

COMMITTEE REPORT

Date: 26 April 2012 **Ward:** Osbaldwick
Team: Major and **Parish:** Osbaldwick Parish
 Commercial Team Council

Reference: 12/00242/REMM
Application at: Land Lying To The West Of Metcalfe Lane Osbaldwick York
For: Reserved matters application for details of siting, design and external appearance of 123 dwellings (phase 2) granted under outline permission 03/02709/OUT
By: Joseph Rowntree Housing Trust
Application Type: Major Reserved Matters Application (13w)
Target Date: 30 April 2012
Recommendation: Approve

1.0 PROPOSAL

SUMMARY

1.1 This application seeks reserved matters approval for the second phase of the larger residential development by Joseph Rowntree Housing Trust on land west of Metcalfe lane, Osbaldwick, referred to as 'Derwenthorpe'. It covers the siting, design and external appearance of Neighbourhood C, located in the south-west quadrant of the site and accessed from Temple Avenue. The application has been publicised and the comments received taken into consideration. Revisions have been made to the scheme in light of the responses. The application is considered to be in compliance with the outline planning permission. As such, it is recommended for approval subject to conditions. Committee to visit.

SITE HISTORY

1.2 Outline planning permission (ref. 03/02709/OUTM) was granted by the Secretary of State in May 2007 for a residential scheme of approximately 540 dwellings on land to the west of Metcalfe Lane, Osbaldwick. Means of access and the general landscaping structure were approved as part of the outline consent. The general layout of the development, its division into four neighbourhoods each with its own individual vehicular access point, the size and shape of these neighbourhoods and the approximate number of dwellings within each one, along with the general location of public open space, were established through an illustrative Masterplan and design documents submitted in support of the outline planning application.

1.3 As part of this planning consent, the developer was required to submit details for approval of the following reserved matters not considered at the outline planning stage: siting, design, external appearance and landscaping. Conditions 2 and 4 of

the outline planning permission set out the requirements for these reserved matters applications. Condition 2 stipulates that such reserved matters applications shall comply with Lifetime Homes standards and the general design principles set out in the Design Code and Design Guide documents that were submitted on 1 August 2003 as part of the application and amended by the Illustrative Masterplan dated July 2004.

1.4 Phase 1 of the development (Neighbourhood D), accessed from Osbaldwick Village, was granted reserved matters approval in 2008 and is currently under construction (ref. 07/02789/REMM). It included a 'Village Green Area' with drainage ponds and equipped play areas to the west of the 64 dwellings. A number of applications will be submitted to cover the remaining reserved matters for each phase of the development.

PROPOSAL

1.5 The application currently under consideration seeks consent for siting, design and external appearance for the second phase of the development, being the south-west neighbourhood of the site accessed via Temple Avenue (referred to as Neighbourhood C in the outline approval). It is bounded on the north and east by Neighbourhoods A and D beyond areas of planned public open space, to the south by Osbaldwick Beck and to the west by the housing estate accessed off Temple Avenue. Two prototype houses were given full planning approval in 2007 and have been completed - these are located at the end of Temple Avenue at its junction with the application site and face the street on either side of it.

1.6 A phasing scheme was submitted at the same time as the reserved matters application for Phase 1. It confirmed that the second phase of the development would be Neighbourhood C. This phase includes ancillary works relating to the laying out of the water bodies within the area of open space to the south of the housing in this neighbourhood and the laying out of the crescent park to the north of the housing. These areas are shown on the plans, but the details are not submitted for approval under this reserved matters application. A subsequent reserved matters application for the landscaping of the land around Neighbourhood C as well as the planting within the neighbourhood itself will be submitted for separate approval.

1.7 The application is accompanied by a Supporting Statement, Statement of Crime Prevention Measures (as required by Condition 10 of the outline planning approval), Lighting Design Proposal and a Landscape Principles report (noted as being illustrative). The Supporting Statement outlines the design philosophy of the scheme and the consideration that was given to key matters as part of the detailed design. It confirms that all of the Phase 2 houses have been designed to the Joseph Rowntree Foundation Lifetime Homes standard, with two being wheelchair accessible dwellings.

