

COMMITTEE REPORT

Date: 9 February 2012 **Ward:** Rural West York
Team: Major and **Parish:** Upper Poppleton Parish
Commercial Team Council

Reference: 11/02886/FUL
Application at: 1 Station Road Upper Poppleton York YO26 6PX
For: Erection of two detached dwellings and associated driveways and parking following demolition of existing dwelling and outbuildings
By: Mr D Wilson
Application Type: Full Application
Target Date: 26 December 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 No. 1 Station Road comprises a detached three bedroom brick built bungalow circa 1930 lying in substantial grounds at the junction of Station Road and Long Ridge Lane, Upper Poppleton. The property is substantially derelict and planning permission is currently sought for the erection of two detached dwellings on the cleared site, one detached two storey property with five bedrooms and one detached four bedroom dormer bungalow. The site lies within the Upper Poppleton Conservation Area and a parallel application for Conservation Area Consent has been submitted at the same time ref:-11/02886/FUL.

1.2 The application is reported to Sub-committee at the request of Councillor Gillies because of the potential impact on neighbouring dwellings and the Long Ridge Lane/Station Road junction.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Upper Poppleton CONF

2.2 Policies:

CYNE6 Species protected by law
CYH2A Affordable Housing
CYGP1 Design
CYGP4A Sustainability

CGP15A Development and Flood Risk
CYHE2 Development in historic locations
CYL1C Provision of New Open Space in Development
CYH4A Housing Windfalls

3.0 CONSULTATIONS

INTERNAL:-

3.1 Environmental Protection Unit raise no objection to the proposal subject to any permission being accompanied by an informative in relation to the Control of Pollution Act 1974.

3.2 Highway Network Management raise no objection in principle to the proposal but wish to see the internal layout of the site revised to ensure that vehicles can turn within the site and then leave in a forward gear. The application details have subsequently been revised to enable this to take place.

3.3 Lifelong Learning and Leisure raise no objection to the proposal subject to a commuted payment being made in lieu of the provision of open space on site.

3.4 Design, Conservation and Sustainable Development raise no objection in respect of the impact of the proposal upon the character and appearance of the Conservation Area, though initially expressed concern in respect of the potential impact of the proposal upon local bat habitat. Further survey work of the site has subsequently been undertaken and no objection has now been offered in respect of the proposal.

3.5 Structures and Drainage Engineering Consultancy object to the proposal on the grounds of insufficient information being submitted in respect of the proposed mode of surface water disposal at the site.

EXTERNAL:-

3.6 Ainsty Internal Drainage Board raise no objection to the proposal subject to any permission being subject to a condition requiring further approval of the arrangements for surface water disposal at the site.

3.7 English Heritage do not wish to offer any comments in respect of the impact of the proposal upon the Upper Poppleton Conservation Area.

3.8 Upper Poppleton Parish Council object to the proposal on the grounds that it would represent over-development of the site and create an access point in close proximity to a busy road junction and bus stop.

3.9 Four letters of objection have been received in respect of the proposal. The following is a summary of their contents:-

- Concern at the impact of the proposal upon the character and appearance of the Conservation Area;
- Concern that the proposal would represent an over-development of the application site;
- Concern that the access/egress from the application site would cause a significant hazard to the free flow of traffic in the locality;
- Concern that the proposal would lead to the loss of an area of landscaping of significant townscape value;
- Concern that the existing mature landscaping at the property boundary should be properly managed;
- Concern at the impact of the construction process upon the residential amenity of neighbouring properties.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 Key considerations include:

- Impact upon the character and appearance of the Conservation Area;
- Potential over development of the application site;
- Impact upon the residential amenity of neighbouring properties;
- Impact upon the potential habitat of a protected species;
- Impact upon the safe and free flow of traffic within the surrounding area.

Impact upon the character and appearance of the conservation area

4.2 Policy HE2 of the York Development Control Local Plan sets a firm policy presumption that new development within or adjoining Conservation Areas should respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials. Proposals will also be required to maintain or enhance existing urban spaces, views, landmarks and other townscape elements which contribute to the character or appearance of the area. Upper Poppleton Conservation Area is defined by the two Village Greens and the vernacular buildings surrounding them together with the landscaped approaches with steadily widening verges and individual mature trees of significant townscape merit. The current proposal envisages the demolition of the current property, which as a result of its structural state, detracts significantly from the character and appearance of the Conservation Area, and the erection of two detached properties on the cleared site. The principal contribution of the area to the character and appearance of the Conservation Area lies in the treatment of the southern approach

to the main Village Green. Most of the adjacent properties are of early 20th Century construction and there is no established theme in terms of scale or massing. A light red brick with a pantile roof is however the most common treatment in terms of materials.

