

COMMITTEE REPORT

Committee: West and City Centre
Date: 21 September 2006

Ward: Rural West York
Parish: Upper Poppleton Parish Council

Reference: 06/00662/FUL
Application at: 41 Station Road Upper Poppleton York YO26 6PX
For: Erection of single dwelling with garage and stable block
By: Mr And Mrs Deighton
Application Type: Full Application
Target Date: 24 May 2006

1.0 PROPOSAL

1.1 The application site is located in Upper Poppleton and is situated to the rear of 41 Station Road. At present the site is used as paddock with existing single storey stables and sheds situated on the site. The application site is also located within the Upper Poppleton settlement limit adjacent to the boundary with the Green Belt.

1.2 The proposal involves the erection of a two storey dwelling, a single storey garage block containing a room in the roof space, and a single storey stable block.

1.3 The application was reported to the sub-committee on 1 August 2006. Members deferred the application in order to receive further information regarding the planning history of the site and the status of the greenbelt boundary which is included in section 4 of this report.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175
City Boundary York City Boundary 0001

2.2 Policies:

CYGP1
Design

CYH4A
Housing Windfalls

CYGP9
Landscaping

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management

No objections subject to conditions.

3.2 Environmental Protection Unit

Comment that there may be a substantial effect on the amenity of the local residents from odour by virtue of positioning of the stables within 20m of nearby property's gardens. The odour produced from the animals and faecal deposits will affect the use and amenity of residents properties. The animals and their waste will also attract an increased number of flying insects, which may affect the amenity of the local residents. Noise associated with the running of the stables, the movement and riding of horses and deliveries to and from the site may affect the amenity of the local residents.

Concerns regarding noise disturbance to local residents while the demolition, construction work and deliveries to and from the site if a successful application is made. A condition restricting the hours of construction is recommended to address this.

There could be a potential loss of amenity to new occupants from noise arising from the nearby railway. An assessment in accordance with PPG 24 is recommended to determine what mitigation measures, if any, are needed (eg acoustic glazing, acoustic fencing, anti-vibration building construction and the like).

Finally, although the site is unlikely to be affected by land contamination, it is recommended that a condition, which places a watching brief for the discovery of any unsuspected contamination, is placed on the approval.

EXTERNAL

3.3 Upper Poppleton Parish Council

No objections but comment on the existing use of the site and question whether the land is open space.

3.4 Neighbours

Immediate neighbours were consulted by letter. Comments were received from residents of 39, 43, 44, 47, and 48 Station Road and raised the following concerns:

- Sited in middle of supposedly green field land
- Stable block will be unsightly
- Serious concerns about potential noise and smell caused by stables
- Garage will be imposing
- More horses would cause safety problems
- Drainage could cause major problems
- Effect on value of house
- Impact on traffic
- Effect on traffic
- Access would make problems of congestion even worse
- Traffic problems would become worse
- Privacy issues
- How will outlook be protected?
- Such a large house would not be in keeping with the bungalows that front Station Road

3.5 Site Notice - A site notice was posted on 6 April 2006 adjacent to the application site. (Exp.27 April 2006)

4.0 APPRAISAL

KEY ISSUES:

- Principle of residential development
- Scale, design and visual amenity

- Impact on residential amenity
- Access

RELEVANT PLANNING POLICY AND GUIDANCE

4.1 Policy GP1 (Design) of the Development Control Local Plan states that development proposal will be expected to:

- a) respect or enhance the local environment;
- b) be 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;
- d) where appropriate incorporate informative landscape design proposals, where these would clearly have an influence on the quality and amenity and/or ecological value of the development;
- e) retain, enhance and or/create urban spaces, public views, skyline, landmarks, the rural character and setting of villages and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view;
- i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures;

4.2 Policy GP9 of the Development Control Local Plan emphasises that, where appropriate, development proposals will be required to incorporate a suitable landscaping scheme, and this must:

- a) be planned as an integral part of the proposals;
- c) reflect the character of the locality and surrounding development.

4.3 Policy H4a of the Development Control Local Plan states that proposals for residential development on land not already allocated on the Local Plan Proposals Map will be granted planning permission where:

- a) the site is within the urban area and is vacant, derelict or underused or it involves infilling, redevelopment or conversion of existing buildings;
- b) the site has good accessibility to jobs, shops and services by non-car modes;
- c) it is of an appropriate scale and density to surrounding development;
- d) it would not have a detrimental impact on existing landscape features.