1.8 There are 123 dwellings proposed as part of this reserved matters application, laid out around a circular outer road and internal cruciform street pattern. There are seventeen house types arranged in a mix of terraced, semi-detached and detached properties. The houses have accommodation on three floors with the exception of house type C (1 and 4), which are two storey. House type C4, of which there are two, is a wheelchair accessible home. Of the remaining properties that have accommodation on three floors, the design of house types A, B, G and H are such that the third floor is within the roof space (ridge heights 10.8m, 9.95m, 11.4m and 10.45m respectively), whereas house types G and J are three storey (ridge heights 12.35m and 13.05m respectively). The eaves height of the two storey properties is approximately 5.7m regardless of whether the house type has accommodation within the roof space. That of the three storey properties is approximately 8m. The house types are of a contemporary design, with a palette of red brick, painted brick and stone external facing materials and projecting timber window surrounds and dormer features. Some of the properties have garages, which are either individual or in short runs and are to be red brick with plain clay tiles to the roof. All properties have a parking space, whether within a garage, parking court, in-curtilage or on-street. Visitor parking spaces and two car club spaces are accommodate within the neighbourhood. Two Local Areas of Play are shown on the plans, one in the central square and one adjacent to the Sustrans cycle track.

1.9 Revisions have been made to the scheme since it was submitted, which involved:

1. Changes to the roadway design changes of the outer circular road, layout of the central square and entrance arrangements to the east-west internal road;
2. Parking provision changes to the layout of parking courts, allocation of on-street vehicle parking spaces, provision of car club spaces and incorporation of parking spaces in-curtilage;
3. Repositioning of plots 62-69 to allow a 9m separation distance between the site boundary and plot 62 in order to take account of a mature Oak tree; and
4. Revised drawings for House Types B3 and B4 to correct reference to plot numbers on drawings.

The proposal description has also been changed to take account of the reserved matters referred to in the relevant outline planning permission condition.

ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

1.10 As part of the amendment to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, a request for a scoping opinion was sought on behalf of the applicant in July 2011 (ref. 11/01988/EIASP). This considered whether any further information to the original Environmental Statement was required by the Local Planning Authority in order that the environmental information before it was adequate to assess the environmental effects of the development. The Local Planning Authority gave its opinion in August 2011 confirming that with

regards the various topics of the Environmental Statement, no further information was required.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Osbaldwick CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

Schools GMS Constraints: St. Aelred's RC Primary 0223

2.2 Policies:

CYGP1 - Design

CYGP3 - Planning against crime

CYGP4A -Sustainability

CYNE1 -Trees, woodlands, hedgerows

CYNE6- Species protected by law

CYNE7 - Habitat protection and creation

CYT4- Cycle parking standards

3.0 CONSULTATIONS

PUBLICITY

3.1 The application was publicised by means of a press advert, the posting of two site notices at entrance to the site on Temple Avenue and the Sustrans cycle track and letters to local residents and Osbaldwick Parish Council. Consultation has taken place with internal and external consultees, giving until the 5 March 2012 for comments to be made. A further consultation was undertaken with CYC Network Management and Environment and Conservation, the Police and Osbaldwick Parish Council as a result of minor revisions to the scheme. This period expired on 6 April 2012. The following comments have been received.

INTERNAL

3.2 Highway Network Management

The detail submitted in the application accords with the principles set out in the outline application for the site. As all issues relating to traffic generation and off site highway works were secured and addressed at the outline application stage all that is being considered is the detailed design of the scheme.

Much of the highway layout is based around 'Home Zone' principles where the road space is shared amongst users and as such does not have a formal kerbed carriageway/footway construction. The highway has been designed to restrain vehicle speeds through a variety of recognised measures including the use of planting in the highway, varying the width of the highway and restricting forward visibility.

The outer perimeter track varies in width with localised narrowing's restricting traffic flow to one-way. This route will serve the majority of residences. The main Avenue through the scheme is a secondary route with greater emphasis on use of the area as a public space with design measures to discourage high levels of traffic or its use as a throughfare.

Car parking is in accordance with CYC Annex E maximum standards with the layout being carefully designed to create areas of managed on-street parking whilst avoiding the potential for indiscriminate parking to occur.

Refuse collection will be a mixture of kerbside collection and pick up from dedicated bin drop off points. Vehicle swept paths have demonstrated that refuse vehicles can successfully traverse the site.

