

COMMITTEE REPORT

Date: 9 October 2013 **Ward:** Fishergate
Team: Householder and **Parish:** Fishergate Planning
Small Scale Team Panel

Reference: 13/02757/FUL
Application at: Fulford Grange Grange Garth York YO10 4BS
For: Single storey extension to northern elevation and conservatory to southern elevation of existing annexe within the grounds of Fulford Grange
By: Mr M Gibson
Application Type: Full Application
Target Date: 17 October 2013
Recommendation: Approve

1.0 PROPOSAL

1.1 Planning permission was granted in July 2013 for the use of an existing annexe building within the curtilage of Fulford Grange to use as a separate residential property. This application relates to the erection of extensions to the north and south of the annexe building to provide additional living accommodation. The approved scheme for the annexe has not yet been implemented.

1.2 The site is located between Grange Garth and Grange Street with access from both streets. The approval for the use of the annexe as a separate dwelling shows vehicular access to the annexe from Grange Street with a further pedestrian access from Grange Road. Fulford Grange, the grounds of which the annexe stands, is a grade II listed building (originally one building now split into three houses, this is the eastern most part of the building). Much of the list description relates to the qualities of the east elevation of the building. The annexe building, located on the eastern boundary of the site, was constructed circa. 1991 as a garage building and later converted (2007) into ancillary living accommodation providing downstairs kitchen shower room living room study and two first floor bedrooms and a bathroom. The approved scheme for the use of the annexe as a separate dwelling included a new porch to the front of the annexe measuring 3.7 metres by 2.4 metres with a height to apex of 4.4 metres and the existing garage /store converted into a living room. An area to the south of the annexe provides separate garden area and parking for the unit. The site is surrounded by existing residential development.

1.3 This application relates to the erection of two extensions to the building one on the north elevation and one on the south. The scheme has been amended since first submission to reduce the size of the northern extension by 0.5 metre change the pitch roof to a flat, parapet roof with glass insert and remove an external chimney.

1.4 The northern extension measures 4 metres out from the existing gable end of the building and is the full width of the structure. The structures stand 3.2 metres high with a flat parapet roof. The glass lantern in the roof projects above the parapet. The southern extension consists of a single storey conservatory structure projecting 2.8 metres out from the gable end with sloping roof. The structure stands between 2.8 and 3.2 metres high.

1.5 The application has been called into committee by Cllr Taylor who has concerns about the impact of the extension on adjacent occupiers and the adjacent listed building.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation: Schools GMS Constraints: St. George's RC Primary 0225

2.2 Policies:

CYH7 Residential extensions

CYGP1 Design

CYHE4 Listed Buildings

3.0 CONSULTATIONS

3.1 DCSD - Conservation Officer - Comments awaited

3.2 Six letters of objection have been received in respect of the original scheme covering the following points:-

- Permission for change of use of the garage was refused in 1988 because of concern about space around the listed building.
- The northern extension will severely restrict light into dining room and kitchen of 26 Grange Road
- Views of an attractive grade II listed building would be further obscured
- There are already limited views from 26 Grange Road, the extensions would complete block views to the north west
- reduce value of adjacent properties
- Will enclose another portion of 1 Grange Garth which is already enclosed to the south and east detracting from the amenities of the property
- The northern extension will severely restrict late afternoon sunlight to the patio of 1 Grange Road in the spring, summer and autumn. The sunlight assessment with the application ends at 16:00 and therefore does not take into account this loss of sunlight. Photographs illustrating the existing sunlight into the area are submitted with the objection.

- In 1988 the then planning officer said that any further development of the site would constitute overdevelopment of the site.
- Loss of ambience for 1 Grange Garth by blocking off views of the Grange.
- Concerned about loss of amenity during construction and that gains for applicant will mean losses for adjacent occupiers.

3.3 Any further comments on the amended scheme will be reported direct to committee.

4.0 APPRAISAL

4.1 Key Issues

- Policy background
- Background history
- Residential Amenity
- Relationship to existing listed building

POLICY BACKGROUND

4.2 The National Planning Policy Framework (NPPF) sets out the Government's overarching planning policies. The core principles set out in paragraph 17 of the NPPF include the principle 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 and should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Paragraph 56 says 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. 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). Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. This assessment should be taken into account when considering the impact of a proposal on a heritage asset. (Para.129)

4.3 Development Control Local Plan (DCLP) Policies (2005) relevant to the consideration of the detail of this application are:-

- Policy H7 - says 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.

- Policy GP1 'Design' includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

- Policy HE4 'Listed Buildings' Development will only be granted within the vicinity of a listed building where there will be no adverse effect on the character, appearance or setting of the building.

