

2.2 Policies:

CYGP1 Design
CYH7 Residential extensions

3.0 CONSULTATIONS

Osbalwick Parish Council

3.1 Object for the following reasons:

- Overdevelopment of the site.
- The side extension is far too wide and is not in keeping with the other extensions in the area.
- The front canopy would reduce the available parking space.
- Off road parking could be a problem as there appears to be space for only one vehicle.
- The property is situated on a sweeping bend and is on a bus route parking on the highway would be dangerous and hazardous.

Neighbour Notification/Publicity

3.2 Two objections received on the following grounds

- Total width of extension.
- Proposed windows to the side elevation.
- Total width of side extension.
- Protrusion of garage reducing available parking space to one vehicle.
- Property situated on a sweeping bend on a bus route on street parking would create congestion

3.3 Additional consultation letters were sent out following the submission of the revised drawing. One letter has been received stating that the side extension should be reduced in width by a further 300mm and further commenting on off-street car parking.

Councillor Warters

3.4 Objects for the following reasons:

- Neighbouring amenity - the impact of the proposals on No. 30 Tranby Avenue and the property to the rear with its solar panels which would be adversely affected by the extension.

- The lack of any construction management or enforcement by CYC on similar schemes in Osbaldwick leading to considerable distress to residents over parking of contractors vehicles, deliveries etc. leading to damage to footpaths, verges and other highway infrastructure. This issue must be dealt with at the planning stage to ensure, if approval is granted, that a considerable highway danger is not created during construction works.

4.0 APPRAISAL

4.1 Key issue(s)

- Impact on amenity of neighbours
- Impact on street scene

Planning Policy

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. The framework 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. A principle set out in paragraph 17 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.

4.3 Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. In 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 The Draft City of York Local Plan was approved for development management purposes in April 2005. Its policies carry weight where there are compliant with the NPPF. Policy H7 - "Residential Extensions" 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.

4.5 Policy GP1 - "Design" sets out a series of criteria that the design of development proposals would be 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, and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.6 The Council has a Supplementary Planning Document (SPD) for House Extensions and Alterations. The Council has a Supplementary Planning Document (SPD) for House Extensions and Alterations and was approved on 4 December 2012. The SPD offers overarching general advice relating to such issues as privacy and general amenity as well as advice which is specific to the design and size of particular types of extensions or alterations.

Visual Amenity

4.7 The Supplementary Planning Document seeks that unduly wide extensions should be normally avoided and suggests that typically a two storey side extension should not exceed around 50% of the width of the original house unless its width has been designed to successfully harmonise with architectural features contained in the original property. The proposed two storey side extension would be designed with a set down from the main roof ridge and a 400mm set back from the principal elevation at first floor height. The introduction of the canopy forward of the building line is a design principle often used for two storey extensions, to give continuity between the main house and new development. The extension would be set off the shared boundary by approx 1.3m adjacent to 30 Tranby Avenue. With the use of matching materials the proposal would generally comply with the recommendations contained within the SPD.

4.8 No. 30 Tranby Avenue has a two storey side extension which has been constructed with similar design principles, however this development has a greater set back from the front and the roof height is set lower. Furthermore, property is located on a road with numerous examples of two storey side extensions to both sides of the street. The extension would not detract from the appearance of the dwelling or street scene.

Off Street Parking

4.9 Concerns have been raised by the Ward Councillor, Parish Council and local residents relating to increased on street parking following the construction of the extension causing highway safety implications. However there would be sufficient car parking available within the proposed garage and room to the front for one parking space. Therefore, whilst the extension would remove a large section of available parking at the side of the house, the proposal conforms to the Council's maximum car parking standards and therefore it is considered that a refusal reason could not be justified on these grounds. Conditions are recommended preventing the conversion of the garage under permitted development rights and requiring the use of a non-protruding garage door.

Neighbour Amenity

4.10 In terms of protecting neighbour amenity the Council will have regard for the adjacent neighbours in terms of the impact on sunlight, the relationship of windows, height, massing and dominance. The closest neighbour to the proposed extension is the property at 30 Tranby Avenue. This property has been extended at two storey height to the side elevation incorporating windows to the front and rear aspects. This dwelling has an established rear garden with ample mature garden screening including a six foot fence and detached garage. This proposal would project toward the shared boundary, incorporating two additional windows on the side elevation at ground floor and first floor height adjacent to the shared boundary, serving a bathroom at first floor and a window to the extended living area at ground floor. There is an existing ground floor side window, as such taking in to account the first floor would be obscure glazed the new windows would not materially impact on this occupier's immediate amenity space directly inside or outside of the house. Furthermore, primary windows on the rear elevation would be generally obscured by the detached garage on the shared boundary of (no30). In terms of loss of available light the extension would not exceed the length of the property at first floor height, as such would not cast shadows in to the rear garden of (no.30). On balance, acceptable separation distance would be retained and it is not considered to represent an overbearing structure when viewed from this house nor would it result in a significant loss of light for the adjacent neighbour.

4.11 Councillor Warters has expressed concerns that the position of the extension would block out sunlight which would affect the solar gain to the array of photovoltaics situated on the rear roof slope of the bungalow at 28 Bedale Avenue. The proposed extension is generally south-west of no.28 Bedale Avenue, and there would be about 19m between the two structures, thus it is considered that the distances achieved between this neighbour and the proposed extension would not restrict sunlight and cast shadows that would effect the solar energy reaching this property.

5.0 CONCLUSION

5.1 It is not considered that the proposed extension would create demonstrable harm to the residential character of the street scene. Nor is it considered that the extension would 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 the NPPF and Policies GP1 and H7 of the City of York Draft Local Plan and the Council's Supplementary Planning Document (December 2012).

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

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

Revised plans received by email on 27th November 2014 (drawing number B01/1393/02B - REVB)

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 VISQ1 Matching materials -

4 EPU1 Electricity socket for vehicles -

5 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 proposed garage element of the extension shall not be converted to living accommodation.

Reason: To ensure that adequate storage / car parking space would be retained in the interests of highway safety.

6 The garage shall be fitted with doors which shall at no time, even whilst being open or shut, protrude forward of the position of the face of the garage door whilst in the closed position.

Reason: To prevent cars projecting into the public highway and obstructing the free passage of road users.

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:

- Revised plans sought and submitted to reduce the width of the extension in order to retain cohesion within the existing street scene and reduce the dominance to the host dwelling.

2. THE PARTY WALL ETC ACT 1996

The proposed development may involve works that are covered by the Party Wall etc Act 1996. An explanatory booklet about the Act is available at:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

Furthermore the grant of planning permission does not override the need to comply with any other statutory provisions (for example the Building Regulations) neither does it override other private property rights (for example building on, under or over, or accessing land which is not within your ownership).

3. HIGHWAY REGULATION

The applicant is advised that prior to commencing works on site, they should contact the council (email: highway.regulation@york.gov.uk) to discuss construction management of the project with regards to the use and protection of the public highway. This will include aspects such as any licences which will be required for skips, scaffold or material storage on the highway. Also including good working practise to ensure that the public highway is not damaged or obstructed by traffic associated with the application.

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