3.3 Environment and Conservation (Landscape Architect)

The layout has been altered slightly to accommodate a neighbouring, attractive, mature Oak, of excellent form, in the rear gardens of Coniston Drive. The exact site boundary is difficult to visually ascertain on site; and the illustrated location and size of the tree has not been recently measured and checked. The closest proposed unit is shown at a distance of 9m from the boundary, which is probably okay, but an accurate plotting of unit 62 would be necessary in order to be certain of compatibility between the two.

The first 8 units, in the northwest corner, back onto the Sustrans route, rather than face it. However this is along a fairly limited length. The remaining two thirds of the development frontage then opens up to the cycle route and wider open space. Nonetheless the detailing of the rear garden boundary at the top of the bank will need suitable attention to provide a pleasant, yet secure, uniform, green boundary. Also, a number of existing attractive Hawthorns appear to be located on the

proposed fence line. These should be retained and accommodated to perpetuate the natural character of this green corridor.

The overall scheme pays attention to home zone principles; it incorporates a range of good paving materials, and accommodates a high number of narrow street trees (approximately one tree per two parking spaces) and small trees within rear and front gardens, plus a large central feature tree in the LAP, all of which will make a substantial contribution to the integral amenity of the development.

The application is accompanied by an illustrative landscape masterplan (ref: LA/WS/L/-/90/01 Rev. A). This includes a suggestion of tree species. These details will be secured through a subsequent reserved matters application. The latter should also address subtle measures such as planting to deter parking on the grass verges around the southern, curved perimeter.

Request for conditions to cover boundary treatments and protection of the neighbouring Oak tree and other trees worth retaining along the top of the bank.

3.4 Environmental Protection Unit

At outline planning permission (03/02709/OUT) stage a number of conditions were placed on the planning inspectorate approval in relation to environmental matters (hours of working, environmental management scheme and contamination). The applicant should be reminded of his obligations to comply with the outline planning permission.

Following consultations, a Low Emissions Strategy is expected to be presented for formal adoption in August 2012. Also supplementary guidance on Air Quality/Low Emissions will be in place, which will formalise requirements for electric vehicle recharge points on new developments. Whilst there is currently no requirement under the outline approval, it is understood that the applicant is investigating whether further provision for vehicle charging points is feasible and viable.

The draft Low Emission Strategy seeks 'best endeavours' for reducing emissions during both construction and operational phases to be demonstrated. This would include ensuring the energy choices for heating and powering the buildings are the right ones for both carbon/CO2 and local air quality emissions (NOx/Particulates).

Informatives are requested to draw the developer's attention to the draft document and the guidance within them.

EXTERNAL

3.5 North Yorkshire Police (Architectural Liaison Officer)

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Confirms that a Secured by Design Award Scheme application for phase 2 has been received. The officer stresses that he is having to compromise his position in respect of rear parking courts which are a predominant feature of the design and layout. Such car parking courtyards are discouraged because they introduce access to vulnerable rear elevations of dwellings, are often unlit thereby increasing the fear of crime and provide areas of concealment which can encourage anti-social behaviour. Cites research about rear courtyard parking areas that supports his concerns. No other 'designing out crime' concerns and the physical security measures incorporated into the scheme will fully comply with the Secured by Design Award Scheme.

3.6 York Natural Environment Panel

Advocates small clumps of trees of different species to create mosaic of different habitats. Advises retention of remnants of meadow and old hedge system where possible to be bolstered by a high proportion of naturalistic planting. Queries unnecessary removal of hedge line in the proposed public open space to the north of the Sustrans track.

3.7 Sport England

Does not wish to comment.

3.8 Environment Agency

No objections providing surface water from the site discharges to the previously agreed Sustainable Drainage System and there is no increase in the previously agreed rate of discharge into Osbaldwick Beck.

3.9 Foss Internal Drainage Board

States that Osbaldwick Beck, which is adjacent to the site, is a Board maintained watercourse. No objection to proposed development provided that all surface water discharges from this development are directed to the previously agreed sustainable drainage system and that no increase in the agreed rate of discharge of Osbaldwick Beck occurs.

3.10 Natural England

States this proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. The lack of further comments should not be interpreted as a statement that there are no impacts on the natural environment. Would expect

the LPA to assess and consider the possible impacts resulting from this proposal on protected species, local wildlife sites and biodiversity enhancements.

3.11 Yorkshire Wildlife Trust

Would like to see the lighting design not increase light pollution within the open areas of the development, improvement of the environment of the Sustrans cycleway and a management plan for the open spaces designed to ensure that the nature conservation interest of the area is maintained.

