

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

3.1 The proposed development involves removal of one whole section of roof plus dormers to allow the roof to be raised and the removal of the chimney and some roof works to allow the extension to tie in. The surrounding area is good bat habitat. A bat/breeding bird survey is required to assess any impacts that may be caused by the development.

EXTERNAL

Acaster Malbis Parish Council

3.2 No objections

Neighbour Notification/Publicity

Two letters of objection from 2 Brocket Court and Beechlands raising the following issues:

- Loss of privacy from the proposed rear windows
- Loss of privacy from the balcony
- Design of the balcony does not fit with the dwelling
- Overbearing
- Would result in a loss of light to rear rooms and garden
- Design out of keeping with host dwelling and area
- Loss of view from upstairs windows

4.0 APPRAISAL

4.1 Key Issues

- Design
- Green belt policy
- Very special circumstances
- Impact upon neighbour's amenity
- Bats

4.2 The National Planning Policy Framework (NPPF) (March 2012) sets out 12 core planning principles that should underpin both plan-making and decision-taking. Of particular relevance here is 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, a principle set out in paragraph 17.

4.3 Paragraph 187 states that when Local Planning Authorities are considering proposals for new or improved residential accommodation, the benefits from meeting peoples housing needs and promoting the economy will be balanced against any negative impacts on the environment and neighbours' living conditions.

4.4 Policy YH9 and Y1 of the Yorkshire and Humber Plan - Regional Spatial Strategy to 2026 defines the general extent of the green belt around York with an outer boundary about 6 miles from the city centre and although the spatial strategies have now been withdrawn these policies relating to York's green belt have been saved

4.5 The 2005 Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.6 The relevant City of York Council Local Plan Policies are H7, GP1 and GB4. Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of the area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.7 Policy GP1 'Design' of the City of York Local Plan Deposit Draft refers to design, for all types of development. Of particular relevance here are the criteria referring to good design and general neighbour amenity.

4.8 The NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The construction of new buildings within the Green belt is inappropriate and should be resisted. However, exceptions to this general presumption includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (Para 89). Policy GB4 'Extensions to Existing Dwellings' states that the extension and alteration of dwellings in the Green Belt and open countryside will be permitted providing the proposal: would not cause undue visual intrusion; is appropriate in terms of design and materials and is small scale compared to the original dwelling. As a guide a planning application to extend a dwelling by more than 25% of the original footprint will be considered to be large scale and resisted accordingly.

4.9 The Council has a Supplementary Planning Document (SPD) for House Extensions and Alterations. The SPD was subject to consultation from January 2012 to March 2012 and was approved at Cabinet on 4 December 2012. The SPD offers

overarching general advice relating to such issues as privacy and overshadowing as well as advice which is specific to particular types of extensions or alterations. The underlying objectives of the document are consistent with local and national planning policies and is a material consideration when making planning decisions.

SCHEME

4.10 The application site is a detached dwelling located to the edge of a group of buildings which are set within the open countryside outside Acaster Malbis. The site comprises of the original farmhouse, which was extended in 1997 to create additional living accommodation above the existing garage, and a double detached garage. The current application seeks permission to increase the height of the first floor extension in order for it to run flush with the main farmhouse, erect a two storey front extension to house the staircase and a large balcony to the side. The extensions are required in order to accommodate an enlarged family.

4.11 In order for the ridge to run flush it would have to be increased in height by approximately 1.6m for a length of 7.6m. At present two small dormer windows sit within the front and rear roof slopes. These would be removed and windows to match the existing dwelling would be installed. To the front elevation a two storey extension is proposed. This would project from the front by approximately 3m, would have an eaves height of 6.1m and an overall height of 7.7m. It would incorporate a large glazed section almost one and a half storeys high allowing light to enter the proposed staircase. A single storey porch would be attached to the front of this element projecting a further 1.4m forward.

4.12 The final element of the scheme seeks permission for the erection of a raised balcony to the side which would project out approximately 4m and have a width of 7m. It would be accessed by two double doors located at first floor level.

DESIGN

4.13 The proposed extensions are considered to be large scale in relation to the size of the original dwelling and disproportionate additions. The property has been previously extended to provide additional first floor living accommodation with the design resulting in a subservient extension which sits comfortably with the host dwelling. The current scheme proposes to run flush at the ridge, providing no visual break or relief and resulting in an extension which does not appear small scale and elongates the dwelling to an unacceptable degree.

