

Floodzone 3 Flood Zone 3

Listed Buildings Multiple (Spatial)

2.2 Policies:

CYT4

Cycle parking standards

CYGP1

Design

CYGP13

Planning Obligations

CYHE2

Development in historic locations

CYH2A

Affordable Housing

CYH3C

Mix of Dwellings on Housing Site

CYH5A

Residential Density

CYL1C

Provision of New Open Space in Development

CYED4

Developer contributions towards Educational facilities

3.0 CONSULTATIONS

3.1 Internal

Highway Regulation - It is considered that the proposed site is reaching its maximum development potential. The site is physically incapable of accommodating any further car parking. As such, the increase in units will need to provide and enhance the viable travel options for future occupiers. To encourage residents to be non car owners, like confirmation in writing that the applicant is willing to fund a 12 month bus pass for occupiers of the 12 proposed dwellings.

Environment and Conservation - No comment.

Lifelong Learning and Culture - Additional Section 106 payment requested to cover off site amenity and play space, and sports pitches.

Environmental Protection - No objections as the revised scheme involves no additional parking and does not change the footprint of the already approved scheme.

Housing - An initial request for 50% provision of additional 12 units requested. Further discussions re: mix, size and location required.

3.2 External

Heworth Planning Panel - Object:

- Shouldn't there be additional parking?
- If not, should this application be refused?
- Will this increase traffic flow onto Heworth Green?

No response from local residents as result of consultation letters, site notice or press advert.

4.0 APPRAISAL

4.1 Main considerations:

- Principle of residential accommodation at site;
- Design considerations, including density, mix and tenure of residential units;
- Visual amenity;
- Historic environment;
- Natural environment;
- Residential amenity;
- Parking and highway safety;
- Education and leisure facilities in the area;
- Drainage and flooding;
- Environmental issues, including contamination, air quality and noise.

4.2 The principle of residential development on the site, which was previously used for educational purposes, has been established by approval of the previous scheme referred to in section 1.0. The site is previously-developed land within the main urban area of the City, close to the edge of the City Centre, easily accessible by non-car modes and near to local facilities.

4.3 The proposal would increase the number of units in total on the site from 132 to 144 and would consequently increase the density of development from approximately 86 to 92 dwellings per hectare. This again exceeds the minimum requirements of national planning policy as set out in Planning Policy Guidance Note 3: Housing and is considered to be a negligible increase above the density of development already approved at the site.

4.4 PPG3 also encourages a better mix in size, type, tenure and location of housing and seeks to create mixed communities with provision for those in need of affordable housing. Local Plan Policies H2a and H3c reflect this advice. This proposal would create a further 12 apartments to a site where the mix of residential accommodation previously approved was 17 houses (12x three-bedroom and 4x two-bedroom) and 115 apartments (12x one-bedroom, 101x two-bedroom and 2x three-bedroom).

Approval of this application would create 12 more apartments, increasing the number of one bedroom units by nine and of two bedroom units by three. Whilst a mix is encouraged, no target percentages are specified in PPG3 or Policy H3c and the provision of one and two bedroom units is supported by the background information for Policy H3c. Furthermore, the nature of the development would prevent further houses being provided without a complete redesign. The applicant has agreed to 50% of the units being affordable. Further discussions will be needed regarding the size, type and tenure of these units.

4.5 This proposal would not alter the siting of the approved apartments blocks, only the internal layout and some external alterations to the window and door arrangements are required. No extension to the hardsurfaced areas to provide for parking is to be created. The applicant has been approached to submit revised drawings to include features that were approved under the original application, but are omitted from the elevational drawings submitted as part of this application. These include detailing to create a vertical emphasis to the larger blocks and rearranging the internal layout of some apartments in Block J so that the main living space faces towards the river rather than towards the neighbouring two storey houses. Revised plans are awaited. On receipt of these plans, the proposal would have a negligible impact in terms of visual amenity, the character and appearance of the Conservation Area, setting of the listed Heworth Croft or summerhouse, or trees. This is confirmed by the Council's Conservation Officer.

4.6 The only residential properties that could potentially be affected would be the two storey houses to the south and east of the site on Villa Grove. As the footprint and massing of the buildings does not significantly change, and as the main living rooms in Block J would face out towards the river rather than towards these two storey houses, the impact on the neighbouring residents would be not be significantly different from what was previously approved.