3.12 Osbaldwick Parish Council

Maintains the longstanding objection to the principle of the development of Public Open Space with undoubted wildlife value and contribution to York Greenbelt. With regards to Reserved Matters Application raises following objections:

- close proximity of dwellings nos. 54-63 to existing Temple Avenue properties and overbearing, unorthodox designs leading to unacceptable compromising of neighbourhood amenity;
- provision of three storey dwellings given visual impact (cites phase 1);
- inadequate provision of open space for projected number of new residents and existing local residents;
- developer and planning authority need to follow the sustainability guide for developers and insist on native species hedgerows as garden boundary treatments;
- self clinging climbers should be used rather than climbers supported by wires;

Request a site visit is conducted that views phase 2 in context of phase 1.

Officer Note - A site visit is recommended for this application.

3.13 Response from local resident:

Objection on basis of close proximity and overbearing and un-orthodox design of new dwellings No 54-63 to existing Temple Avenue properties, leading to unacceptable compromise of neighbourhood amenity. A difference in height of almost 20% is quoted (10m high properties as opposed to 8m of the existing dwellings on Grasmere Drive). Concerns about overlooking and overshadowing and effect on landscape. Suggest the following amendments:

- House types B4 from 54-63 are redesigned to make them similar in proportion to the existing neighbouring properties.
- Houses from 54-63 are thinned out keeping the height but making the spaces between them broader to lessen the visual impact.
- Gardens are made lengthier for houses 54-63 to lessen the impact of overshadowing/overlooking.

Whilst accepting of additional housing in York, considers the extra height will have an adverse effect on their property and the future relationship (both architecturally and socially) between the existing and the emerging communities.

4.0 APPRAISAL

4.1 The appraisal is separated into sections focusing on the individual reserved matters - siting, design and external appearance - in order to aid clarity of the issues and structure the report. However, it should be noted that there is a degree of overlap within each category and thus each section cannot be read in isolation.

POLICY CONTEXT

4.2 Relevant Central Government planning guidance is contained in the recently published National Planning Policy Framework (March 2012). The heart of this framework is a presumption in favour of sustainable development. It contains a set of twelve core land-use planning principles to underpin plan-making and decision-taking, including securing a high quality design and a good standard of amenity for all. The framework encourages the delivery of a wide choice of high quality homes; the promotion of good design with great weight being given to outstanding or innovative designs; and, the promotion of healthy communities through the creation of safe and accessible environments, where crime and disorder do not undermine quality of life, and clear and legible pedestrian routes and high quality public space to encourage active public areas.

4.3 The Council has prepared its Local Development Framework Core Strategy, which has reached submission stage and is moving towards examination. The weight of the policies within it are commensurate to the stage it has reached in terms of publication and where they reflect national guidance. The relevant policies are Policy CS21, which encourages on-site renewable energy production and Level 3 of Code for Sustainable Homes as a minimum.

4.4 City of York Draft Local Plan policies are material to the consideration of the application where they reflect the National Planning Policy Framework. The relevant policies are summarised in section 2.2. Policy GP1 of the Local Plan states that new developments should respect or enhance the local environment and should be of a suitable scale and mass using appropriate materials. Policy GP3 requires consideration of measures to reduce opportunities for crime.

COMPLIANCE WITH OUTLINE CONSENT

4.5 Outline planning permission was granted by the Secretary of State for residential development of the site with the principle of developing the whole site for

approximately 540 homes being established. The general layout of the whole development was approved in part by the outline planning permission through the Illustrative Masterplan dated July 2004. The approximate size and shape of the four neighbourhoods has been approved as well as the approximate number of dwellings within each neighbourhood. The location of the public open space areas and basic details of the facilities to be found within them has also been agreed. The design approach for the scheme as a whole was established at the outline planning stage and is contained in the Design Code and Design Guide documents that were submitted on 1 August 2003 as part of the application and amended by the Illustrative Masterplan.

4.6 The outline planning permission indicated 125 dwellings within Neighbourhood C. This reserved matters application relates to 123 dwellings, but Neighbourhood C includes the two prototype dwellings already constructed at the end of Temple Avenue. Condition 2 of the outline consent specifically requires the reserved matters applications to be in compliance with these documents. In terms of the reserved matters submission for Phase 2 of the development, it appears to be consistent with the terms of the approved outline consent, the approach and philosophy of the design documents and the Illustrative Masterplan.

