



Report Reference Number: 2018/1170/FUL

To: Planning Committee
Date: 10 July 2019
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Lead Officer: Ruth Hardingham (Lead Officer – Planning)

APPLICATION NUMBER:	2018/1170/FUL	PARISH:	Barlby And Osgodby Town Council
APPLICANT:	Mr Tom Richardson	VALID DATE: EXPIRY DATE:	18th October 2018 13th December 2018
PROPOSAL:	Proposed front and rear single storey extensions, raising of roof, changes to external fenestration and facade treatment.		
LOCATION:	Rosegarth York Road Barlby Selby North Yorkshire YO8 5JP		
RECOMMENDATION:	GRANT		

This application has been brought before Planning Committee because the application has it has been called into Committee on the basis of (i) overdevelopment of the site. (ii) Public complaints and (iii) Loss of amenity to surrounding bungalows. Furthermore, at least 10 letters of representation have been received which raise material planning considerations and Officers would otherwise determine the application contrary to these representations.

1. Introduction and background

1.1 The Site

The application site is located within the defined development limits of Barlby, which is a Designated Service Village as identified in the Core Strategy.

1.2 The proposal

The proposal is for the erection of a 2 storey extension to the front and rear of the existing dwelling, raising the roof height and alterations to the fenestration.

1.3 Planning History

- 1.4 The following historical applications are considered to be relevant to the determination of this application.
- 1.5 A Householder application (reference: 2018/1048/HPA) for the erection of front and rear extension was withdrawn on 01 October 2018.
- 1.6 An outline application (reference CO/1976/04163) for the erection of a bungalow was approved on 30 June 1976.
- 1.7 A reserved matters application (CO/1977/04164) for details of detached bungalow was approved on 02 February 1977.

2 Consultations and Publicity

All immediate neighbours were informed by letter, a site notice has been erected and statutory consultees notified.

- 2.1 **Parish Council** – Objects to the proposal due to it being considered to be an over development of the site, being out of character with the area and has inadequate on-site parking
- 2.2 **NYCC Highways** – No objections
- 2.3 **The Ouse & Derwent Internal Drainage Board** – No objections
- 2.4 **Public Rights Of Way Officer** – No objections and Informative attached.
- 2.5 **Yorkshire Water Services Ltd** – No objections
- 2.6 **Neighbour Summary** – All immediate neighbours were informed by neighbour notification letter and a site notice was erected. Ten letters of objection have been received as a result of this advertisement with concerns raised in respect of: (1) the proposal is out of character; (2) impact on overlooking and loss of privacy; (3) potential for loss of light; (4) increase in size and scale leading to over development of the site; (5) impact the proposal would have on parking; (6) impact the proposal would have on tree planting and boundary treatments,

3. Site constraints and Policy Context

Constraints

- 3.1 There are no relevant constraints for the site.

National Guidance and Policy – National Planning Policy Framework (NPPF), National Planning Practice Guide (NPPG)

- 3.2 The National Planning Policy Framework (February 2019) replaces the July 2018 NPPF, first published in March 2012. The Framework does not change the status of an up to date development plan and where an 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.

- 3.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that *"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. 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.

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

- 3.4 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

- 3.5 The relevant Selby District Local Plan Policies are:

ENV1 - Control of Development

4. Appraisal

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

- The Principle of the Development
- Design and Impact on the Character and Appearance of the Area
- Impact on Residential Amenity
- Impact on Highway Safety
- Other Issues

Principle of Development

- 4.2 The application site is located within the defined development limits of Barlby, which is a Designated Service Village as identified in the Core Strategy. The proposal is for the erection of a 2 storey extension to the front and rear of the existing dwelling, raising the roof height and alterations to the fenestration. There is nothing in the Development Plan or 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

