

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Holgate
Date: 27 November 2007 **Parish:** No Parish

Reference: 07/02354/FUL
Application at: 26 Aldborough Way York YO26 4UX
For: Single storey pitched roof rear extension
By: Mr And Mrs D Fotheringham
Application Type: Full Application
Target Date: 28 November 2007

1.0 PROPOSAL

1.1 The application is for a single storey pitched roof rear extension.

1.2 The semi detached dwelling is part of a recently built housing estate close to the main east coast rail line.

1.3 The application has been called before committee at the request of Cllr. Denise Bowgett as the neighbour has objected. As objections to the proposal have been received a site visit is required.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

Floodzone 2 Flood Zone 2 CONF

2.2 Policies:

CYH7
Residential extensions

CYGP1
Design

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 15/11/2007
Site Notice - N/A
Press Advert - N/A
Internal/External Consultations - N/A

8 WEEK TARGET DATE 28/11/2007

3.2 INTERNAL CONSULTATIONS

None received

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

4 LETTERS OF OBJECTIONS FROM ONE NEIGHBOUR

- Would be built up to the boundary, would not be able to maintain the side elevation
- Height and the proximity would cause a loss of light to kitchen and dining room windows
- Design is unacceptable
- Concern about impact of foundations and sewers

4.0 APPRAISAL

4.1 RELEVANT SITE HISTORY

None

4.2 ADDITIONAL PLANNING POLICY

CYC Supplementary Design Guidance - A guide to extensions and alterations to private dwelling houses, 2001

4.3 KEY ISSUES

1. Visual impact on the dwelling and the area
2. Impact on neighbouring property

4.4 ASSESSMENT

PLANNING POLICY

4.4.1 Policy GP1 'Design' of the City of York Council Development Control Local Plan 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.

4.4.2 Policy H7 'Residential Extensions' of the City of York Council Development Control Local Plan 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 area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.4.3 The City of York Council's supplementary planning guidance - Guide to extensions and alterations to private dwelling houses states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling. The scale of the new extension should not dominate the original building. An extension in the style of the existing dwelling is likely to be the most acceptable. The direction a property faces will have an effect on the impact of a proposed extension in terms of loss of light and overshadowing. Generally roofs that reflect the pitch and style of the existing roof are encouraged. The pitch of the main roof of the dwelling should be continued on the extended roof.

VISUAL IMPACT ON THE DWELLING AND THE AREA

4.4.4. The proposed single storey rear extension is of a modest design and fits in with simple design and character of the dwelling and whilst the pitch of the roof is different to the original dwelling it is not considered to have a harmful visual impact. The proposed extension would be barely visible from the street and is not considered to have an undue impact on the streetscape or the area.

IMPACT ON NEIGHBOURING PROPERTY

4.4.5 The proposed extension would protrude from the rear extension by 3 metres and would be built up to the side boundary with 24 Aldborough Way. The maximum height of the proposed extension would be 3.2 metres, and 2.6 metres to the eaves; the height is modest and not considered to create an overbearing impact to the occupants of 24 Aldborough Way. The ground floor of 24 Aldborough Way to the rear has a kitchen dining room; there is a small kitchen window close to the boundary with 26 Aldborough Way, and French doors to the dining room element. The proposed side extension by virtue of its height, orientation, and its proximity to the boundary with 24 Aldborough Way would cause some overshadowing to the kitchen window (ground floor window just set off the side boundary) of 24 Aldborough Way. However as the main window to this room (and the one that provides much of the light) are the French window/doors, on balance it is considered that the proposal would not cause sufficient loss of light or overshadowing to significantly affect the light reaching this room. There would be a slight loss in the early morning sunshine as the rear elevations face south and the proposed extension would be to the east but again it is not considered to be significant enough to warrant refusal.

4.4.6 It is not considered to impact on the amenity of the occupants of the other neighbouring dwellings by virtue of orientation and distance.

4.4.7 Any impact to foundations or sewage would be dealt with under the building regulations and the Party Wall Act (1996). Access to the side elevation for maintenance would be a private matter.

5.0 CONCLUSION

5.1 The proposed single storey rear extension is of a modest design and whilst it would impact on the secondary window to the kitchen dining room of 24 Aldborough Way it is not considered to cause sufficient harm to the residential amenity of the occupants of 24 Aldborough Way to warrant refusal. Approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Drawing Number FAW/04 received 2 September 2007
Drawing Number FAW/05/A received 29 October 2007;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

2 The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

3 The materials to be used externally shall match those of the existing buildings in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) no additional windows other than those shown on the approved plans shall be constructed.

Reason: As the insertion of additional windows could have a serious impact on the privacy of neighbours and should therefore be controlled.

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 the residential amenity of the neighbours, and the visual amenity of the dwelling and the locality. As such, the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan (2005); national planning guidance contained in Planning Policy Statement 1 "Delivering Sustainable Development"; and supplementary design guidance contained in the City of York's "A guide to extensions and alterations to private dwelling houses".

2. Party Wall Act, 1996

You are advised that the development may involve building work covered by the Party Wall etc Act 1996 that is separate from planning or building regulations control. Do not commence work on the development until you comply with the provisions of this Act. An explanatory booklet may be obtained from the City of York's Department of City Strategy, or alternatively it is available on the Department of Communities and Local Government, www.communities.gov.uk.

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