



Report Reference Number: 2020/0449/HPA

To: Planning Committee
Date: 23 December 2020
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Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0449/HPA	PARISH:	Escrick Parish Council
APPLICANT:	Mr Milton Thomas	VALID DATE: EXPIRY DATE:	6 May 2020 1 July 2020
PROPOSAL:	Conversion of dormer bungalow to include single and two storey front and rear extensions and front dormer roof extensions complete with internal alterations to create additional living accommodation		
LOCATION:	2 The Glade Escrick York YO19 6JH		
RECOMMENDATION:	GRANT		

This application has been brought before Planning Committee as the application has been called in by the local ward Member.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site is located within the development limits of the settlement of Escrick.
- 1.2 The application site comprises of a single storey detached dwelling, which has a driveway to the side of the property and garden areas to the front and rear. The host dwelling benefits from a flat-roofed garage, which is attached to the side (north) elevation. The dwelling is located on The Glade, which is residential in nature.

The Proposal

- 1.3 The application is seeking householder full planning permission for various works to the host dwelling. These include:
- Roof lift and loft conversion
 - Two storey and single storey rear extension
 - Two storey side extension to the south elevation
 - Single storey side extension to the north elevation
 - Erection of 2no. dormer windows to the principle elevation.

Relevant Planning History

- 1.4 There are no historical applications that are considered to be relevant to the determination of this application.

2. CONSULTATION AND PUBLICITY

- 2.1 **Neighbour Comments** – This application has been advertised by site notice and neighbour letter resulting in four letters of representation being received. Three of which were from the same representor. The letters of objection raised concerns over:

- Size of development is not in keeping with the street.
- The roofline will be completely out of line with adjoining neighbours.
- Potential overshadowing.
- Converting a two-bedroom bungalow into a 5-bedroom, 6-bathroom house is contrary to both demand and requirement for bungalows within the village.
- Lack of adequate parking provision.
- Potential for a business to be run from the dwelling.
- Increase in overlooking because of the development at first floor level.

- 2.2 **Parish Council** – The Parish Council were consulted on each of the revised schemes and raised a number of concerns over the proposed development. A summary of the concerns is as follows:

'This is basically a redevelopment of a small bungalow in a slightly elevated position into a substantial (now) 4 bed (although the 'dressing room' is a similar size to beds 3 and 4, and the 1st floor accessed roof void room includes a full window - so 5/6 bed?) 2 storey house. Lying amongst and forming part a streetscape of a group of other bungalows.

Housing mix - *The current housing mix in Escrick village is unbalanced and becomes increasingly so when applications to redevelop the occasional small dwelling into a substantial family dwelling means the loss of those smaller dwellings to the wider community.*

Detailed Design - *This proposal, given that it is essentially an increase in height for a massively enlarge footprint of 2m over and above that of the existing dwelling, would be totally out of keeping in the streetscape, overbearing and too large for its plot.*

External amenity - *Adjoining properties would be substantially affected. Neighbours have raised concerns re loss of amenity due to overbearing mass, overshadowing and loss of privacy within their own houses and gardens. Not only will the neighbours in The Glade be affected, but also the managers of Escrick Club live in single storey accommodation to the rear, and the proposed 2 storey 6.4m high dwelling will also overlook and overshadow their accommodation and amenity area, with adverse privacy and overbearing amenity implications.*

Additional Parish Council concerns - *This is another example of what residents are objecting to and why they are supporting the current NDP work. NDP consultation responses have highlighted the demand for a mix of housing in the village, which currently has mainly 4 and 5 bed detached family homes. There is a definite shortage and demand for bungalows to enable residents to stay in the village once they need single storey / smaller homes. Notwithstanding the adverse environmental impact on the streetscape of bungalows which forms its own character in this quiet street, the amenity of neighbours would be severely impacted by the overbearing oppressive nature of the proposals on their living space and private gardens. Whilst a small dormer window extension within the existing roof space would potentially be acceptable, with potentially a small rear single storey garden room extension, the proposals as currently drafted which seek to quadruple the size of the current dwelling are totally unacceptable and must be rejected. Likewise, the bringing into a small cul de sac in a rural village of a business designed to attract visitors is totally inappropriate in the current circumstances and should also be rejected.*

There remain valid concerns regarding danger from cars parking on the roadway (or blocking footpaths), causing reduced visibility and potential accidents. As a quiet cul de sac, children do play within it and this is also a potential hazard.

There are also concerns with regards to running a business from home. We have no concerns re home working and expect that to become the norm for many due to the coronavirus. However, the proposal for an acupuncturist practice or any other similar business that requires visitors to the property expands the potential for unregulated visitors to the property and its surroundings with associated risks.'