4.4 The Poppleton Village Design Statement (adopted 28 August 2003) sets out design guidelines for development proposals in Upper and Nether Poppleton. The following design points are relevant to this application: 3) Any new development on the village periphery should be in keeping with both the surrounding properties and the countryside and should give high priority to landscape design, to protect and enhance the external views of the village; 11) The existing character and traditions must be appreciated when contemplating new development, whatever its size or purpose. Whilst imaginative design is encouraged one must consider the setting; 12) To conserve the special character of the traditional communities, the size, scale and massing of new buildings and extensions should harmonise with neighbouring properties and spaces; 14) Contemporary design should complement and be in sympathy with existing building character.

4.5 Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Guidance note 3: Housing are also relevant to this application.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT AND CHANGES TO THE GREEN BELT BOUNDARY

4.6 The application site is located at the southern end of the village within the settlement limit as defined in the Development Control Local Plan (April 2005). The rear of the site is

bordered by fields, which are situated in the Green Belt. At present, the site incorporates single storey stables and sheds and an area of paddock used for exercising horses.

4.7 The Deposit Draft City of York Local Plan (May 1998) showed the site as Green Belt, with the Green Belt boundary following the line of the drain and then the back gardens of the dwellings on the eastern side of Station Road. The gardens on the north side of the drain were longer and therefore the Green Belt boundary stepped out to follow rear boundary of these gardens.

4.8 There was no change to the Green Belt boundary in this area at Pre Inquiry Changes (PICs) 1 (March 1999) or PICs 2 (August 1999).

4.9 However, at Pre Inquiry Changes 3 (February 2003), the Local Plan proposals maps were amended and the boundary changed so that the stable / barn and an area immediately adjacent to the stable was removed from the Green Belt. The changes to the proposals maps were approved by a resolution at Full Council on 12th November 2002. No objections to this change were received.

4.10 The Proposals Maps which formed part of the 4th Set of Changes showed the same boundary as shown in the 3rd PICS. On 12th April 2005, Full Council agreed the 4th Set of Changes to the Local Plan, recommending in clause (ii):

"That the deposit draft of the Local Plan, as amended by subsequent changes up to and including the Fourth Set be approved for development control purposes.."

Therefore, at the 4th set of Changes, the amendment to the Green Belt boundary adjacent to 41 Station Road, Poppleton at the 3rd PICS stage was agreed for development control purposes.

4.11 The site is situated to the rear of 41 Station Road. This road is a busy route through Upper Poppleton with a frequent bus service using it as well as Poppleton Railway Station being located approximately 70 metres from the front entrance to the site. In view of this, the application site is considered to be in a sustainable location within the village. Local shops are within reasonable walking distance and as previously mentioned the site has excellent public transport links into the centre of York and beyond.

4.12 The application site is 0.143 ha and is capable of accommodating residential infill development. Its location within the Poppleton settlement limit means that it can be classed as a housing windfall site under Policy H4a of the Local Plan.

In view of the above, it is considered that the principle of residential development is appropriate on this specific site.

SCALE, DESIGN AND VISUAL AMENITY

4.13 The proposed scheme would incorporate a single dwelling, garage block, and stable block, all of which would surround a central courtyard area.

4.14 The proposed dwelling would be two-storey in height 7.7 metres to the ridge, 22.5 metres in width, and 7.2 metres in depth. It would be constructed from York hand made old clamp bricks and would use coxhill clay pantiles for the pitched roof. The amended drawings propose that the ground level of the site would be reduced by 1 metre, resulting in a ridge height of 6.7 metres above the existing ground level.

4.15 The dwelling would be situated at the eastern side of the site and would have a small area of private amenity space to the rear. It would be sited 10 metres from the rear

boundary with the Green Belt and over 30 metres from the boundary with 41 and 43 Station Road.

4.16 The pitched roof detached garage block would be 9 metres in width, 6 metres in depth, and 6.1 metres in height. This would be constructed from materials to match the proposed dwelling. It would provide 3 car parking spaces at ground floor with a playroom in the roof space. The garage block would be sited on the southern boundary of the proposed domestic curtilage.

4.17 The stables that are on the application site at the moment would be removed. A new stable block would be erected adjacent to the western site boundary. This would measure 13.5 metres in width, 4.9 metres in depth and 4.6 metres in height. It would be single storey with a pitched roof and would incorporate 3 stables and a storeroom.

4.18 The buildings in this particular area of Station Road in Poppleton are predominantly Victorian/Edwardian or 1940s/50s detached and semi-detached dwellings. The proposed dwelling is designed to try to be in keeping with the site's rural and agricultural character and is not of a design or scale that reflects the architecture of the neighbouring buildings. However the site would not be viewed as part of Station Road and as such it is felt that it would not harm the appearance of Station Road. It is material to consider the impact of the proposal on the openness of the Green Belt and the setting of the village because of its location on the edge of the Green Belt. The height and scale of the proposal would make it prominent when viewed from surrounding fields but public views would be limited to those from passing trains as there do not appear to be any public footpaths across the land to the south and east. As such whilst the proposal would bring new development to a site on the edge of the Green Belt it is considered that it would not harm its openness, the development would be seen as a separate built entity against the backdrop of the linear development of Station Road. The proposed landscaping scheme would, once established, help to soften the appearance of the development and would provide a more definitive boundary to the Green Belt.

