

COMMITTEE REPORT

Date: 9 July 2015 **Ward:** Dringhouses and Woodthorpe
Team: Major and Commercial Team **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 14/02421/FUL
Application at: Omnicom Engineering 292 Tadcaster Road York YO24 1ET
For: Two storey side and rear extensions, single storey rear extension and detached annexe to rear
By: Mr & Mrs Forsyth
Application Type: Full Application
Target Date: 12 June 2015
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application seeks permission for the change of use of 292 Tadcaster Road including a replacement two storey rear extension, two storey side extension (following the removal of the existing fire escape and single storey extension), garden room to the rear, detached annex to the rear and replacement dormer windows to the front. An application for listed building consent (14/02422/LBC) is considered elsewhere on this agenda.

1.2 The application has been called to committee by Cllr Reid who believes that the benefits of restoring this listed building to a family home should be considered and a decision needs to be made before this prominent building begins to deteriorate.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Tadcaster Road CONF
Listed Buildings: Grade 2; 292 Tadcaster Road York YO2 2ET

2.2 Policies:

CYGP1 Design
CYNE1 Trees, woodlands, hedgerows
CYH7 Residential extensions
CYHE2 Development in historic locations
CYHE3 Conservation Areas

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

Ecology and Countryside

3.1 A preliminary bat survey has been undertaken including a detailed internal and external inspection. No evidence of bats either historic or recent was found and it is considered highly unlikely that the property has supported a significant roost of any type in the past. However, due to the surrounding good quality habitat, records of bats species within the area and the potential for roosting a precautionary mitigation is proposed. Condition should be attached.

Landscape Architect

3.2 An arboricultural report and a suitably detailed site-specific arboricultural method statement has been submitted. Provided every detail of this statement is adhered to the proposals are acceptable. Amendments to the surfacing and the paving sets adjacent to Beech T28 have been retained which is welcomed. Conditions should be attached.

Conservation Officer

3.3 Amended schemes have been submitted which address a number of the original concerns raised including the retention of the secondary staircase and the circulation pattern at the rear of the ground floor. The amended design and materials for the replacement two storey rear extension are considered acceptable, as are the proposed replacement dormers to the front elevation and the large conservatory/garden room to the rear.

3.4 Concerns are raised in connection with the proposed two storey side extension. Whilst an existing single storey extension and fire escape would be removed the proposed extension results in the loss of the relatively generous separation which remains between the house and its neighbour. This space is intentional and reflects the status of the property and its loss would be detrimental to the character and appearance of the conservation area. The extension would result in the loss of a first floor side window and would present blank elevations which detract from the architectural design of the property. The roof is tucked under the impressive eaves and appears contrived and at odds with the host building.

3.5 The annex to the rear has been amended and is now considered acceptable although conditions would be required on any approval. The reduced mass and design sit more comfortably with the historic hierarchy of the site.

EXTERNAL

Dringhouses and Woodthorpe Planning Panel

3.6 Do not object but feel the two storey design does not match the front elevation of the main body of the building. In addition the upper floor of the side extension further unbalances the symmetrical appearance of the front elevation

Neighbours Notification and Publicity

3.7 One response received in support of the scheme to return the building to residential including the repairs, the replacement of unsympathetic C20 additions and the return of the car park to gardens

4.0 APPRAISAL

4.1 Key Issues

- Design
- Impact upon neighbours amenity
- Impact upon the character of the conservation area

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 NPPF states that development proposals should sustain and enhance Conservation Areas. Paragraph 131 urges Local Planning Authorities to give significant weight to the desirability of sustaining and enhancing the significance of heritage assets including Conservation Areas and putting them to viable uses consistent with their Conservation.

4.5 When planning permission is required which may effect the setting of a listed building section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies. Similarly, section 72 of the Act imposes a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

4.6 The 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.

4.7 The relevant City of York Council Local Plan Policies are H7, GP1, NE1, HE2 and HE3. 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.

4.8 Policy GP1 'Design' of the City of York Local Plan Deposit Draft 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.

