Central window to single storey rear extension increased in width incorporating an additional glazed panel and centre opening.
- Clear glazed window on first floor reduced in width and relocated to a central position on rear gable.
- Approved clear glazed window now incorporating obscure glazing.
- Single window at first floor removed and replaced with 2x single paned centre opening obscure glazed windows.
- Sliding folding doors increased in width creating wider full length glazed panels.

PROPERTY HISTORY:

1.6 One and two storey pitched roof side extensions (ref:05/00987/FUL) approved 23.06.2005

1.7 Two storey rear extension single storey extension s to front and rear (ref:12/733/FUL) approved on 16.04.13.

1.8 Non-material amendment to approved application 12/00733/FUL to alter and add windows (ref: 13/00442/NONMAT) planning permission required. Reason the amount of glazing would be increased, and additional side facing window openings would be introduced at first floor level that is considered to be material and cannot be dealt with as a non-material amendment.

OTHER MATTERS:

1.9 This application has been called to Planning Sub-Committee by Councillor Sian Wiseman on the impact on nearby neighbouring properties following objections on original application for development.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYGP1 - Design

CYH7 - Residential extensions

3.0 CONSULTATIONS

3.1 INTERNAL:

None

3.2 EXTERNAL:

3.3 Earswick Parish Council:

3.4 Response to neighbour consultation letters sent - expired 2 - no comments received.

4.0 APPRAISAL

4.1 KEY ISSUES:

- Impact on the existing dwelling.
- Impact on neighbours.
- Impact on the surrounding area

The relevant policies and guidance:

4.2 THE NATIONAL PLANNING POLICY FRAMEWORK (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 (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 - sets out a series of criteria that the design of development proposals is 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 the basic shape and size of the extension should be sympathetic to the design of the original dwelling. It states that windows facing neighbouring properties may affect the privacy of neighbours and in most cases are not recommended. However, it also states that for single storey extensions, obscured glazing should be fitted to any essential windows facing the neighbouring boundary where there may be a loss of privacy to neighbours.

ALTERATIONS TO THE PROPERTY FRONTAGE:

4.6 The proposed changes to the front elevation would extend the tiled canopy above the covered area of the external entrance. This design would still retain a satisfactory set back from the public highway. The alterations which have been completed to raise the eaves by removing the fenestration to the later two storey side extension (approved in 2005), is a relatively minor change to the design on the principal elevation and does not detract from the host dwelling. Furthermore, the incorporation of a velux window does not increase overlooking onto neighbouring gardens opposite the property.

4.7 In terms of visual amenity the surrounding area is characterised by various styles of two storey modern dwellings centred round a small cul-de-sac, some incorporating noticeable side extensions. On this basis the proposal would accord with the general pattern of frontages within the street scene. Furthermore, the proposals by virtue of their location of the principal elevation would have little or no impact on neighbour amenity.

WINDOWS:

4.8 The alterations to the approved window layout on the rear elevation would face on to the rear gardens of the dwellings at 11 and 13 Whitelands. Therefore the key issue is the potential impact on these neighbouring dwellings in terms of loss of privacy. The increase to the ground floor windows would be concealed from view by the existing six foot fence which has been constructed as part of condition 4 on the previous approved application (ref: 12/00733/FUL). Therefore no principal rooms or garden areas would be materially affected. The alterations to the first floor windows are considered generally minor compared to the approved window arrangement. As

such they would not create any additional unwanted overlooking due to the relationship between the properties and the separation distances involved.

4.9 The additional windows on the south side elevation, with particular reference to the first floor window would over look the open countryside and City Of York Green Belt Therefore other than slight oblique views of the adjacent rear gardens this window does not increase overlooking levels. Furthermore there are no future proposals for building in this location. As it is not considered that a condition is required to introduce obscure glazing on this elevation.

4.10 The additional windows on the opposite north side elevation would be partly screened by the detached garage at the application site. Nevertheless, the configuration of the dwelling, in relation to the adjacent property at 10 Whitelands and the angle of the nearby properties would result in the first floor side elevation appearing more open to views into the neighbourhood. Therefore, it is considered that this window should be conditioned to be obscured glazed and changed to incorporate a top opening, in order to protect the amenities of these dwellings considered.

5.0 CONCLUSION

5.1 It is considered that the alterations to the front and additional glazing is acceptable subject to a condition on the north side elevation would not cause undue harm to the living conditions of nearby neighbours. Thus the proposal would comply with polices H7 (Residential Extensions) and GP1 (Design) of the Draft Local Plan.

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

2 PLANS1 Approved plans - KAB-308-001 12

3 VISQ1 Matching materials -

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), unless otherwise agreed in writing with the Local Planning Authority the additional window at first floor height on the north side elevation shown on the approved drawings shall at all times be obscure glazed to a standard equivalent to Pilkington Glass level 4 or above and be non-opening below a height of 1.5 m measured from the internal floor level. No additional windows or other openings shall be inserted in this elevation without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenity and privacy of occupants of the adjacent residential property.

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 having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

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