4.14 The proposed front extension does not relate well to the host dwelling with the eaves being set approximately 1.2m higher than those of the host dwelling. This results in an awkward relationship which is compounded by the vertical attenuation of the proposed glazing which is at odds with the design of the original dwelling. The

extension dominates the front elevation and the design takes little reference from the host dwelling in terms of proportions and detailing.

4.15 The balcony adds to the width of the overall dwelling and, whilst relatively light weight in nature, adds to the visual clutter which arises as a result of the combined proposed extensions.

GREEN BELT POLICY

4.16 Paragraph 89 of the NPPF states that the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building, is not considered to be inappropriate development. Policy GB4 states that as a guide a planning application to extend a dwelling by more than 25% of the original footprint will be considered to be large scale and resisted accordingly. The percentage increase when taking into account the proposed works and the previous single storey front extension equate at 53%. This is well above the suggested acceptable increase and as such conflicts with green belt policy and is considered to be inappropriate development.

4.17 Notwithstanding the increase in footprint the design and scale of the extension represents a disproportionate addition to the original building and would be resisted were the site located within the green belt or not.

VERY SPECIAL CIRCUMSTANCES

4.18 Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

4.19 Circumstances that are accepted as being "very special" are very rare, but will often involve a specific judgement being made that no other option is available in the light of the unique circumstances and individual case. These circumstances are not common and should be rarely likely to be repeatable.

4.20 The applicant has made a submission which they feel should constitute very special circumstances to be taken into account when considering the application. The increase in living accommodation that the application would provide would allow for two elderly parents to live at the property whilst retaining a degree of privacy for all parties. The parents both have impaired mobility and health problems and as such would live on the ground floor allowing the first and second floors to be used by the remaining family members.

4.21 Whilst the additional residential accommodation would improve the living conditions for all parties it does not represent very special circumstances which would outweigh the harm caused to the openness of the green belt as a result of the proposal. The property was purchased in August 2013 and as such it is not the case that an established family home is being extended to accommodate relatives who have no other option than to live in this property, preventing the need to relocate. If the family were seeking enlarged accommodation it may have been possible to purchase a more appropriate property outside of the green belt or one that required less extensive alterations negating the need for inappropriate development. Furthermore the particular circumstances of this case are unlikely to be considered to be unique and rarely repeatable.

NEIGHBOURS AMENITY

4.22 Concerns have been raised by neighbours in connection with the potential loss of privacy. At present the property presents two windows to the rear elevation, a bathroom and bedroom. The proposed extension would retain two windows to the rear opening into a bathroom and living room. It is considered that there would not be any increased loss of privacy as a result. The proposed balcony is relatively large and is located approximately 2.4m high. However it would be approximately 26m to the nearest residential property and at an acute angle, again preventing any loss of privacy.

BATS

4.23 Whilst a request has been made for a bat survey it was considered that due to the unacceptability of the proposal it would be inappropriate to ask for a survey when the application was to be recommended for refusal.

5.0 CONCLUSION

5.1 It is considered that the design of the proposed extensions are not in keeping with the character of the original dwelling and represent disproportionate additions over and above the original size of the building resulting in inappropriate development in the green belt.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Refusal

1 It is considered that the proposed increase in height of the existing side extension, the scale and design of the two storey front extension and the creation of

a balcony would not appear subservient in relation to the host dwelling and would represent a disproportionate addition.

Furthermore, the resultant dwelling would have an awkward appearance which would be at odds within this location and would be detrimental to the rural character of the area. As such, the proposal would conflict with advice relating to design contained within the National Planning Policy Framework (March 2012), and with Policies GP1 (a, b and c) and H7 (a and e) of the City of York Draft Development Control Local Plan and advice contained within Section 7 of York Supplementary Planning Guidance on House Extensions and Alterations (2012).

2 It is considered that the proposed extension would constitute a disproportionate addition to the original dwelling and thus constitutes an inappropriate form of development that would, by definition, be harmful to the Green Belt. It is considered that the proposal would be harmful to the openness of the Green Belt, and thus would be contrary to national planning advice contained within paragraphs 88 and 89 of the National Planning Policy Framework (March 2012) and Policies GB1 (Development in the Green Belt) and GB4 (Extensions to Existing Dwellings in the Green Belt) 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). However, it was not felt possible to achieve a positive outcome through negotiation resulting in planning permission being refused for the reasons stated.

Contact details:

Author: Heather Fairy (Mon - Wed) Development Management Officer

Tel No: 01904 552217