IMPACT ON NEIGHBOUR AMENITY

4.19 The proposed scheme includes a stable block containing 3 stables to be erected adjacent to the boundary with the rear gardens of 41 and 43 Station Road. An objection has been received from the resident of no.43 stating the proposed stable would create an issue of increased smell and noise and as such would have an impact on amenity. At present the site contains stables for 12 horses although this is set off the boundary with the objector's property by about 24m. Whilst the stable block would be closer than those existing on the site the number of horses to be accommodated would be less and on balance it is considered that there would not be a demonstrable increase in the impact on the neighbours from the horses.

4.20 The proposed dwelling may cause some overlooking into the garden of no.39 Station Road. However, the trees located on the boundary would provide some screening from overlooking from first floor windows. It is not considered that there would be a loss of privacy to any other of the surrounding dwellings. The gardens of 41 and 43 Station Road are at least 30 metres from the front elevation of the proposed dwelling and this is considered a reasonable separation distance.

It is also considered that the proposed scheme would not give rise to overshadowing of neighbouring gardens or rear windows and would not be of an overbearing nature.

ACCESS

4.21 The application site would be accessed from the existing opening used for 41 Station Road and the existing stables behind. Comments and objections have been received relating to the proposed access. Local residents have concerns that the proposed scheme would cause an increase in traffic using the access land and Station Road and that already existing traffic congestion would be exacerbated. However, Highways Network Management were consulted regarding the application and have no objections subject to conditions being attached to any approval. It is therefore considered by officers that the proposed scheme would not substantially increase traffic in and out of the site and would not unduly contribute to existing traffic congestion problems.

5.0 CONCLUSION

5.1 The principle of a new dwelling is considered to be acceptable in this location within the settlement limit. The development would be viewed outside of the context of the linear development pattern of this part of Poppleton but is considered neither to harm the appearance of Station Road nor the openness of the Green Belt and the setting of the village. Subject to conditions, the development should not harm existing residential amenity or highway safety. The application is considered to comply with policies GP1, H4A and GP9 of the Development Control Local Plan and the design guidelines contained within the Poppleton Village Design Statement.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 PLANS1 Approved plans
- 3 VISQ8 Samples of exterior materials to be app
- 4 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 to E of Schedule 2 Part 1 of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the adjoining residents and the openness of the Green Belt, 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.

- 5 The garage and first floor playroom shall be used for private domestic purposes incidental to the enjoyment of the dwelling only, and not for any form of business or commercial use.

Reason: To safeguard the amenities of local residents

- 6 The stables shall be used for private domestic purposes incidental to the enjoyment of the dwelling only, and not for any form of business or commercial use.

Reason: To safeguard the amenities of local residents

- 7 Notwithstanding the details shown on drawing number 1754/1 revision B 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 to be planted, the landscaping scheme shall include proposals for the land shown edged in red and edged in blue 558.002 . 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.

- 8 DRAIN1 Drainage details to be agreed

- 9 HWAY9 Vehicle areas surfaced

- 10 HWAY19 Car and cycle parking laid out

- 11 HWAY28 IN Proximity of gate etc to highway

- 12 All manure and/or waste material generated from the stables shall be disposed of in accordance with a scheme agreed in writing with the local planning authority before the use of the stables building commences.

Reason: To Protect the amenity of local residents during operation of the development from odour and flies.

- 13 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to 08:00 to 18:00 Monday to Fridays, 09:00 to 13:00 Saturdays and no works at all shall be carried out on Sundays and Bank Holidays.

Reason: To protect the amenity of local residents during the construction of the development from noise.

- 14 Prior to commencement of the development, a noise assessment in accordance with the advice contained within PPG24 (Planning and Noise) shall be undertaken to determine the noise impact of the nearby railway lines on the future occupiers of the building. Thereafter a scheme of mitigation measures necessary to adequately protect the amenity of the future occupants from noise shall be submitted to the Local Planning Authority for written approval. The approved mitigation measures must be fully installed prior to occupation of the use hereby permitted.

Reason: To determine measures needed to be put in place to protect the amenity of occupants from noise vibrations and to protect the amenity of the occupants from noise.

- 15 HT1 IN Height 6.7m

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 the appearance of the streetscene, the openness of the Green Belt and the setting of the village, residential amenity and highway safety. As such the proposal complies with Policies GP1, H4A and GP9 of the Development Control Local Plan and the design guidelines contained within the Poppleton Village Design Statement.

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