4.7 The density of the neighbourhood and housing mix has been set through the outline planning permission. Condition 8 of the outline approval refers to Neighbourhood C having 125 dwellings with a 10% tolerance - with the TAP houses included, Phase 2 equates to this figure. The density is, therefore, as envisaged and previously agreed. The development proposed family housing in response to the City's identified need and with this in mind the houses are three and four bedroom properties. Phase 2 was intended to provide smaller housing units than Phase 1 and, therefore, eleven of the seventeen house types are 3 bedroom properties with 112 of the 125 properties being three bedroom and only 13 being four bedroom. The four bedroom properties are spread throughout the phase, being typically sited at corner locations in the highway network or facing over the 'Village Green Area' and would act as focal point buildings thereby assisting legibility through the development. All properties are proposed to be built to Lifetime Homes standards as required by condition 2 of the outline consent, with two wheelchair accessible houses (type C4) is proposed, to be located at the rear of the southern TAP house. The range of housing, with varying house types and external amenity space, offers choice and is consistent with the outline planning permission.

SITING

4.8 Siting is concerned with the layout of the scheme, including its roads and footpaths, housing and public spaces.

4.9 The layout of Phase 2 appears consistent with the Illustrative Masterplan in that it includes a neighbourhood of housing set within a green area. It has a circular

perimeter road as the main vehicular route with an internal cruciform street pattern providing pedestrian priority. At the meeting point of these internal streets is a central space and focal square in the form of a local area of play (LAP). The houses would front onto the road network in perimeter blocks with parking largely on street or in mews courtyards.

4.10 It is noted that the Masterplan was intended to be illustrative and, therefore, there is a degree of flexibility in the layout shown providing it is within the parameters of the Design Code and Design Guide documents. The supporting statement submitted with this reserved matters application highlights some changes to the detailed layout now proposed that have been made as a result of feedback on Phase 1 of the scheme and a reassessment of the parking approach prompted by the principles of Secured by Design. These changes include: aim of 9m deep gardens where possible; increased on-street parking; houses introduced into rear parking areas or making areas single access; increased space to improve setting of Sustrans route; and, three storey houses to overlook Sustrans route.

4.11 There are three key differences to siting as shown on the Illustrative Masterplan. Firstly, the whole neighbourhood has been moved southwards by approximately 5m to allow an increased distance from the houses to the Sustrans cycle route. Secondly, houses are now shown backing on to the Sustrans route at its western end where it emerges into the development site for a distance of just over 67m. Thirdly, the internal roadway arrangement has been simplified with the omission of a secondary east-west crescent secondary road and its replacement with a straight north-south route. It is considered that these changes are still consistent with the outline planning permission granted.

4.12 The plans show the rear gardens to the houses backing on to the cycle track that are at least 10m in length (with the exception of plot 66, which has an average length of 8m), beyond which is an embankment leading from the site down to the cycle route that would be planted. At the end of the run of these eight houses backing on to the cycle route is a second Local Area of Play and beyond this to the east, as well as to the north of the cycle route, is the proposed Crescent Park. This increased degree of enclosure to the cycle track continues that experienced to the west on the approach to the site and is considered to be an appropriate response to the difference in land levels and a suitable transition from the enclosure of the Sustrans route to the west and the opening up of its setting eastwards.

4.13 However, careful consideration, through condition, will need to be given to the boundary enclosure to the rear of the gardens in the interest of security and visual amenity. A uniform approach to the boundary treatment is required to avoid the continuation of the poor environment along the Sustrans route at the rear of the Coniston Drive houses, which is a myriad of boundary enclosures of varying quality and condition. The Statement of Crime Prevention Measures refers to a 2m high open mesh fence along this boundary, though the inclusion of some planting or

hedging will help to provide a softer green edge. The planting details for the cycle route embankment will form part of the landscaping reserved matters application.