- 4.3 The application site comprises of a detached single-storey dwelling which has a garden area to the front and rear of the property. The dwelling is located on a track off York Road and Northfield. The local area is predominantly residential in nature and consists of a mix of single-storey and two-storey dwellings of various styles and design, many of which have benefitted from extensions.
- 4.4 The host dwelling measures approximately 11.7 metres in width and 7.9 metres in width. The dwelling has a pitched roof with eaves to a maximum height of 2.5 metres and ridge to a maximum height of 5.5 metres from ground level and includes a detached garage located to the north of the dwelling.
- 4.5 The proposal as submitted included 2no. extensions which would be attached to the front and rear elevations of the existing dwelling. This included raising the roof height with the eaves height measuring 3.3 metres and ridge height measuring 6.4 metres from ground level. The proposed extensions would increase the overall length of the dwelling to approximately 20 metres with the width remaining unchanged. The proposal includes the formation of a gabled entrance, which would measure approximately 5.5 metres to the ridge, and various alterations to the fenestration, including the installation of 4no. dormer windows and 2no. roof lights to the north elevation and 3no. dormer windows and 4no. roof lights to the south elevation. The dwelling would be finished in render.
- 4.6 After concerns raised by neighbours with regards to the size of the development and the potential for overlooking, amended plans were sought. The amended plans reduced the overall height of the dwelling to 6.2 metres with eaves measuring approximately 3 metres from ground level. The height of the gabled entrance would measure approximately 4.5 metres and the dormer windows to the south elevation have been replaced by 10no. roof lights, which would all be a minimum of 2 metres above first floor level.
- 4.7 The proposed extensions and alterations to the original dwelling would be clearly visible within the immediate vicinity though they would be obscured from the main highway of York Road and from Northfield. The proposals would increase the height of the existing dwelling by approximately 0.7 metres. However, it is noted that the adjacent dwellings to the application site are two-storey dwellings, bungalows or dormer bungalows. As such, it is considered that the scale of the dwelling in this context is acceptable. The proposed extensions would increase the length of the dwelling by approximately 8.3 metres. However the increased length will only be seen at an oblique angle, and from a limited viewpoint. As such, it is not considered that it will have a significant adverse impact on the existing character of the streetscene. With regards to the render finish, it is noted that the majority of dwellings in the local area are red brick. However, there are examples of dwellings benefitting from a render finish within the local area and as such it is considered that a rendered finish would be acceptable.
- 4.8 Having regard to the above, it is considered that the proposal is acceptable and would not have a significant or detrimental impact on the character and appearance of the area. The proposal is therefore considered acceptable in accordance with Policy ENV1 of the Selby District Local Plan, Policy SP19 of the Core Strategy and the advice contained within the NPPF.

Impact on Residential Amenity

- 4.9 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.
- 4.10 With regards to overlooking, the initial plans showed the installation of dormers to both the north and south elevations. The inclusion of dormer windows to the south elevation would have had a detrimental impact on the residential amenity of the adjacent property. Amended plans were sought and the dormers to the south elevation were replaced with roof lights, which would all be a minimum of 2 metres above first floor level, and as such would not provide potential for overlooking. The dormers on the north elevation would increase the potential for overlooking compared to the existing dwelling. However, the separation distance of the dwelling from property to the north is approximately 22 metres. This is within normally accepted tolerances. The distance from the dwelling to the north-west is 16 metres; however the dormers are at an oblique angle and would therefore have limited potential for overlooking. It is not considered that the potential of overlooking would therefore be significant due to the orientation of the adjacent properties and the separation distances between the application dwelling and the neighbouring properties.
- 4.11 With regards to overshadowing, the height of the existing dwelling would be increased by approximately 0.7 metres. The application site benefits from a moderately sized plot, which is irregular in shape, measuring approximately 45 metres in length and a maximum of 20 metres in width. Due to the orientation of the dwelling in relation to the adjacent property, Norfolk House, it is not considered that the proposals would lead to overshadowing. It is also considered that due to the separation distance between the dwelling and the neighbouring dwellings to the north, and north west of the site, and the scale of the dwelling as extended the development would not have a significant adverse impact on their existing amenities by virtue of increased overshadowing or the feeling of oppression.
- 4.12 Having regard to the above, it is considered that the proposals are acceptable in terms of residential amenity in accordance with Policy ENV1 (1) of the Selby District Local Plan and the advice contained within the NPPF.

Impact on Highway Safety

- 4.13 NYCC Highways have reviewed the application and have raised no objections to the application nor have they requested any conditions be added to the consent. Furthermore, the proposed development would include the provision of three parking spaces which accords with the Highway Authority's guidelines for parking spaces. As such, it is considered that the proposal would not lead to adverse highway conditions in this locality. As such, the proposal is considered to accord with Policies ENV1 (2) of the Local Plan and Paragraphs 34, 35 and 39 of the NPPF.

Other matters

- 4.14 Objections were received with regards to the proposed boundary treatments, which includes the replacement of the existing 1.1 metre high picket fence along part of the north boundary with a 1.9 metre high timber fence, which would match the

existing 1.9 metre high timber fence. The timber fence would fall within Schedule 2 Part 2 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 and as such the proposed boundary fence is considered to be acceptable and a condition would not be required for the approval of the fence.

5.0 Conclusion

5.1 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 significant 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.

6.0 Recommendation

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

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

Drawing No. TRO01/1 Rev A	Existing and Proposed Floor Plans	Dated 28/01/19
Drawing No. TRO01/2 Rev A	Existing and Proposed Elevations	Dated 28/01/19
Drawing No. TRO01/3 Rev A	Existing and Proposed Layout	Dated 28/01/19

Reason:

For the avoidance of doubt.

02. No development above foundation level shall commence until details of the colour and texture of the render of the proposed development have been submitted to and approved in writing by the Local Planning Authority, and only the approved materials shall be utilised.

Reason:

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

7. Legal Issues

7.1 Planning Acts

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

7.2 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.

7.3 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.

8. Financial Issues

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

9. Background Documents

Planning Application file reference 2018/1170/FUL and associated documents.

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Appendices: None