4.3 The Poppleton Village Design Statement has been adopted as Supplementary Planning Guidance in respect of development proposals within both Nether and Upper Poppleton. This sets out clear guidance in respect of how new development should relate to its wider context in terms of scale, massing, palette of materials and also plot coverage. Guideline 13 specifically indicates that new development should be mixed, with a variety of design, type, size, scale and materials to uphold the present juxtaposition of differing periods of development within the village.

4.4 Of the two proposed properties the larger two storey detached dwelling would be accessed from Station Road and the smaller dormer bungalow from Longridge Lane. The existing mature landscaping along the frontages to Station Road and Longridge Lane would be retained with the exception of a Leylandi on the Longridge Lane frontage which would be removed to allow the formation of the vehicular access to the bungalow property. The existing conifer hedge along the boundary with the adjacent property on Station Road would also be removed.

4.5 In the case of the two storey detached property which has the clearest relationship with the Conservation Area, a mid-red facing brick with artstone detailing and a pitched slate roof would be adopted with an Edwardian style bay window facing on to Station Road. In terms of its scale, massing and relationship to site boundaries it would closely reflect other properties in the direct vicinity notably in Longridge Lane.

4.6 In terms of the bungalow property, a mid red facing brick with a pitched slate roof and upvc rain water goods would be adopted. In terms of scale, massing and relationship to the street frontage the property would closely reflect that of other properties along Longridge Lane to which it would be most closely associated visually. Taken together it is felt that the proposals would have a broadly positive impact upon the Conservation Area and that the terms of Policy HE2 of the Draft Local Plan would thus be complied with.

Possible over-development of the application site

4.7 Policy H4a) of the York Development Control Local Plan sets a firm policy presumption in favour of proposals for new residential development on unallocated sites where the site is vacant, derelict or otherwise underused and it is of an appropriate scale and density to surrounding development . The current proposal envisages the construction of two properties within the cleared site of an existing bungalow. The two properties at their closest point would be some 6 metres apart. Whilst close in terms of physical proximity such a relationship is characteristic of the

surrounding area and it is not felt that the proposal would be over development of the existing plot.

Impact upon residential amenity of neighbouring properties

4.8 Policy GP1 of the York Development Control Local Plan sets a firm policy presumption in favour of development proposals which respect or enhance the local environment, are of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials and ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or are dominated by overbearing structures.

4.9 The current proposal envisages the erection of two properties, one a substantial two storey detached house, the other a detached dormer bungalow on the cleared site of the existing property which has fallen into a state of disrepair. The two properties would lie in close proximity to one another, some six metres apart at their closest point. No 3 Station Road is the closest residential property outside of the site, to the south west at a distance of some 4 metres. There would however be no overlooking of the adjacent property or its garden from the principal living areas of either plot. The boundary between the two plots would be formed by a two metre high close boarded timber fence which would minimise any intervisibility between the two properties. The principal living areas of both properties have been designed to face outward towards Station Road and Longridge Lane with mature landscaping at the street frontage giving some degree of shelter from other residential properties further afield. There would be some degree of over-looking of plot 2 from the rear of plot 1 however this would be minimised by the location of the building within plot 2 and the location of the boundary fence and is therefore felt to be acceptable. Overall it is felt that the terms of Policy GP1 of the Draft Local Plan have been complied with.

Impact upon the potential habitat of a protected species

4.10 Policy NE6 of the York Development Control Local Plan sets a firm policy presumption that where a proposal may have a significant effect on a protected species or their habitat then applicant's will be expected to undertake an appropriate assessment demonstrating their proposed mitigation measures. Planning permission will only be forthcoming for development that would not cause demonstrable harm to animal or plant species protected by law or their habitats. Concern was initially expressed that the derelict property on the site had become a bat roost. However, further survey work has established this to be unlikely in view of its severe state of disrepair. It is therefore felt that providing any approval is conditioned to require mitigation measures for the eventuality that bats are unexpectedly present then the terms of Policy NE6 of the Draft Local Plan can be complied with.

Impact upon the safe and free flow of traffic in the area

4.11 Concern has been expressed in relation to the proximity of the access points to the two properties to the junction of Station Road with Longridge Lane and the potential impact the proposal would therefore have on the free flow of traffic in the vicinity. However, the proposed access point from Plot 1 on to Station Road follows almost precisely the access point from the existing property and its associated garage. The access point to Plot 2 would be some 45 metres from the junction and as a consequence any impact would be minimal. Concern was also initially expressed in respect of the ability of vehicles to enter both plots and turn and leave in a forward gear in accordance with safe driving practice. The submitted application drawings have been amended to allow this to take place.

