

- 8/87/65B/PA Erection of an extension to form a conservatory. Approved 21.02.79
- 8/87/65C/PA Erection of double garage. Approved 21.02.79
- 8/87/65D/PA Erection of an extension. Approved 13.02.80
- 8/87/65E/PA Erection of an extension. Approved 18.06.80
- 8/87/65F/PA Erection of porch and dressing area. Approved 07.11.80
- 8/87/65G/PA Erection of pitched roof to garage and outbuildings and erection of single storey enclosure with pitched roof to swimming pool Approved 22.12.82
- 8/87/65H/PA Alterations and extension to existing dwelling to provide two storey side extension Approved 18.09.89
- 8/87/65J/PA Erection of an extension to and conversion of part of existing dwelling to use as separate living accommodation. Approved 18.09.89

1.5 RECENT RELEVANT NEIGHBOURING PLANNING HISTORY

No. 7 Tadcaster Road - Application No. 13/02290/FUL - First floor side and single storey rear extensions and detached garage to front. Approved 27.08.2013

No. 9 Tadcaster Road - Application No. 09/00611/FUL - First floor side extension; single storey pitched roof front and rear extensions and 2 no. rear dormers with balconies (revised scheme). Approved 02.06.2009

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

2.2 Policies:

CYGP1 Design
CYH7 Residential extensions

3.0 CONSULTATIONS

ENVIRONMENTAL PROTECTION UNIT

3.1 No objection in principle, but suggest condition to require electrical socket within garages for future re-charging facility; along with informatives re appropriate demolition and construction methods and contaminated land watching brief.

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.2 As the site lies along the line of a roman road an archaeological watching brief should be sought by condition.

COPMANTHORPE PARISH COUNCIL

3.3 No objection in principle, but seek further clarification with regards proposed garage provision. Further to receipt of this comment it was clarified with the parish that a detached garage block, as well as an attached garage block, is proposed, but no further comment has been received.

NEIGHBOUR NOTIFICATION/PUBLICITY

3.4 No responses received up to date of writing. Delegated authority to refuse is requested further to the expiry date for additional neighbouring consultations at 10-18 Weavers Park and 3 and 4 Drapers Croft.

4.0 APPRAISAL

Key Issues:

- Impact on the dwelling and upon the character and appearance of the surrounding area;
- Impact on neighbouring amenity

POLICY CONTEXT

4.1 The National Planning Policy Framework (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.

4.2 The National Planning Policy Framework (March 2012) sets out 12 core planning principles that should underpin both plan-making and decision-taking. Para 17 – Core Planning Principles – bullet point 4, advises that high quality design and a good standard of amenity for all existing and future occupants of land and buildings should always be sought; Para 56 advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people; and Para 64 advises that 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.

4.3 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.

4.4 Draft Development Control Local Plan Policy H7 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 Draft Development Control Local Plan Policy GP1 refers to design, for all types of development. Of particular relevance here are the criteria referring to good design and general neighbour amenity.

4.6 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. Advice in the document is consistent with local and national planning policies and is a material consideration when making planning decisions. The document advises inter alia that side extensions should be subservient to the original dwelling, with the ridge height being lower than the original and the front elevation should be set behind the building line. The character of spacing within the street should be considered and a terracing effect should be avoided. Advice in paragraph 7.5 states that extensions should respect the appearance of the house and street unless a justification can be given showing how the development will enhance the streetscene. Proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing/loss of light or over-dominance/loss of light. Para 12.6 advises that where spacing between houses is a very important intact characteristic of the street it may be the case that a clear gap will need to be retained between the side of the extension and the side boundary. Paragraph 15.1 advises that garages and other outbuildings, wherever possible, should reflect the style, shape and architectural features of the original building and not be detrimental to the space around it and that outbuildings should clearly be smaller in scale to the house. Paragraph 15.3 advises that garages and other outbuildings must not have a detrimental impact on the residential amenity of neighbours. Paragraph 3.4 of this document advises that balconies will normally only be acceptable where they overlook public or communal areas or areas of neighbouring gardens which are not used for sitting out or might have a low level of privacy.

4.7 Copmanthorpe Village Design Statement aims to preserve and enhance the character and distinctiveness of the village by promoting appropriate standards of design, and that extensions should retain neighbours right to light and privacy, avoid locations which link one house to another, should be set back from plot boundaries and use materials to compliment the main building.

ASSESSMENT

IMPACT ON THE DWELLING AND THE CHARACTER AND APPEARANCE OF THE SURROUNDING AREA

4.8 The existing dwelling has already been significantly extended, as detailed above, which has resulted in a rather ad-hoc appearance, particularly the very wide single storey side extension, close to the common boundary with No. 15 Tadcaster Road. Significant space above ground floor level, however, still remains to both side boundaries, in keeping with the character of dwellings within this row. Nos. 1-19 Tadcaster Road are all substantial detached two-storey dwellings, sited within large plots, and many have been significantly altered and extended, and all of which vary in design. Dwellings from No. 89 Top Lane and beyond are then of traditional post-war semi-detached nature, though still set within substantial plots.

4.9 As mentioned above, a recent submission at the host was withdrawn due to officer concern that the scale, massing and design of extensions to the dwelling and of the large garage block to the front would harm the character and appearance of the area, particular due to the two-storey element proposed along the common boundary with No. 19 Tadcaster Road and also due to the principle of such a large garage block being proposed within the front garden, at some distance from the dwelling.