4.14 The siting is such that the dwellings are set within a green area to allow an attractive open character to the wider area and reinforce the sense of community within this neighbourhood. The dwellings are shown to back on to the existing houses on the cul-de-sacs off Ambleside Avenue (Coniston Drive and Grasmere Drive), as shown on the Illustrative Masterplan, in order to link this neighbourhood to the existing community it adjoins and has vehicle access from. The layout embraces a high degree of permeability by non-car modes within the neighbourhood, with adjacent neighbourhoods both existing and proposed and with the wider area through the Sustrans cycle route that runs to the north of it. The housing is arranged around a central feature square containing a local area of play (LAP), though a second LAP is shown to the north of the housing and adjacent to the Sustrans cycle route. An amphitheatre is to be created within the Village Green Area to the east of this neighbourhood and the internal road layout has been designed to ensure that this is an additional focal point and meeting place. Dwellings are proposed to be close to the road network with a high proportion of on-street parking bays and communal parking courts. The north-south orientated streets within the circular outer road are intended to be Home Zones. The creation of features combined with a highly permeable layout and communal parking is considered good planning practice and encourages a sustainable and inclusive community.

4.15 The Police Architectural Liaison Officer (PALO) has raised concerns with the degree of permeability and provision of parking within rear communal parking courts. Details of recent research have been submitted to support these concerns, which identify poor examples of on street parking and parking courts. The PALO considers that alleyways and parking courts should be gated. However, the high degree of permeability and the inclusion of parking courts is an accepted part of the design philosophy of the scheme as agreed at outline planning stage and conditioned by the Secretary of State through condition 2. Permeability remains a key design objective of the scheme, thereby promoting an inclusive community. This reserved matters application is also supported by a Statement of Crime Prevention Measures, which has been produced in consultation with the PALO, and a letter from the officer has been submitted with the statement that confirms that the development should achieve Secured by Design status. The statement confirms that Phase 2 has been designed with the emphasis on surveillance and controlled permeability to attempt to address the concerns. This has involved making access to parking courts single access only or increasing surveillance by providing mews houses within larger courtyards. The scheme has been revised further following negotiation including removal of one of the parking courts, improvement of the relationship of on street and courtyard parking to dwellings and increased in-curtilage parking.

4.16 The original drawing submitted did not show the presence of a mature Oak tree within the rear gardens of the end houses on Coniston Drive. This has since been corrected and the house on plot 62 moved to the east so that it is 9m from the site boundary. The Council's Landscape Architect has confirmed that a distance of 9m from the gable wall of the house to the boundary should be an acceptable distance from it to avoid harm to the tree and to maintain its setting, providing the tree is plotted correctly. The agent has been asked to confirm this prior to determination by Committee.

4.17 The scheme shows a run of houses backing onto the existing houses to the west on Coniston Drive and Grasmere Drive as is shown on the Illustrative Masterplan. The houses at the end of these cul-de-sacs are angled to the site boundary. There was no minimum separation distance or building height restriction conditioned by the Secretary of State as part of the outline approval. However, the scheme adopts a 20 metre minimum distance from existing to proposed houses and in most cases there is more than a 25 metre distance where the proposed houses directly face the site boundary. The separation distances are considered to be acceptable, particularly given the angle of the houses on Coniston Drive and Grasmere Drive to the site boundary and consequently the proposed houses.

4.18 The LAP in the centre of the housing site would act as an informal meeting place, as would that on the northern side of the housing. Their location would have natural surveillance from the surrounding housing. The LAPs would have a low level hedge to define its boundary and retain good natural surveillance from surrounding areas. The landscaping of the areas around the housing will form part of a separate reserved matters application.

DESIGN

4.19 Design relates to a wider view of the development and how the place will work and look.

4.20 There are seventeen house types within Phase 2 of similar though different design, which will give interest to the street scene. The form of the houses is traditional in that they are dual-pitch properties that are detached, in semi-pairs or in terrace rows. The terraced properties are generally along the internal roads to provide more formality and cohesion to the street scene. More space has been allowed between the buildings around the perimeter to provide a more informal approach that relates better to the landscaped areas surrounding the neighbourhood.

4.21 The height of the properties differs to that of existing housing to the west, as can be seen from the prototype houses and those within Phase 1. However, the intention of the scheme was never to replicate the existing housing, but develop an urban extension that had its own character, adopting an innovative and

contemporary approach whilst reflecting the traditional features of the surrounding area. The scheme also reflects the aim for more energy efficient housing.

