

Parish: Romanby
Ward: Romanby
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Committee date: 23 August 2018
Officer dealing: Mrs T Price
Target date: 30 August 2018

18/00875/FUL

Construction of a detached dwellinghouse and creation of a driveway, new access and verge crossing

**At land to the rear of 60 Boroughbridge Road, Romanby
For Mr & Mrs D Hartley**

This application is referred to Planning Committee at the request of a member of the Council

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site forms part of a large rear garden to a detached two storey house at 60 Boroughbridge Road. The house is set back approximately 25 metres from the road. There is a detached garage, set back from the house. To the rear, the garden extends back approximately 44 metres, and is 24 metres wide. The rearmost part of the garden (approximately 9 metres) is raised approximately 40 cm higher than the main part and extends beyond the prevailing boundary line between dwellings on Boroughbridge Road and Newsham Way. The boundary to the rear garden is hedged and has two fairly mature trees on the south boundary, towards the southwest corner. One is a conifer, and one a silver birch.
- 1.2 Number 58, to the north, is a detached bungalow with a detached garage and workshop located close to the boundary with number 60. To the south, number 62 is a two storey dwelling, which also has a garage on the boundary with number 60. Numbers 58 and 62 have similarly proportioned large plots.
- 1.3 To the west, 34 and 38 Newsham Way each have a side garden along the road frontage, immediately to the rear of the application site, and rear gardens that wrap around the north and south of the site. Number 34 is an extended bungalow with dormers front and rear. It has a garage along the western boundary of the application site. Number 38 is a semi-detached bungalow and has a flat roofed addition at the rear (eastern) side.
- 1.4 The proposal seeks full planning permission for the construction of a detached, three bedroomed dwelling with a footprint of 10.4m x 9.5m at the foot of the garden and between the prevailing building lines on Boroughbridge Road and Newsham Way. Number 60 would retain a back garden approximately 25m deep and an access drive with a passing place to serve the new dwelling would be created on the boundary with number 62 and forming a new access to Boroughbridge Road. The dwelling would have a gable to the front (east) elevation with an internal garage. The principal windows to the first floor habitable rooms would be located to the front and rear (east and west) elevations with roof lights located on the side elevations (north and south). A Juliet balcony would be included in the upper floor of the east elevation. Photovoltaic solar panels would be located on the southern roof-slope. Materials would include facing brickwork plinth and dentil course to eaves level with a smooth coat rendering to the walls; a concrete tiled roof and grey aluminium windows.
- 1.5 Hedges and mature trees are shown as being retained, with crown lifting as required. A new 2m timber close boarded fence would surround the new property with the boundary to the front of the site lowered to 1.5m high.

- 1.6 Amended plans have moved the footprint of the proposed dwelling eastwards by 1.2m at the request of the occupiers of a neighbouring property. An amended site location plan has also been submitted, to acknowledge a recently completed extension to 34 Newsham Way.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 13/00777/OUT - Outline application for the construction of a detached dwelling; Withdrawn 4 September 2013.
- 2.2 13/02047/OUT - Revised outline application for the construction of a detached dwelling with attached garage; Withdrawn 15 April 2015.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 – Access
Core Strategy Policy CP4 – Settlement Hierarchy
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP1 - Protecting amenity
Development Policies DP8 Development Limits
Development Policies DP32 - General design
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Parish Council – No observations.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Yorkshire Water – no response
- 4.4 Public comments - Three representations have been received and can be briefly summarised below:
- The western end of the application site protrudes into the domestic curtilages of 34 and 38 Newsham Way. This proposed dwelling would be close to the common boundaries and be overbearing and invasive;
 - Whilst the property is described as a "dormer bungalow" the main part of the proposed dwelling is almost in line with a conventional house in terms of ridge height, which in such close proximity will have an overbearing effect;
 - Two large windows proposed in the first floor of the west gable end will facilitate views into private garden spaces and result in a severe loss of privacy;
 - The Juliet balcony will cause loss of privacy to the rear garden of 62 Boroughbridge Road.
 - Traffic using the new driveway will create noise and disturbance; and
 - There was a lack of pre-application consultation with neighbours.

5.0 OBSERVATIONS

- 5.1 The site is within the Development Limits of a Service Centre where the principle of further residential development is acceptable under Local Development Framework policies CP4 and DP8. The main issues to be considered are therefore whether the site is capable of accommodating the dwelling proposed without harm to (i) the form

and character of the area; (ii) the amenities of neighbouring occupiers or residents of the proposed dwelling; or (iii) highway safety.

