

CYH5A
Residential Density

CYT4
Cycle parking standards

CYL1
Open spaces in new residential devts

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - With reference to the amended drawings submitted by the applicant's agent and received on 21st September, for the demolition of existing dwellings on this site and the construction of an apartment block containing 7 no. 2 - bed units, there are now no highway objections to the application.

Engineering consultancy - Insufficient detail has been submitted to determine the potential impact the proposal may have on existing drainage systems. Details of the existing surface water systems should be provided together with details for the new development. Existing and proposed ground levels for the site and adjacent properties should be shown. Existing and proposed surfacing should be shown.

Environmental Protection Unit - The Environmental Protection Unit have no objections to this application. However the site is in close proximity to residential properties that may be adversely affected by noise during any demolition, construction and refurbishment work. Although the site is unlikely to be affected by land contamination, it is recommend that a condition, which places a watching brief for the discovery of any unsuspected contamination, is placed on the approval.

Education - No contributions are required.

Lifelong Learning and Culture - Financial contribution required for improving local leisure facilities.

3.2 External

Environment Agency - No objection.

Safer York Partnership - No response received.

Neighbours - Two letters of objection received to the initial scheme from 106 Gale Lane and 130 Tudor Road:

- Increased traffic at an already busy junction
- Loss of trees and hedges
- Inappropriate to the area as terrace and semi-detached prominent within the area
- Bin store at a distance to the properties and people may store refuse elsewhere on site
- Smell and vermin from the bin store
- Bike stores could be used to store other equipment such as flammables
- Flat roof of bin and bike store will give easy access to garden area by intruders
- Children may play ball games against the bike store and boundary wall
- Loss of privacy by living accommodation
- The gates shown address security issues but only if they are locked

Revised scheme: Two letters of objection from 69 and 71 Gale Lane:

- Possible danger due to number of cars entering and leaving the site at junction
- Kerbed access over neighbouring dropped kerb
- Existing 4ft lap larch fence inappropriate to boundary with proposed access
- Brick boundary wall to 71 Gale Lane should be built within the application site

4.0 APPRAISAL

4.1 Key Issues

- Design and Visual Amenity
- Impact upon neighbouring residents
- Access and Highway Safety
- Design and Crime

4.2 The relevant City of York Council Draft Deposit Local Plan Policies are GP1, GP3, GP9, H4a, H5a, L1c and T4. Policy GP1 'Design' includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area. Policy GP3 states that new development will be required to incorporate crime prevention measures to achieve natural surveillance, secure locations for car and cycle parking and satisfactory lighting. Policy GP9 requires a suitable landscape scheme to be planned as an integral part of the proposals where appropriate.

4.3 Policy H4a 'Housing Windfalls' states that permission will be granted for new housing development on land within the urban area providing: it is vacant/derelict/underused or involves infilling, redevelopment or conversion; has good access to jobs, shops and services by non-car modes; and, is of an appropriate scale and density to surrounding development and would not have a detrimental impact on existing landscape features. Policy H5a 'Residential Density' states that the scale and design of residential developments should be compatible with the character of the surrounding area and must not harm local amenity. Applications for all new residential developments, dependant on individual site circumstances and public transport accessibility, should aim to achieve net residential densities of greater than: 60dph in the city centre; 40dph in the urban area and 30dph elsewhere in the city of York. Policy T4 states that cycle parking provision should be in line with Council standards. Policy L1c requires that all housing sites make provision for the open space needs of future occupiers. For sites of less than 10 dwellings a commuted payment will be required towards off site provision.

DESIGN AND IMPACT ON THE VISUAL AMENITY OF THE AREA

4.4 The application site consists of a pair of semi-detached houses located at the junction of Gale Lane and Tudor Road. It is proposed to demolish the houses and erect a block of seven two-bedroom apartments. The building would be two storey with rooms incorporated within the roof space. There would be three self-contained units at ground floor. Individual accesses would be provided to three apartments covering the first floor with their master bedroom being located within the roof space. A single unit is proposed which would incorporate living accommodation at ground floor with two bedrooms to the first floor and no living space within the roof.

4.5 The building has been designed in an 'L' shape allowing frontage to both Tudor Road and Gale Lane. Its design is relatively uniform with slight setbacks and projecting porches to allow relief to the elevations. Details are provided to the cills and headers and a soldier course has been incorporated to all elevations. It would be constructed with a hipped roof to reflect neighbouring residential properties and to reduce its bulk. It would have an eaves height of 5.3m and a ridge height of 8.65m. The section adjacent to 71 Gale Lane has been reduced to two storey only, with no rooms provided within the roof, and as such has a similar eaves height but the ridge is reduced to 7.3m.

4.6 Access to the site would be provided by way of an improved entrance onto Gale Lane, adjacent to number 71. This would serve the car parking area which is enclosed to the rear of the site between the development and the boundary to number 71. Eight car parking spaces would be provided, one per dwelling and one visitor. A communal garden area would also be located to the rear of the building. A long low pitched roof building is proposed along the boundary with 130 Tudor Road which would house eight individual cycle stores, a tool shed and five secure refuse and recycling units.

4.7 The character of the locality is that of a well established suburban residential area, dominated by two storey houses with their own front and rear gardens. Policy H4a encourages residential development schemes in accessible urban sites that increase density. The scheme calculates at 76 dwellings per hectare. It is considered that this intensity of development can be accommodated within the site without being detrimental to the character of the area, the streetscene or neighbouring residential amenity.