4.22 Osbaldwick Parish Council and occupants of a property on Grasmere Drive have objected to the 'overbearing' height of the proposed dwellings and close proximity of plots 54-63 to the existing housing to the west as well as to the provision of three storey dwellings. The proposed dwellings on plot 54-63 are three storeys internally with ridge heights of 9.95m (as opposed to 8m of those on Grasmere Drive), but have been designed to appear as two storeys with accommodation in the roof and only roof lights in the roof slope. The eaves height is 5.85m. It is accepted that the roof height of the new dwellings is different to that of the existing properties to the west, due to the stepper roof pitch and accommodation of bedrooms within the roof space. However, it is noted that the roofs of the new dwellings slope away from the site boundary and that the existing houses are angled away from the site boundary. In light of this, their separation distance from the proposed properties referred to in 4.14 and the orientation of the proposed houses to the existing (to the north-east), it is considered that there is unlikely to be any significant adverse affect on residential amenity than envisaged during consideration of the principle of development of the site. A condition is recommended to remove the permitted development rights for the new properties to add dormer windows to the rear roof slopes.

4.23 Each dwelling would have its own private outdoor amenity space and car parking space. The aim is for the private gardens whenever possible to be 9m long. Parking spaces are to be provided either in-curtilage for the larger properties, on-street as close to the dwelling it serves or in communal parking courts. A number of vehicle parking spaces and a car club space are provided. One of the key principles in the design of the development is that of giving cars a lower priority than that of pedestrians and cyclists. Car parking spaces are at a level of just 1.1 per dwelling on average, to discourage private vehicle ownership. A car club is to be set up as part of the development where motor vehicles can be hired as and when needed - two car club spaces are proposed as part of Phase 2. A bus travel pass or a voucher towards the purchase of a bicycle will further encourage sustainable transport choice.

4.24 The design of the roads has been revised to provide pinch points on the roads, including both the perimeter and internal streets, to encourage a reduction in vehicle speeds to give priority to pedestrians as well as to create interest in the street scene. Planted is shown on the submitted Illustrative Landscape Masterplan. A super semi mature tree is proposed in the central LAP. Further trees are shown to be planted along streets and within the parking courts. Rear gardens would largely be grassed with some tree planting. Front garden areas, where possible, are shown to be planted with shrubs.

EXTERNAL APPEARANCE

4.25 External appearance is concerned with the details of the design and the materials to be used.

4.26 The design of the dwellings is contemporary in its approach and is reflective of Phase 1. The use of consistent design features and building materials would create a unity and sense of identity to the scheme as well as a link to Phase 1. The materials chosen would provide an attractive and cohesive built environment. The dwellings would be predominantly red brick with some areas of painted brick, stone and wood boarding to create visual interest. Roofs would be clay tiles. Whilst an indication of the building materials has been submitted as part of the application, a condition is recommended to be attached to any approval to ensure physical samples of the materials are submitted for approval prior to the commencement of development. As with Phase 1, a number of road surfacing materials would be used. These would indicate to drivers of vehicles an appropriate speed and within the internal streets show that pedestrians and cyclists have priority. Streetlighting would be housed in pole mounted or wall mounted fittings of a simple and modern design. The lighting within the parking courts would be bollard lights, again of a modern design.

4.27 The buildings have been designed to take advantage of natural solar gain and will incorporate good levels of air tightness and insulation. The large window openings would allow natural surveillance as well as providing solar gain to reduce energy to be used for heating and lighting. Winter gardens are included in some of the house types, to assist with summer cooling and winter warming of the dwellings. These features were included in some Phase 1 properties. However, the drawings make reference to these 'sunspaces' being possibly omitted. The agent has confirmed that this is to allow some flexibility in their provision in the event that they are shown not to be beneficial following the testing of the Phase 1 dwellings or if there is not demand from purchasers. Their omission would not affect the sustainability credentials or performance of the houses.

4.28 The boundary treatments to the front areas of the dwellings would consist of a variety of railings and walls in materials consistent with the house to which they are related. Boundary treatments within plots vary between 1.5m high close boarded fencing to 1.8m high hit and miss fencing above dwarf walls.

5.0 CONCLUSION

5.1 It is considered that the proposed layout, design and external appearance for Phase 2 of this residential development is acceptable. The general design principles are consistent with those set out in the Design Code and Design Guide and as shown on the Illustrative Masterplan approved as part of the outline planning permission. It follows the 'vision for Derwenthorpe to create a vibrant, supportive and sustainable community' established under the outline approval and adopted for

Phase 1. The site-specific design details are thought to be well considered and suitable for a development of this type within this location. Furthermore, it complies with the key objective, principles and relevant policies of the recently published National Planning Policy Framework.

