

## **COMMITTEE REPORT**

**Committee:** East Area                                  **Ward:** Wheldrake  
**Date:** 13 September 2007                              **Parish:** Elvington Parish Council

**Reference:** 07/01806/FUL  
**Application at:** The Villa Main Street Elvington York YO41 4AG  
**For:** Erection of 1no. dormer bungalow with attached garage to rear  
**By:** P Gill  
**Application Type:** Full Application  
**Target Date:** 21 September 2007

### **1.0 PROPOSAL**

1.1 This is a full planning application to erect a three-bedroom dormer bungalow within the rear garden of a detached property.

1.2 The existing rear garden area of the property is approximately 45 metres long and 20 metres wide. The proposal is to use the rear section (approximately 24 metres) of the garden as a separate plot with a vehicular access along the area of garden between 'The Villa' and 'Glen House'.

1.3 The application is brought to Committee as one of the neighbouring properties is occupied by a senior employee of the City Council's City Strategy Directorate.

### **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies:

### **3.0 CONSULTATIONS**

3.1 Internal

HIGHWAY NETWORK MANAGEMENT - No objections subject to conditions, including those relating to the provision of a turning area within the site and a minimum access width of 3.7m.

LANDSCAPE ARCHITECT - Comments are awaited and will be reported verbally.

HOUSING AND ADULT SERVICES - Should consider if more than one unit can be provided so that an affordable unit is included.

(N.B. - this is not considered to be feasible given the restricted size of the site and its relationship to adjacent properties).

3.2 External

PARISH COUNCIL - Object - Vehicle turning within the site is not specified and the access is on a narrow bend.

## NEIGHBOURS

At the time of writing this report objections were raised from two neighbours. The following concerns were raised:

Approval of the scheme would open the floodgates for the development of gardens.

Should not increase traffic on to the busy and dangerous highway.

Would prefer an outlook of trees rather than a house.

## 4.0 APPRAISAL

4.1 Proposals to make more efficient use of land for residential accommodation within previously developed accessible locations are in line with the thrust of current local and national planning policy. However, in assessing the acceptability of the application it is important to ensure that the proposal does not cause harm to issues of acknowledged importance.

4.2 Policy GP10 and H4a of the Local Plan relate to infill development and the subdivision of gardens. They place particular significance on avoiding over-development and ensuring that new development is not detrimental to the character and amenity of the local environment. The application site is within the defined settlement limit of Elvington although it is not within the Elvington Conservation Area. The south-west corner of the rear garden abuts the green belt.

4.3 The key issues to address when assessing this application are considered below:

### IMPACT ON THE STREETSCENE

4.4 The proposed house will be largely screened from residential streets by existing development. Most of the hedgerow to the front of the property can be retained.

4.5 There are trees to the west elevation of the garden that are visible from Main Street. These have not been plotted on the plan and it is unclear if the access to the site will impact on these. Issues relating to the trees around the site will be updated at Committee taking account of the response from the Council's Landscape Architect.

### IMPACT ON NEIGHBOURS' LIVING CONDITIONS AND ENVIRONMENT

4.6 The proposed dwelling is in relatively close proximity to surrounding houses and/or gardens. It is considered that providing vegetation is retained along the boundary with Middleton House an adequate screen to this garden will remain. It is considered that there is adequate separation to the house and bulk of the garden of the host property and 1 Lorraine Avenue to avoid undue harm to living conditions. It is also considered that the use of the drive will not cause significant harm to the living conditions of the host property or Glen House.

4.7 The key properties impacted upon are 3 Lorraine Avenue and Grange House. The principal concern relates to the proximity of the proposed dwelling to the

gardens of these two properties. The side elevation of the proposed dwelling is only around 6 metres from the short rear garden of 3 Lorraine Avenue, although there is considerable vegetation along this boundary. At its nearest point the proposed dwelling would be only around 5 metres from the rear garden of Grange House. It is considered that in the context of a relatively low-density environment this level of separation is inadequate. It is considered that it is possible to design out overlooking from the proposed house, however, this would not overcome harm to the enjoyment of the external spaces that is derived from the current openness associated with the area. The increased activity associated with the new development is also likely to be intrusive. If the gardens of the two properties were longer, or the existing form of development more urban, it is considered that the harm to character and the intrusion of built development would not be so significant to merit refusal. However, it is considered that the scale and position of the proposed development is beyond what could be said to be reasonable in the context of the local environment. In taking this position regard is given to the limited space for the applicant to provide planting along the north and north eastern boundary of the site.

#### IMPACT ON TREES

4.8 At the time of writing this report the response from the Council's Landscape Architect is awaited. Any response received will be reported to Committee. The submitted drawings have not shown the location and canopy of trees. There is a thick belt of trees along the south and west boundaries of the garden. It may be the case that the house would be located so close to these trees that either the trees would be damaged or the trees would reduce very significantly the light entering the south elevation of the proposed dwelling. There is also the potential that there could be pressure to remove the trees in the future given their proximity to the house. The loss of the trees would create potential overlooking issues and also increase the prominence of the proposed dwelling when viewed from several properties. Because of the absence of this information it is not possible to show that the development can co-exist with the surrounding trees.

#### HIGHWAYS

4.9 Highway network management raise no safety objections to the principle of development. Despite concerns from residents and neighbours it is considered that issues relating to access, visibility and manoeuvring could be addressed by condition.

### 5.0 CONCLUSION

For the reasons outlined above it is recommended that the application be refused.

### 6.0 RECOMMENDATION: Refuse

1 The proposed dwelling would be located in close proximity to the relatively small rear gardens of Grange House and 3 Lorraine Avenue. It is considered that the development would appear prominent and intrusive when viewed from these properties and have a detrimental impact on the established character and amenity of the local environment. As such the proposal fails to comply with Policy GP1

(criterion b and i), Policy GP10 and Policy H4a of the City of York Local Plan 4th Set of Changes 2005.

2 The proposed application fails to demonstrate that the proposed dwelling and vehicular access can co-exist with the existing trees that surround the site. It is considered that the removal of the trees would have an unacceptable impact on the character of the area and would adversely affect the neighbours' privacy and outlook. As such the proposal fails to comply with Policy GP1 (criterion a, c and d), Policy GP10 and Policy H4a of the City of York Local Plan 4th Set of Changes 2005.

## **7.0 INFORMATIVES:**

### **Contact details:**

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