



Report Reference Number: 2020/0800/HPA

To: Planning Committee
Date: 7 October 2020
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Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0800/HPA	PARISH:	Selby Town Council
APPLICANT:	Mr Steve O'Mahoney	VALID DATE:	28th July 2020
		EXPIRY DATE:	22nd September 2020
PROPOSAL:	Rear single-storey extension for kitchen/family room extension		
LOCATION:	89 Doncaster Road Selby YO8 9BU		
RECOMMENDATION:	GRANTED		

This application has been brought before Planning Committee as the proposal has been submitted by the partner of a Head of Service for Selby District Council.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site is located within the development limits of the settlement of Selby.
- 1.2 The application site comprises of a two-storey terraced dwelling, which has a garden area to the front and to the rear. The dwelling benefits from a detached garage in the rear garden. The dwelling is located on Doncaster Road, which is residential in nature. The local area is predominantly made up of dwellings of a similar style and design.

The Proposal

- 1.3 The application is seeking planning permission for the erection of a single storey rear extension.
- 1.4 The proposed single storey extension would replace an existing flat roof extension and conservatory. The proposed extension would have a parapet roof with roof

lantern and would have maximum height of approximately 3 metres. The proposed extension would project out from the rear elevation by approximately 6.3 metres

Relevant Planning History

- 1.5 The following historical application is considered to be relevant to the determination of this application.
- 2005/1362/FUL (PER – 21/12/2005) Proposed erection of a brick shed and carport to replace wooden garage to rear.

2. CONSULTATION AND PUBLICITY

- 2.1 **Neighbour Comments** – This application has been advertised by site notice and neighbour letter resulting in no letters of representation being received.
- 2.2 **Parish Council** – No objections.

3 SITE CONSTRAINTS

Constraints

- 3.1 The application site is located within the defined development limits of Selby, which is the principle town with defined Development Limits as identified in the Core Strategy.
- 3.2 The application site is located part within Flood Zone 2, which has been assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% - 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% - 0.1%) in any year.

4 POLICY CONSIDERATIONS

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.
- 4.2 The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.
- 4.3 On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options would take place early in 2020. There are therefore no emerging policies at this stage so no weight can be attached to emerging local plan policies.

4.4 The National Planning Policy Framework (February 2019) (NPPF) replaced the July 2018 NPPF, first published in March 2012. The NPPF does not change the status of an up to date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (paragraph 12). This application has been considered against the 2019 NPPF.

4.5 Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework -

“213...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

Selby District Core Strategy Local Plan

4.6 The relevant Core Strategy Policies are:

SP1 - Presumption in Favour of Sustainable Development
SP15 - Sustainable Development and Climate Change
SP19 - Design Quality

Selby District Local Plan

4.7 The relevant Selby District Local Plan Policies are:

ENV1 - Control of Development

5.0 APPRAISAL

5.1 The main issues to be taken into account when assessing this application are:

- 1) The principle of the development
- 2) Design and impact on the character and appearance of the area.
- 3) Impact on residential amenity
- 4) Flood risk

The Principle of the Development

5.2 The application site is located within the defined development limits of Selby and the application is seeking consent for the erection of a single storey extension to the rear of the host dwelling. There is nothing in the NPPF to identify this type of development as being unsustainable or preclude in principle development of this type in this location. The extension is for domestic purposes and therefore appropriate in nature.

Design and Impact on the Character and Appearance of the area.

5.3 Relevant policies in respect to design and impact on the character and appearance of the area include Policy ENV1 (1) and (4) of the Selby District Local Plan and Policy SP19 “Design Quality” of the Core Strategy. Significant weight should be

attached to Local Plan Policy ENV1 as it is broadly consistent with the aims of the NPPF. Relevant policies within the NPPF which relate to design include paragraphs 127, 130 and 131.

- 5.4 The host dwelling has a pitched roof with eaves to a maximum height of 6.3 metres and ridge to a maximum height of 9.6 metres from ground level. The proposed single storey extension would replace an existing flat roof extension and conservatory. The proposed extension would have a parapet roof with roof lantern and would have maximum height of approximately 3 metres. The proposed extension would project out from the rear elevation by approximately 6.3 metres.
- 5.5 The proposed extension would be to the rear of the dwelling and as such would not be viewable from the highway or within the street scene. Moreover, the proposed extension would be of a simple design with materials to match the host dwelling. It is therefore considered that the proposals are acceptable in this context and it is not considered that the proposed extension would have an adverse impact on the character and appearance of the area.
- 5.6 Having regard to the above, it is considered that the proposals are of an appropriate design and given their size and siting would not have a significant impact on the character and appearance of the area. The proposals are therefore in compliance with policy SP19 of the Core Strategy and Policies ENV1 of the Selby District Local Plan and the advice contained within the NPPF.

Impact on Residential Amenity

- 5.7 With regards to residential amenity, it is considered that the proposed extension would have negligible impact on overlooking as the proposed extension is single storey and any views from the site would be mitigated by the existing boundary treatments, which comprises of a timber fence and mature hedging.
- 5.8 From the site visit it was noted that the adjacent dwelling to the north, 87 Doncaster Road, benefits from a two-storey extension to the rear elevation. As such it is not considered that the proposed extension would have any significant impact on overshadowing or oppression on the dwelling. With regards to 91 Doncaster Road, the extension would have a flat roof and would be set off from the boundary. It is noted that an extension of similar proportions could be achieved under a larger-homes extension application.
- 5.9 Having regard to the above, it is considered that the proposal would not have any significant adverse impact on the amenities of the occupiers of any neighbouring residential properties. The amenities of the adjacent residents would therefore be preserved in accordance with Policy ENV1 (1) of the Selby District Local Plan.

Flood risk

- 5.10 The application site is located within Flood Zone 2 which has been assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% - 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% - 0.1%) in any year.
- 5.11 NPPF paragraph 164 States that "Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in

footnote 50". The NPPG defines minor development and includes minor non-residential extensions (industrial/commercial/leisure, etc. extensions) with a footprint less than 250 square metres. A sequential and exception test is therefore not required in this instance.

- 5.12 A Flood Risk Assessment (FRA) was submitted with the proposal, which states that floor levels within the proposed development will be set no lower than existing levels and flood proofing of the proposed development has been incorporated where appropriate. The FRA is considered to be acceptable. The proposed scheme is therefore in accordance with the advice contained in within the NPPF and NPPG.

6 CONCLUSION

- 6.1 Having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development would not have a detrimental effect on the character and appearance of the area or on the residential amenity of the occupants of neighbouring properties. The application is therefore considered to be in compliance with Policies ENV1 of the Selby District Local Plan, Policies SP1, SP15 and SP19 of the Core Strategy and the advice contained within the NPPF.

7 RECOMMENDATION

This application is recommended to be Granted subject to the following conditions:

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason:

In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. The development hereby permitted shall be carried out in accordance with the plans/drawings listed below.

Drawing No 27-07-20 OMahoney Plans and Elevation Dated 28/07/2020

Reason:

For the avoidance of doubt.

03. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those of the existing building in colour and texture.

Reason:

In the interests of visual amenity and in order to comply with Policy ENV1 of the Selby District Local Plan.

8 Legal Issues

9 Financial Issues

Financial issues are not material to the determination of this application.

10 Background Documents

Planning Application file reference 2020/0800/HPA and associated documents.

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Appendices: None