4.9 Policy NE1 'Trees, Woodlands and Hedgerows' seeks to protect trees that are of landscape, amenity or nature conservation value by, inter alia, refusing development proposals that would result in their loss and by seeking appropriate protection measures when they are proposed for removal. Appropriate replacement planting will be sought where trees are proposed for removal.

4.10 Policies HE2 'Development within Historic Locations' and HE3 'Conservation Areas' of the City of York Local Plan Deposit Draft are also relevant to this proposal. These policies expect proposals to maintain or enhance existing urban spaces, views, landmarks and other townscape elements and not to have an adverse effect on the character or appearance of the Conservation Area.

SITE

4.11 The application site comprises of a detached Grade II villa style property constructed in approximately 1850. The property was until recently used as office accommodation although planning permission has previously been granted for the change of use to residential (Ref no.13/03790/FUL - Approved 10th March 2014). The property has retained a number of its original features, both internally and externally, and is in a good state of repair. A later two storey rear extension is present along with a single storey side extension and a number of small flat roof outbuildings. A metal fire escape is present to the northern elevation. To the rear of the site, but not within the application site, lie the original stable block, coach houses and grooms quarters all of which are now within residential use and are accessed along a shared drive to the side of the main dwelling at 292 Tadcaster Road.

ASSESSMENT

4.12 The application seeks permission for a number of extensions to the property including a replacement two storey rear extension, new garden room, two storey side extension and replacement dormers to the front.

TWO STOREY REAR EXTENSION

4.13 The proposed two storey rear extension would sit on a similar footprint to the existing extension but would measure approximately 1.8m greater in length. Its height and width are comparable to the existing extension although the eaves are slightly higher. The openings to the ground floor reflect the character and proportions of the host dwelling and the detailing appears acceptable. Smaller openings are proposed to the first floor, primarily due to the reduced eaves height compared to the host dwelling, but again these sit comfortably with the character of the building.

4.14 The windows to the first floor of the side elevation are set at a distance of 10 metres from the neighbouring property at 294 Tadcaster Road. There are no first floor windows to the neighbour which would be affected as a result of the scheme and the presence of the single storey rear extension would limit any loss of privacy to the rear garden area immediately to the rear of the neighbour. In addition a similar level of overlooking would have arisen as a result of the existing first floor side openings which previously served the office use.

4.15 The extension is considered to be generally acceptable. It sits comfortably in relation to the host dwelling in terms of scale and massing and represents a subservient extension. It is considered that it would preserve the character and appearance of the Conservation Area and comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

GARDEN ROOM

4.16 It is proposed to attach a predominantly glazed, orangery at an angle to the two storey rear element of the scheme. This would project out towards the northern boundary of the site and would require the demolition of two small flat roof structure located to the rear. The positioning of the orangery allows for the formation of a small open courtyard immediately to the rear of the dwelling, which to some degree loses the connection of the property to the large mature garden. However, the orangery is considered to be subservient in relation to the host dwelling and would be the type of structure which may be expected within the grounds of a house of this scale and status. Due to the location of the extension and the existing high boundary walls there would be no impact upon neighbour amenity in terms of loss of light or over-dominance.

DORMER WINDOWS AND ROOF LIGHTS

4.17 At present the property has two small flat roof dormer windows to the front elevation. The scheme seeks permission to replace these dormers with more traditional pitched roof dormers incorporating glazing to the side cheeks. Four roof lights are also proposed, three to the rear elevation and one to the northern side elevation, to allow for the roof space to be utilised as additional living accommodation. It is considered that the dormers sit more comfortably within the roof and reflect the character and appearance of the property to a greater degree than the existing dormer windows. Whilst the roof lights may draw attention to the rear roof slope they are spaced well and are considered acceptable.

ANNEXE TO REAR

4.18 It is proposed to erect a substantial garage with living accommodation above to the rear of the site, some 40m from the rear of the host dwelling. The annexe would provide four car parking spaces with a lounge/kitchen, bathroom and two bedrooms within the roofspace. The building is intended to provide parking for the main dwelling and additional living accommodation for dependants. It is not proposed to be used independently from the main residence.