2.3 **NYCC Highways** – No objections to the proposal. Recommended conditions relating to verge crossing and a small site construction management plan is attached to any permission granted.

2.4 **Internal Drainage Board** – No objections to the proposal. Recommended a condition relating to drainage is attached to any permission granted.

3 SITE CONSTRAINTS

Constraints

3.1 The application site is located within the defined development limits of Escrick, which is a Designated Service Village 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 took 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 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) Highways
- 5) Flooding

The Principle of the Development

5.2 The application site is located within the defined development limits of Escrick and the application is seeking consent for the erection of a two storey and single storey extension to the rear elevation, two storey side extension, single storey side extension, roof lift and loft conversion, which would include the formation of 2no. dormer windows to the principle elevation. 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.

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 2.8 metres and ridge to a height of 4.6 metres from ground level. The host dwelling benefits from a flat-roofed garage, which is attached to the side elevation and a small flat-roofed extension to the rear.

5.5 The proposed development includes a roof lift to the host dwelling and loft conversion, which would include the erection of 2no. dormer windows to the principal elevation and a cat-slide dormer to the rear elevation. The development would also include the erection of a two-storey and single storey rear extension, a two-storey side extension and a single storey side extension to replace the existing garage.

5.6 The proposed roof lift would increase the ridge height of the bungalow from approximately 4.4 metres to 6.2 metres. The roof lift would include the conversion of the existing attic to form additional living space at first floor level. The roof lift would also include the formation of 2no. dormer windows to the front elevation and a cat slide dormer to the rear elevation. The proposed two-storey extension would have a shallow pitched roof with a ridge height of 6.3 metres and eaves to 5.4 metres. The two-storey extension would project out from the rear elevation of the host dwelling by approximately 3.5 metres. The single storey element of the rear extension would have a flat roof and would extend out from the two-storey extension by an additional 2.5 metres. The two-storey side extension would project out from the south elevation of the host dwelling by 2.8 metres. The extension would have a maximum height of 6.9 metres and would be set back from the principal elevation by approximately 4 metres. The single storey extension to the north elevation would

replace the existing garage with a new garage and store. The proposed extension would have a pitched roof with a ridge height of 5.7 metres. The proposed garage would project out from the side elevation of the host dwelling by 3.2 metres. The store element would have a flat roof and would project out from the rear elevation of the proposed garage by 4 metres.

- 5.7 It is noted that amendments were sought during the application process. The amended plans omitted the proposed treatment room and reception area from the proposed plans and reduced the ridge height of the proposed development by approximately 1 metre. The subsequent revised plans have reduced the height of the two-storey extension by approximately 1 metre and reduced its projection at first floor level by 1.9 metres. The revised plans have also omitted 1no. dormer window from the principal elevation.
- 5.8 In considering the impact the proposed development would have on the character of the local area, it is noted that the neighbouring properties to the north of the application site are relatively uniform in size and scale and are set higher than the dwellings on the opposite side of the highway. The neighbouring dwelling immediately to the south, 1 The Glade, is a two-storey detached dwelling. The dwelling benefits from a corner plot and is set lower than the single-storey dwellings along The Glade, which partly offsets the height difference between the two-storey dwelling and the single-storey dwellings.
- 5.7 The proposed roof lift would raise the overall height of the dwelling by approximately 1.8 metres and would introduce no.2 dormers and 2no. roof lights to the principal elevation of the dwelling. The increase in roof height would result in the dwelling being taller than the dwellings to the north but this would partly be off-set by the adjacent two-storey dwelling, which would be similar in overall height. It is noted that there are examples of roof lights and dormer windows within the street scene. The size, position and number of dormers has been revised during the application process and the amended dormers are considered to be acceptable. The proposed side extensions to the north and to the south elevations would be stepped down by approximately 0.5 metres from the proposed ridge height. The extension to the south elevation would also be stepped back from the principal elevation. Both side extensions would appear subordinate to the host dwelling and would have a limited impact upon the street scene. The extensions to the rear would include the erection of a two-storey extension. The two-storey extension was reduced in length as it was considered that the extension would dominate the host dwelling, when viewing the dwelling from the north. The height and pitch of the roof of the two-storey extension were also reduced to lessen the extension's impact on the street scene. The development to the rear at ground floor level would be obscured by the existing boundary treatments and would not impact upon the street scene.
- 5.8 Having regard to the above, it is considered that, by virtue of its size and scale, the proposal would be visually dominant and would have a significant impact on the character and appearance of the area. As such, the proposals fail to comply with policy SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan and the advice contained within the NPPF.
- 5.9 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 Policy ENV1 of the Selby District Local Plan and the advice contained within the NPPF.