Other issues

4.12 Concern has been expressed in respect of a lack of information relating to surface water drainage submitted with the scheme. The site lies within Flood Zone 1 which carries the lowest defined risk from river flooding as well as having an existing drainage connection. It is considered that issues of surface water disposal can be dealt with by condition in this case.

4.13 The site is subject to a requirement for commuted sum payments of £2004 in lieu of provision of on site open space. At the same time the site falls to be considered against the Adopted Interim Affordable Housing Targets which specify in respect of Rural Brownfield land that a financial contribution of £15,427.50 will be required for off-site provision where a development of two to four houses are being considered. The applicant has confirmed in writing that such a commuted payment would be acceptable.

5.0 CONCLUSION

5.1 No. 1 Station Road Upper Poppleton comprises a detached brick built bungalow in a state of disrepair lying in substantial grounds at the junction of Station Road and Longridge Lane. The site also lies within the Poppleton Conservation Area. Planning permission is currently sought for the erection of two detached properties, a two storey house and a dormer bungalow on the cleared site. A parallel application for Conservation Area Consent has also been submitted. Surrounding properties consist of a mix of single and two storey dwellings set within significant landscaped grounds with any built development set well back from the street frontage. The mature landscaping at the street frontage which forms the principal contribution of the site to the character and appearance of the Conservation Area would be retained as part of the development. At the same time the scale, massing and palette of materials chosen closely reflects that used in the surrounding area. There would be a six metre separation between the two properties at their closest point which would not give rise to a significant loss of residential amenity. At the same

time any impact upon the residential amenity of neighbouring properties would be effectively minimised by the retention of mature landscaping at the site boundaries. The location of the proposed vehicular access points would not give rise to any disruption to the safe and free flow of traffic. The proposal is therefore acceptable in planning terms and approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Drawing Refs:-103; 103 B; 1000; 100; 105. Date Stamped 26th October 2011 and 1002B Date Stamped 4th 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.

3 VISQ8 Samples of exterior materials to be app -

4 VISQ4 Boundary details to be supplied -

5 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, E and F of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents and to safeguard the character and appearance of the Conservation Area 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.

6 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs and other planting This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local

Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

7 LAND3 Protection of existing planting -

8 DRAIN1 Drainage details to be agreed -

9 HWAY31 No mud on highway during construction -

10 HWAY19 Car and cycle parking laid out -

11 No development shall take place until full details of measures for bat mitigation and conservation as proposed have been submitted to and approved in writing by the Local Planning Authority.

These details shall include:-

i) Further survey at the appropriate time of year and no more than one month prior to any work being undertaken if the demolition is to be carried out between April and September, with the results having previously been submitted to the Local Planning Authority beforehand.

ii) A plan of how demolition work is to be undertaken to accommodate the possibility of bats being present.

iii) Details of the provision to be made within the new buildings to replace the features lost through the demolition of the original structure. Features suitable for incorporation for bats include the use of special tiles, bricks, soffit boards, bat boxes and bat lofts and should at least replace or substitute for what is existing.

iv) The timing of all operations.

The works shall be implemented in accordance with the approved details and timing unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To safeguard the potential habitat of a protected species and to secure compliance with Policy NE6 of the York Development Control Local Plan and Central Government Planning Policy in respect of Planning and the Natural Environment outlined in PPS9.

12 S106OS £2004 S106 Open Space

13 No development shall commence unless and until a scheme to ensure the

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provision of a scheme of affordable housing in the local community in line with the guidance laid out in the Adopted Affordable Housing Advice Note has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of an appropriate level of affordable housing in the local area in accordance with Central Government Planning Policy in respect of Housing outlined in PPS3 as revised together with York Development Control Local Plan Policy H2a)

INFORMATIVE:

The provisions 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, the obligation should provide for a financial contribution calculated at £15,427.50. The basis for this calculation is contained within the Council's Supplementary Planning Guidance Affordable Housing Advice Note Adopted 6th December 2011.

No development can take place on this site until the condition has been discharged and you are reminded of the Local Planning Authority's enforcement powers in this regard.

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 impact upon the character and appearance of the Conservation Area, potential over-development of the site, impact upon the residential amenity of neighbouring properties, impact upon the potential habitat of a protected species and impact upon the safe and free flow of traffic. As such the proposal complies with Policies NE6, H2a), GP1, GP4a), GP15a), HE2 and L1c) of the City of York Development Control Local Plan.

2. INFORMATIVE: CONTROL OF POLLUTION ACT 1974:-

3. HIGHWAY WORKS:-

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

4. BAT MITIGATION:-

In the event that bats or evidence of the presence of bats are found during the demolition or construction processes then all work shall cease forthwith and Natural England shall be notified.

Contact details:

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