4.7 The site is incapable of providing any more car parking spaces due to its layout, presence of listed structures, trees on site and need to have a through route to the gym and playing fields to the north. As such, there is no scope to extend the car club by providing further spaces in addition to those agreed under the previous application. Therefore, transport measures need to be in place to address the lower car parking provision for the site. The Council's Highways Section has requested that in order to encourage residents of the site to be non car owners, the applicant fund a 12 month bus pass for occupiers of the additional units. This has been agreed and can be dealt with as a planning obligation. A condition should be attached to address cycle parking facilities for the additional units.

4.8 With regards other planning obligations, the Council's Education Department have confirmed that there is no requirement for a further payment towards education provision in the area as only three of the additional units proposed are two bedroom. The applicant has agreed to a further £750 towards sports provision off site (this would be added to the £26,112 contribution previously agreed, which would go towards a junior soccer pitch being provided at Arran Place (King George V Memorial Playing Field). There is sufficient space on site for general amenity areas and children's play space to cater for the additional residents.

4.9 The provision of twelve additional units would be unlikely to result in a significantly different impact on drainage, flooding, contamination, air quality or noise than previously assessed as part of the original redevelopment proposals for the site.

4.10 If approved, this application would be a revision to the previous approval. The applicant could therefore either implement the originally approved application or implement the revised scheme along with the original. Either way the conditions attached to the original approval will need to be satisfied. These cover for example archaeology, tree protection, materials, means of enclosure, highway matters, flood and drainage alleviation, hours of construction, noise abatement, contamination, repair of the summerhouse and measures to assist wildlife. As part of this revision, if approved, conditions should be attached regarding affordable housing and education provision and for off-site sports facilities.

5.0 CONCLUSION

5.1 On balance, the proposal to include an additional twelve units following the internal reorganisation of the apartments within the previously approved built form, is considered to be acceptable in planning terms subject to the receipt of revised plans. As noted in paragraph 4.10, this application if approved would be a revision to the original scheme that should not be implemented unless in conjunction with that previously approved. Conditions are required relating to the provision of cycle parking, affordable housing, bus passes and £750 towards off site sports facilities.

5.2 Therefore, the application is recommended for approval.

6.0 RECOMMENDATION: Approve

1 TIME2

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

Drawing no.s 131/RP/01, 131/RP/02, 131/RP/04, 131/RP/05 dated May 2006 and received 21 June 2006;

Drawing no. 131/RP/03 rev.A dated Jun 2006 and received 15 August 2006;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

3 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The open space shall thereafter be provided in accordance with the approved scheme or the alternatives arrangements agreed in writing by the Local

Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1 of the City of York Draft Local Plan.

4 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:-

i) The numbers, type and location of the site of the affordable housing provision to be made

ii) The timing of the construction of the affordable housing

iii) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing

iv) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and means by which such occupancy shall be enforced.

REASON: To comply with Policy H2 a of the Council's Draft Local Plan (4th Set of Changes April 2005)

5 No development shall take place unless and until details of measures to address the limited car parking provision on site have been submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved details, prior to first occupation of the development.

Reason: In the interests of highway safety and to encourage residents to be non car owners.

6 Prior to the development commencing details of the cycle parking facilities, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The buildings 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.

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 principle of development, design considerations, visual amenity, impact on historic and natural environments, residential amenity, highway safety, and education and leisure facilities. As such, the proposal complies with Policies H9, T9 and E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, HE2, H2A, H3C, H5A, T4, and L1 of the City of York Local Plan Deposit Draft.

2. INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £750.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

3. INFORMATIVE:

For the avoidance of doubt, the term affordable housing means subsidised housing at below market prices or rents intended for those households who cannot afford housing at market rates. It is usually managed by a registered social landlord.

4. INFORMATIVE:

The transport measures referred to in the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, for the funding of a 12 month bus pass for each occupier of the additional dwellings.

No development can take place on this site until the transport measures have been agreed and the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

5. INFORMATIVE:

Please note that the planning approval is hereby granted for twelve additional dwellings and alterations to the elevations of the relevant blocks to accommodate the additional units. This application shall be implemented only in conjunction with planning approval 04/01208/FUL, including attached conditions and Section 106 Agreement, and to which this application relates. This application does not supersede the previously approved conditions that still need to be satisfied. The additional requirements to address transport measures, affordable housing and sports provision can be dealt with as part of a variation to the previously approved Section 106 Agreement.

Contact details:

Author: Hannah Blackburn Development Control Officer
Tel No: 01904 551477