4.10 The current proposal has been significantly re-designed and its appearance now adds more interest to the front elevation than the previous scheme. It is acknowledged that the plot size is large, and the principle of two-storey front, side and rear extensions may gain support. However, this revised scheme still proposes to have a two-storey side extension being sited along the common boundary with No. 19 Tadcaster Road, and this element is considered to harm the spacious character of the dwelling within the plot, thus causing harm to the character of the area. Amended plans were sought but not received, in order to reduce the massing of the proposal to this side of the dwelling. The previous scheme incorporated a two-storey element close to the side boundary with No. 15 Tadcaster Road, which was not of concern, though this element has now been reduced in mass; this element is more open to public view however, and it does create some space at first floor level to the side boundary.

4.11 A large two-storey front extension is proposed, forming entrance hall and landing above, which does create the appearance of a set-back to the two-storey side element close to No. 19 Tadcaster Road, however, overall, the scale and massing of the dwelling as a whole is still considered to be overly large and will result in a loss of openness between the host and No. 19 Tadcaster Road. The contemporary design, with render finish and aluminium windows is acceptable in principle and the principle of re-developing the existing dwelling as opposed to demolishing and rebuilding, along with improving the thermal performance of the dwelling is of merit.

4.12 The supporting statement advises that extension to the rear of the dwelling is not possible due to the siting of a large combined sewer that crosses the site.

4.13 An existing garage is currently sited to the front of the dwelling, and this element is to be slightly increased in footprint further forward, and this element is acceptable. The proposed structure within the front garden, however, is considered to be inappropriate due to its siting, footprint and significant height to approx. 5.8 metres. Whilst it is acknowledged that some detached double garages have been approved along this row of dwellings, these are smaller in scale and have more of a relationship with the host dwelling. Though very high hedging is in place to the front boundary providing significant screening, views will still be gained from Top Lane. Adequate car and cycle parking levels would still be available without the addition of this structure within the proposed attached garage and large driveway areas, though not for a significant car collection that is sought by the applicant. It was suggested that further garage space could be accommodated within the main body of the dwelling.

4.14 Taking all of the above into account, it is considered that the proposed additions will harm the spacious character of the dwelling within the surrounding area.

IMPACT ON NEIGHBOURING AMENITY

4.15 The additional front projection and first floor area proposed close to the common boundary with No. 15 Tadcaster Road is considered to incorporate an adequate separation distance of appropriate design so as to avoid loss of amenity further to outlook/light/overshadowing/privacy. The appearance of the garage structure would be an alien feature when viewed from principal windows at this neighbouring dwelling, however, due to the adequate separation distance in place, it is not considered to seriously harm neighbouring amenity.

4.16 The two-storey side element proposed along the common boundary with No. 19 Tadcaster Road would impact upon outlook for these neighbouring residents.

However, due to the siting of a very large tree within this neighbouring garden, this element is not considered to be so detrimental so as to justify refusal on these grounds nor further to the impact with regards overshadowing/loss of light. The significant high side boundary treatment in place would avoid loss of privacy further to the proposed rear balconies. The proposed detached garage block to the front, however, would appear unduly dominant to these neighbouring residents, due to its location about 7m from the neighbouring dwelling, its footprint and height.

4.17 Due to the location of the proposed extensions, high shrubbery and trees to the rear there would be no impact upon residential amenity at the adjacent houses at 10-18 Weavers Park (even) and 3 and 4 Drapers Croft.

5.0 CONCLUSION

5.1 The proposals are considered to harm the character and appearance of the area and neighbouring residential amenity. As such they conflict with the National Planning Policy Framework, draft Development Control Local Plan Policies H7 and GP1, the Supplementary Planning Document for House Extensions and Alterations and the Copmanthorpe Village Design Statement.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Delegated Authority to Refuse for the following reasons, after the expiry of the consultation period on 13 August 2015:

1 It is considered that the width of the proposed extensions to the main dwelling, at two-storey level, would reduce the existing visual gap between the host and No. 19 Tadcaster Road which is an important characteristic of the style of properties in the area. The scale and design of the proposed detached garage block to the front would harm the character of the area. The proposal would, therefore, conflict with national planning advice in relation to design contained within the National Planning Policy Framework (Paragraph 17 - Core Planning Principles - bullet point 4, and paragraphs 56 and 64), Policies GP1 (a and b) and H7 (a, b, e and g) of the City of York Draft Local Plan (April 2005), and with paragraphs 7.5, 12.6, 15.1 and 15.3 of the City of York Council House Extensions and Alterations Draft Supplementary Planning Document (December 2012).

2 Due to its footprint and height and siting within the front garden, the proposed detached garage would significantly harm the outlook from both ground and first floor habitable rooms at No. 19 Tadcaster Road. The proposal would therefore conflict with the National Planning Policy Framework (Paragraph 17 - Core Planning Principles - bullet point 4); policy H7 (a, b, e and g) of the City of York Draft Local Plan (April 2005), and with paragraph 15.3 of the City of York Council House Extensions and Alterations Draft Supplementary Planning Document (December 2012).

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:

However, the applicant/agent was unwilling to further amend the application in line with recommendations, resulting in planning permission being refused for the reasons stated.

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