



**Report Reference Number:** 2021/0081/HPA

**To:** Planning Committee  
**Date:** 19 May 2021  
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**Lead Officer:** Ruth Hardingham (Planning Development Manager)

|                     |  |                             |                                      |
|---------------------|--|-----------------------------|--------------------------------------|
| APPLICATION NUMBER: | 2021/0081/HPA  | PARISH:                     | Escrick Parish Council               |
| APPLICANT:          | Mr Milton Thomas   | VALID DATE:<br>EXPIRY DATE: | 29th January 2021<br>26th March 2021 |
| PROPOSAL:           | Erection of rear/side extensions to existing detached bungalow and garage and internal alterations to create additional living accommodation |                             |                                      |
| LOCATION:           | 2 The Glade<br>Escrick<br>York<br>YO19 6JH   |                             |                                      |
| RECOMMENDATION:     | GRANT  |                             |                                      |

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

## 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.
- 1.3 The application is a resubmission of 2020/0449/HPA, that was overturned and refused at Planning Committee on 23rd December 2020. The refused scheme included the lifting of the existing roof, loft conversion and installation of 2no. dormers to the front elevation and the erection of a two-storey extension to the side

and rear elevations. These elements of the proposal have subsequently been omitted from the current proposal.

## **The Proposal**

- 1.4 The application is seeking permission for the erection of a single storey side and rear extension. During the application process, two sets of amended plans were submitted. The revisions to the scheme have removed the enclosed bin store area, reconfigured the 'storage' room to the rear of the garage and increased the size of bedroom 2 and the shared bathroom.

## **Relevant Planning History**

- 1.5 The following historical applications are considered to be relevant to the determination of this application.

2020/0449/HPA (REF – 23/12/2020) Erection of two storey rear and side extension, single storey side extension, roof lift and loft conversion to create additional living accommodation and the erection of 2no. dormers to the front elevation. Refused for the following reasons:

*01. The proposed development, by virtue of its size, scale and design, would: be visually dominant; a disproportionate addition to the host dwelling: and would lead to overdevelopment of the application site. This would have a significant and negative impact on the character and appearance of the area. The proposal would therefore be contrary to Policy ENV1 of the Selby District Local Plan, Policy SP19 of the Core Strategy and the advice contained within Section 12 of the NPPF.*

*02. The extent of the alternations would turn a small 2 bed bungalow into a large 4 bed two storey dwelling. This would negatively affect the housing mix in the settlement where the demand for small single storey dwellings is not matched by the limited supply. The proposal is, therefore, contrary to Policy SP8 of the Core Strategy, which requires that all proposals for housing must contribute to the creation of mixed communities by ensuring that the types and sizes of dwellings provided reflect the demand and profile of households.*

## **2. CONSULTATION AND PUBLICITY**

- 2.1 **Neighbour Comments** – This application has been advertised by site notice resulting in no letters of representation being received.
- 2.2 **Parish Council** - No objections to the amended plans received on 8th March 2021 (revision J).
- 2.3 **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. Consultation on preferred options took place in early 2021. 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) 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 single storey side and rear extension. 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.

5.3 The proposal also seeks to maintain the bungalow's current height and overall single storey form, with no first-floor extension like previously applied for. This overcomes the second reason for refusal on application 2020/0449/HPA, where the concern was that the first-floor extension would negatively affect the housing mix in the settlement, i.e., the demand for small single storey dwellings is not matched by the limited supply.

### **Design and impact on the character and appearance of the area**

5.4 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.

5.5 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.

5.6 The proposed development would include the erection of a single storey side and rear extension. The proposed development would comprise of an extension with a pitched roof and flat roof. The pitched roof would have a ridge line and eaves to match the host dwelling. The flat roof extension would have a maximum height of 2.8 metres. The proposed extension would project out from the rear elevation of the host dwelling by a maximum of 6.3 metres. The proposed extension would span the full width of the rear elevation and would extend beyond the existing side (south) elevation of the host dwelling, by an additional 3 metres.

5.7 In considering the impact the proposed development would have on the character of the local area, the proposed extension would predominantly be to the rear

elevation and would not be visible from the highway or within the street scene. The flat roofed extension, which would project out beyond the existing south elevation would be visible from the main highway, but would be well set-back and would appear subordinate to the host dwelling. The proposal is also considered to overcome the planning committee's previous concerns of the former proposal that was regarded as being visually dominant; a disproportionate addition to the host dwelling: and would lead to overdevelopment of the application site. This revised proposal is much more subordinate in terms of its scale and impact on the wider street scene.

- 5.8 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, the proposed development would introduce several additional openings to the side and rear elevations at ground floor level. However, any potential for overlooking would be mitigated by the existing boundary treatments, which consist of a close boarded timber fence and a mature Leylandii hedge.
- 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 offset any potential for overshadowing. The proposed development would include extending the flat roofed garage, which would bring the dwelling closer to the shared boundary with no. 3 The Glade. However, any increase in overshadowing would be largely off-set by the existing close boarded fence boundary treatment.
- 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.

### **Flooding**

- 5.13 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.
- 5.14 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.

- 5.15 An 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.05.20.02J | Proposed Plans and Elevations | Dated 05/03/2021 |
| H.CON.05.20.01B | Existing Plans and Elevations | Dated 22/01/2021 |

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. 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).o Storage volume should accommodate a 1:30 yr 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.

05. The development shall be carried out in accordance with the flood mitigation measures as set out in the Flood Risk Assessment submitted with the application received by the Local Planning Authority on 29<sup>th</sup> January 2021.

Reason:

In the interests of flood risk and flood risk reduction and in order to comply with the advice contained within the NPPF and NPPG.

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 **2021/0081/HPA** and associated documents.

**Contact Officer:** Jac Cruickshank (Planning Officer)

**Appendices:** None