Form and character

- 5.2 Not all sites in sustainable locations are suitable for development and consideration must be given to the layout and design and the potential impact of a proposal on features of acknowledged importance such as the form and character of the surrounding area. LDF Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space. Development behind or between prevailing building lines is not always unacceptable and in this instance the proposed dwelling would not follow the linear form of development on both Boroughbridge Road and Newsham Way, where the greater majority of properties have a direct frontage onto the highway. The development would result in the dwelling being positioned directly to the rear of 60 Boroughbridge Road and the dwellings on Newsham Way resulting in a second row of development. This would be out of context with its surroundings and, as a result, would be an incongruous addition that would form part of neither the street-scene to front or rear, with the dwelling being landlocked.
- 5.3 The proposal is therefore not considered to respect the character of the local area and would result in a form of development that would have a detrimental impact on its surroundings contrary to the requirements of the LDF Policies CP17 and DP32.
- 5.4 One of Hambleton's strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is "To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character."
- 5.5 The National Planning Policy Framework supports this approach and, at paragraph 130, states that planning 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.
- 5.6 The area is characterised by a mix of house types and designs; of larger detached or semi-detached properties. The dwelling would incorporate a pitched roof with glazing features to the east and west elevation which is a common detail on this side of Boroughbridge Road. It is considered that the scale, form and detailed design of the dwelling is appropriate to the surrounding area and would meet the policy requirements of the LDF.

Neighbour amenity

- 5.7 With regard to the amenities of occupiers at Newsham Way, the details show the main orientation of the dwelling would be east-west, towards the existing house and Newsham Way. There would not be a direct line of sight towards the windows of neighbouring properties on Newsham Way. There is potential for any gable windows to overlook neighbouring gardens. However roof lights have been incorporated into the design to ensure this would not occur, providing they are located sufficiently high above the floor level of the room in which they are situated.
- 5.8 The existing rear boundary of 60 Boroughbridge Road penetrates close (approximately 1 metre) to the south east corner of 38 Newsham Way. The side window to the existing extension at 38 Newsham Way is screened by a mature beech hedge approximately two metres high, and would preclude any direct outlook towards

the new dwelling. From east facing windows at 38 Newsham Way, the proposed dwelling would be viewed at an angle and would be offset from the boundary by approximately 5.6m. Plans show that taking into account the lowering of the ground down to the lower level of the existing garden, the eaves level of the new dwelling is similar to that at 38 Newsham Way.

- 5.9 With regard to 34 Newsham Way, the proposed dwelling would be to the north of the boundary, where it would not affect sunlight reaching the garden. The retention of trees on the south west side would help soften the impact and minimise any overlooking between 34 Newsham Way and the proposed dwelling. Retained hedges would help to screen the outlook from ground floor windows and the garden.
- 5.10 The proposed layout shows a distance of 25m to the facing elevation of 60 Boroughbridge Road and subject to appropriate screening (details of which could be secured by condition) it would not lead to an unacceptable loss of privacy. At 25m distance, a window could reasonably face the existing two storey dwelling without causing unacceptable harm to mutual amenities. The view from the proposed dwelling towards neighbouring properties on Boroughbridge Road would be angled, and would be similar in effect to the general overlooking that might normally be expected between houses in a built up residential area.
- 5.11 The Juliet balcony in the proposed the east elevation is not considered to have a direct line of view into the gardens of 58 or 62 Boroughbridge Road and would therefore not compromise privacy or amenity issues. The balcony window does look directly onto the rear of No 60 Boroughbridge Road although the window to window separation distance is 25m and as such will not result in a loss of privacy to the rear windows of No 60. The balcony window is approximately 8m from the boundary with 60 Boroughbridge Road resulting in a minor loss of privacy to the garden ground adjacent. The remaining garden ground with No 60 is still relatively large and the loss of privacy will impact only a small area of the garden. It is considered that this minimal impact is not in itself sufficient justification to warrant a recommendation for refusal. With regard to the access the proposed driveway would run parallel to the driveway of 62 Boroughbridge Road for approximately two thirds of its length, then passing the garage of number 62. It is therefore not considered that the use of the access for a single dwelling would adversely affect the amenity of the adjacent residents at number 62.

Highway safety

- 5.12 The proposed site layout would provide off-street parking and space for turning. No objections have been raised by the Highway Authority and this aspect is therefore considered satisfactory.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reason:
1. All new development should be of a scale appropriate to the size and form of its setting. It is considered that the proposal, by reasons of the backland site location, is out of context and character with the surroundings. The proposal therefore fails to respect the character of the local area and would result in a form of development that would have a detrimental impact on the surroundings, contrary to the high quality design principles of LDF Policies CP17 and DP32.