5.2 Therefore, in light of the above, this application is recommended for approval subject to conditions relating to materials, cycle parking, means of enclosure to the cycle track, tree protection and removal of Permitted Development rights.

5.3 A number of conditions were attached to the outline planning permission. Some of the conditions were required to be discharged prior to the commencement of development and details were submitted and agreed prior to the commencement of Phase 1. Specific conditions relate to Phase 2/Neighbourhood C and will need to be agreed prior to work starting on this phase of the development as well as those recommended below. In addition, a Section 106 agreement was signed which requires the submission of various details to be agreed by the Council. In line with the usual Council practice, conditions and Section 106 requirements are to be discharged at Officer level.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing no. 2228_PL_001C Site Plan, dated 22.03.2012 and received 22 March 2012;

Drawing no. 2228_PL_002B Material Layout dated 16.3.2012 and received 20 March 2012;

Drawing no. 2228_PL_003B Refuse and Recycling Strategy dated 16.3.2012 and received 20 March 2012;

Drawing no. 2228_PL_004B House Type Layout dated 16.3.2012 and received 20 March 2012;

Drawing nos. 2228_PL_101 and 2228_PL_401 House Type A1 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_102 and 2228_PL_402 House Type A2 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_113A and 2228_PL_413A House Type B3 plans and elevations, dated 16.3.2012 and received 20 March 2012;

Drawing nos. 2228_PL_114A and 2228_PL_414A House Type B4 plans and elevations, dated 16.3.2012 and received 20 March 2012;

Drawing nos. 2228_PL_115 and 2228_PL_415 House Type B5 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_121 and 2228_PL_421 House Type C1 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_124 and 2228_PL_424 House Type C2 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_141 and 2228_PL_441 House Type E1 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_142 and 2228_PL_442 House Type E2 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_161 and 2228_PL_461 House Type G1 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_162 and 2228_PL_462 House Type G2 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_163 and 2228_PL_463 House Type G3 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_164 and 2228_PL_464 House Type G4 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_171 and 2228_PL_471 House Type H1 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_181, 2228_PL_481 and 2228_PL_482 House Type J1 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_182, 2228_PL_483 and 2228_PL_484 House Type J2 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_183, 2228_PL_485 and 2228_PL_486 House Type J3 plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing nos. 2228_PL_190 and 2228_PL_490 Typical Garage plan and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing no. 2228_PL_191 Typical Substation plans and elevations, dated 17.1.2012 and received 20 January 2012;

Drawing no. 10010-1-C Illuminance Plot, dated 15.12.2011 and received 20 January 2012.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

2 VISQ8 Samples of exterior materials to be app -

3 VISQ7 Sample panel ext materials to be approv -

4 Prior to the development commencing details of the cycle parking facilities serving each dwelling, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking facilities and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

5 Before development commences, details of the means of enclosure between the Sustrans cycle track and the rear of plots 62-69 and the northern Local Area of Play shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the dwellings, plots 62-69, and shall thereafter be retained.

Reason: In the interests of visual amenity along the Sustrans cycle route and the security of the dwellings.

6 Prior to the commencement of development, including site clearance, importing of materials and any excavations, a method statement regarding protection measures for the existing trees within and immediately adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing to be shown on a plan in accordance with BS 5837; phasing of works within the zones of influence; type of construction to be used; locations for storage of materials. The method statement shall also include details of existing and proposed ground levels such that there are no changes within the potential rooting zones of the trees. The protective fence line shall be adhered to at all times during development operations

to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil, lighting of fires, mechanical cultivation, parking or manoeuvring of vehicles. Within the exclusion zone there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches, pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process including the implementation of landscape works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area and/or development.

7 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, B, C and E of Schedule 2 Part 1 of that Order shall not be erected or constructed at dwellings referred to on the approved plans as Plots 54-62.

Reason: In the interests of the amenities of the adjoining residents and the protection of a mature Oak tree, the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to layout, design and external appearance. As such the proposal complies with the National Planning Policy Framework and Policies GP1, GP3, NE1, T2a and T4 of the City of York Development Control Local Plan.

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