Impact on Residential Amenity

- 5.9 The key considerations in respect of residential amenity are considered to be the potential of the proposal to result in overlooking of neighbouring properties, overshadowing of neighbouring properties and whether oppression would occur from the size, scale and massing of the development proposed.
- 5.10 With regards to overlooking, it is noted that the occupier of 29 The Glade raised concerns over potential overlooking. The proposed development would introduce 2no dormer windows at first floor level to the principal elevation and 5no openings at first floor level to the rear. The openings to the principal elevation would face towards the highway and the garden area of 29 The Glade. The separation distance between the openings and the garden area would be approximately 21 metres and as such it is not considered that the openings to the principal elevation would have detrimental impact on overlooking. The openings to the rear would face out towards the rear garden of the host dwelling and would only provide limited potential for overlooking.
- 5.11 With regards to overshadowing and oppression, the proposed development would bring the dwelling closer to the shared boundary with no.1 The Glade. However, during the site visit it was noted that the shared boundary benefitted from mature tree planting, which would partly offset any potential for overshadowing. The two-storey extension would be set away from no.3 so would have limited impact on the property. However, it is considered that the increase in roof height would have some impact upon the occupiers of no.3 The Glade.
- 5.12 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.

Highways

- 5.13 The proposed development initially included replacing the existing garage with a treatment room and increasing the number of bedrooms at the property. The Highways Officer was consulted and raised concerns over parking provision and the proposed business use at the dwelling. The amended plans submitted, replaced the treatment room with a garage and, as such would provide 3no parking spaces on site, which would comply with NYCC parking standards for a 4no bedroom dwelling.
- 5.14 The proposals are therefore considered to be acceptable as they would not result in any impact on highway safety and are in accordance with Policies ENV1, T1 and T2 of the Local Plan.

Flooding

- 5.15 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.

- 5.16 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.
- 5.17 A 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.

H.CON.05.20.02E	Proposed Plans and Elevations Dated	09/10/2020
H.CON.05.20.01	Existing Plans and Elevations Dated	05/05/2020

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.

04. The development must not be brought into use until the access to the site at The Glade has been set out and constructed in accordance with the "Specification

for Housing and Industrial Estate Roads and Private Street Works" published by the Local Highway Authority and the following requirements: The existing access must be extended to give a minimum carriageway width of 4.5metres, and that part of the access road extending 6 metres into the site must be constructed in accordance with Standard Detail number E50 and the following requirements. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway and must be maintained thereafter to prevent such discharges. All works must accord with the approved details.

Reason:

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

05. No development approved by this permission shall be commenced until the Local Planning Authority, in consultation with Ouse & Derwent Internal Drainage Board, has approved a Scheme for the provision of surface water drainage works. Any such Scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use. The following criteria should be considered:

- The suitability of soakaways, as a means of surface water disposal, should first be ascertained in accordance with BRE Digest 365 or other approved methodology.
- If soakaways are not feasible, then the Board may consider a proposal to discharge surface water to a watercourse (directly or indirectly).
- For the redevelopment of a brownfield site, the applicant should first establish the extent of any existing discharge to that watercourse.
- Peak run-off from a brownfield site should be attenuated to 70% of any existing discharge rate (existing rate taken as 140lit/sec/ha or the established rate whichever is the lesser for the connected impermeable area).
- Discharge from "greenfield sites" taken as 1.4 lit/sec/ha (1:1yr storm).
- Storage volume should accommodate a 1:30 year event with no surface flooding and no overland discharge off the site in a 1:100yr event.
- A 30% allowance for climate change should be included in all calculations.
- A range of durations should be used to establish the worst-case scenario.

Reason:

To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding.

INFORMATIVES:

Highways Informative:

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:

<https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20street>

[s/Roads%2C%20highways%20and%20pavements/Specification for housing in d est roads street works 2nd edi.pdf](#)

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

Drainage Informative:

Under the Board's Byelaws the written consent of the Board is required prior to any discharge (directly or indirectly) into any watercourse within the Board's District. The Board's comments have been made following consideration of the information provided by the applicant through the Planning Authority. Should these details change the Board would wish to be re-consulted.

8 Legal Issues

8.1 Planning Acts

This application has been determined in accordance with the relevant planning acts.

8.2 Human Rights Act 1998

It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

8.3 Equality Act 2010

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However, it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

9 Financial Issues

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

10 Background Documents

Planning Application file reference 2020/0449/HPA and associated documents

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Appendices: None