4.19 The annexe is relatively large with an overall ridge height of 6m. The design has been simplified in order to create a subservient structure in relation to the host dwelling whilst still providing the space required by the applicant. This rear section of the site is characterised by existing dwellings and garages, previously built within the rear gardens of neighbouring properties. As such the annexe would not be seen as a stand alone structure within an open environment but would follow similar lines of development.

4.20 A number of residential properties lie to the north. The annexe is set away from the boundary slightly and has been designed with a single storey element to the rear meaning the centre point of the ridge is some 4.8m from the boundary. The nearest structure is a large detached garage approximately 10m to the rear and as such no issues in connection with loss of amenity would arise.

4.21 It is considered that the above elements of the scheme are acceptable. Whilst they constitute substantial works to the property they would still preserve the character and appearance of the conservation area and comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

TWO STOREY SIDE EXTENSION

4.22 The application also seeks permission for the erection of a two storey side extension to the northern elevation. Currently a single storey flat roof wrap around extension and a metal fire escape are present. It is proposed to remove these. The extension would be set back from the front elevation by approximately 8200mm and from the rear elevation by approximately 650mm. It would be inset from the boundary by approximately 1m and have an overall length of approximately 6400mm.

4.23 The extension has been designed with a shallow pitched roof in order for it to sit below the existing generous eaves of the host dwelling. However, this creates a somewhat contrived extension which does not relate well to the host dwelling and appears cramped. The scheme also results in the loss of an existing first floor window opening which is clearly visible when viewing the site from the north and replaces it with a blank brick elevation which is lacking in detail. It is considered that the view of this elevation is an important component of the historic streetscene.

4.24 The neighbouring dwelling at number 290 Tadcaster Road has been extended up to the boundary with the application site. It is considered that the proposed extension would unacceptable infill the remaining space between the properties and result in the loss of the visual separation which currently exists between the neighbouring properties.

4.25 The applicant argues that the existing trees to the front of the site prevent the extension being viewed and only passing views can be achieved when approaching the site from the north. They also consider that the removal of the existing fire escape would improve the appearance of the property. Officers consider that the extension would be clearly visible, would present a blank elevation and would result in the loss of the separation between the properties which would in turn be detrimental to the character of the conservation area. The removal of the fire escape is welcomed but the visual impact of the existing fire escape, with its open structure, is not comparable with the proposed brick built structure which is proposed.

4.26 The addition of the second floor loses an original window, presents a blank elevation which detracts from the architectural design of the existing elevation, and crucially, reduces the impression of separation between the house and its immediate neighbour to the north. The roof appears contrived and at odds with the form of the host building. As such this element of the scheme harms the character and appearance of the Conservation Area and therefore does not comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which carries significant weight in the planning balance.

5.0 CONCLUSION

5.1 The conversion of the former office building back to its original use as residential is welcomed. The majority of the works are considered acceptable and would not result in any detrimental impact upon neighbouring amenity or the character and appearance of the conservation area. However, the proposed two storey side extension is considered to harm the character and appearance of the Conservation Area and therefore does not comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is contrary to the provisions of the National Planning Policy Framework and Policy H7 (criterion a and e), HE2 and HE3 of the 2005 City of York draft Development Control Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 It is considered that the proposed two storey side extension, by reason of its roof design and blank side elevation, would constitute a discordant addition which would appear at odds with the design of this attractive detached dwelling. It is further considered that the extension would infill an important gap between the host dwelling and the neighbours property and would have a detrimental impact upon the street scene and the character and appearance of the Tadcaster Road Conservation Area. It is considered therefore that the two storey side extension fails to accord with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act and conflicts with national guidance on good design in the NPPF, Policy H7 (criterion a and e), HE2 and HE3 of the 2005 City of York draft Development Control 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 an attempt to achieve a positive outcome:

Requested revised plans to overcome issues in relation to the impact of the proposed two storey side extension

Notwithstanding the above, it was not possible to achieve a positive outcome, resulting in planning permission being refused for the reasons stated.

Contact details:

Author: Heather Fairy Development Management Officer

Tel No: 01904 552217