4.4 Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, in considering applications for planning permission which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

BACKGROUND

4.5 The planning permission for the annexe building to be converted into a dwelling was subject to a condition restricting the erection of extensions without planning permission. The reason for the condition was to ensure the protection the setting of the adjacent listed building and in the interests of the amenity of the adjacent residential properties. The details of the approved annexe scheme are currently being implemented but as the scheme is not substantially complete the extensions are not to an existing dwelling but form part of the scheme for the conversion. The approved conversion scheme in itself provides sufficient living accommodation, outside space and parking and access facilities to function as a separate dwelling.

RESIDENTIAL AMENITY

4.6 The proposed scheme consists of two distinct extensions one on the south and one on the north of the building. The boundary of the application site is the rear wall of the annexe and the boundary wall that runs along the rest of this boundary at a height varying between 2.25 metres and 1.8 metres. Beyond the wall and annexe building are two residential properties, one facing Grange Garth and one facing Grange Street. These properties were constructed in part of the former curtilage of Fulford Grange. Each property is detached but has limited overall curtilage and relatively tight garden space. The proposed northern extension will extend across the rear garden divide between the two houses so that in both garden areas there will be additional height and enclosure on the boundary caused by the increased

wall height providing the parapet roof for the extension. The wall height on the boundary will increase by 1.2 metres to 3.2 metres. The change of the design of the structure from pitched roof to parapet has increased the height of the wall on the boundary but has overall decreased the bulk of the structure thus allowing a greater amount of light and view to Fulford Grange to be maintained. The two adjacent properties, particularly 26 Grange Street already have a significant sense of enclosure as a result of the existing annexe building. The proposed additional height on the north side of the building whilst adding a degree of further enclosure to adjacent properties will not dominate windows in the properties or enclose the area to a significantly greater extent than at present and therefore in Officer's view there is no basis to resist the position of the northern extension from an amenity perspective.

4.7 On the southern side the proposal is to extend out from the gable end to provide conservatory 2.8 metres out from the elevation. Again this extension is on the joint boundary with 26 Grange Street. The boundary between the properties is a wall which stands 2.25 metres high from the application site side and less on the Grange Street side because of differences in ground level. The wall boundary is such that there is about 1 metre of the extension that will be adjacent to the joint boundary. The additional height on this wall (about 1 metre tapering away with the sloping roof) is to the front of 26 Grange Street. Given the sense of enclosure within the space and the relationship to existing windows in the house it is considered that the southern extension will not detract from the amenity of the adjacent property.

4.8 There will be no amenity issues between Fulford Grange and the extensions because of the orientation of the southern extension and because the northern extension is sufficient distance from the Grange for there to be privacy between the two properties.

4.9 In the context of advice within the NPPF and policies GP1 and H7 it is considered that this development is acceptable.

SETTING OF THE LISTED BUILDING

4.10 The original setting of the house, in large grounds, has been diminished by later development. Nevertheless, the house remains an imposing presence in views down Grange Street, terminating the vista, as it has done so since Grange Street was laid out. The brick gate piers with decorative stone capping and dwarf wall appear contemporary with this layout. The annexe is prominent in views of the house from Grange Garth, but is only seen in close views from Grange Street. The southern extension in views from Grange Street will be seen in the context of the existing boundary wall and vegetation. The projection of the extension at 2.8 metres and at a height maximum of 3.2 metres with a simple design is not considered to introduce a significant element into the main views of Fulford Grange and is considered to be acceptable.

4.11 The approach to the site from the east along Grange Garth is affected by a number of factors; the angle of the approach road, the position of 1 Grange Garth, the presence of flat roof structures to the front of Fulford Grange curtilage and existing tree cover. The main views of Fulford Grange from Grange Garth are therefore already set in the context of existing walled boundary treatment and existing buildings. The new extension will be another element of this context but the design is such that there will be little additional visual impact to the character, appearance or setting of the listed building.

4.14 The details of the scheme are considered to comply with the requirements of the 1990 Act (see paragraph 4.4 above), NPPF and policy HE4 of the DCLP.

5.0 CONCLUSION

5.1 The details of the extensions are considered to be acceptable and to comply with the policy requirements of the DCLP and advice within the NPPF and Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing no. 20:70:11 Rev. D

Drawing no. 20:70:10 Rev. C

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 Samples of exterior materials to be app -

4 Notwithstanding the details shown on the submitted plans, details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and the works shall thereafter be carried out in accordance with the approved details;

- Roof lantern to north extension

- Detail of coping to parapet walls

Reason: So that the Local Planning Authority may be satisfied that these details are in the interests of the historic character of the listed building and to accord with advice contained within the National Planning Policy Framework, the Practice Guide to Planning Policy Statement 5 and the Policy HE4 of the City of York Draft Local Plan.

7.0 INFORMATIVES:

Notes to Applicant

1. 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) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

-Sought amendments to the scheme to minimise impact on adjacent properties and the setting of the listed building.

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