4.8 The apartment block has been designed to minimise the impact upon neighbouring residential properties. The scheme incorporates hipped roofs to reflect those present within the vicinity and would have eaves and ridge heights similar to those of 71 Gale Lane. The ridge would, however, be 1.3m higher than that of the adjacent property at 130 Tudor Road but this would be at a distance of 7m away and would not appear to be overdominant or overbearing on the neighbouring property or streetscene. Furthermore, the section of the development immediately adjacent to 130 Tudor Road would follow the same building line, before projecting towards the highway, giving a visual break in the front elevation. This elevation would reflect the neighbouring terrace properties in terms of bulk and mass.

4.9 The scheme has been designed to retain the existing boundary hedge, softening the appearance of the development, and incorporate areas of landscaping to the rear and front of the building. These areas reflect the suburban nature of the street and integrate the scheme into the local environment in accordance with policy GP9.

IMPACT UPON LIVING CONDITIONS OF NEIGHBOURING RESIDENTIAL PROPERTIES

4.10 In respect of residential amenity policy GP1 i) seeks to ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures. The two properties principally affected by this proposal are 130 Tudor Road which is a small end of terrace house with a large rear garden and 71 Gale Lane which is an extended two storey semi detached house with rooms in the roof and a large outbuilding running along the boundary with the application site.

4.11 The scheme has been designed to prevent any detrimental impact upon neighbouring residents in terms of overshadowing or overlooking. The block of apartments would follow the lines of the front and rear elevation of the neighbouring residential properties and would be set at a distance of between 6.8 and 7.4 metres from their side elevations. The main bulk of the building would be at a distance of 15m from the shared boundary with 71 Gale Lane and as such there would be limited impact in terms of overshadowing of the properties and their garden areas.

4.12 The rear elevation of the development facing 71 Gale Lane would be at a distance of between 15m and 18.5m to the shared boundary, due to the slight angle of the development, and 22m to the central section of the garden, immediately behind the property. There would be six windows to this first floor elevation opening into two bathrooms, which would be obscure glazed, two bedrooms and two dining areas. It is considered that these distances are acceptable and would not lead to any detrimental impact in terms of loss of privacy. With regard to the property facing Tudor Road the nearest windows of the development, being first floor bedroom windows, are at a distance of 21.5m to the shared boundary which is also considered to be acceptable.

ACCESS AND HIGHWAY SAFETY

4.13 One of the reasons for refusal on the previous application specifically related to the vehicular access to the site and highway safety implications. The number of units has been substantially reduced since the original application and accordingly the number of parking spaces has been reduced from 15 spaces to 8 spaces, being one per unit and one visitor. It is considered that traffic associated with seven two bed apartments is in lines with what can be expected from the existing dwellings at 73 and 75 Gale Lane plus the dwelling which has outline consent and is positioned in the corner of the plot.

4.14 Initial comments requested that a formal kerbed access be provided to the site. However, this cannot be achieved due to the close proximity of the neighbouring access at 71 Gale Lane. There are no objections raised though on the condition that the access be widened to allow for two way flow into and out of the site.

DESIGN AND CRIME

4.15 The Safer York Partnership have been consulted on the current scheme but no reply has been received. However, in comparing the current scheme to the previously refused one it appears that a number of the issues have been addressed. The scheme now clearly identifies defensible space around the building which appears to be private land as opposed to public space. This is emphasised by the retention of the existing boundary hedge and the insertion of gated accesses for pedestrians and vehicles. Secure cycle parking is being provided, the car parking area is clearly visible by all the apartments improving security and the building entrances project forward of the front elevation of the property giving good visibility.

OPEN SPACE

The applicant has agreed to provide a contribution towards off-site open space in accordance with policy L1c. The contribution would be used to improve local amenity open space such as Hob Moor, local play space such as Foxwood Lane and sports pitches within the West Zone of the Sport and Active Leisure Strategy. The contribution has been assessed as £5257.

5.0 CONCLUSION

5.1 It is considered that the proposal accords with council policy. There would not be any detrimental impact upon neighbouring residents amenity in terms of overshadowing or loss of privacy. The design of the scheme reflects neighbouring properties and the bulk and massing are considered to be appropriate. There would not be any highway implications and adequate on site parking is provided. Officers recommend approval.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

JW/GL/6 received 18th September 2006
JW/GL/7 received 18th September 2006
JW/GL/8 received 18th September 2006

or any plans or details subsequently agreed in writing by the Local Planning Authority as an 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 HWAY10 Vehicular areas surfaced, details reqd
- 4 HWAY17 IN Removal of redundant crossing
- 5 HWAY19 Car and cycle parking laid out
- 6 HWAY21 Internal turning areas to be provided
- 7 HWAY25 Pedestrian visibility splays protected
- 8 HWAY29 IN No gate etc to open in highway
- 9 NOISE7 Restricted hours of construction
- 10 VISQ8 Samples of exterior materials to be app
- 11 DRAIN1 Drainage details to be agreed
- 12 HT1 IN Height...8.7m
- 13 Any suspect contaminated materials detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect the health of the occupants.
- 14 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 requirements of Policy L1 of the City of York Draft Local Plan.

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 £5257.

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.

- 15 The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved plans, 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 the character of the area, residential amenity, open space provision and highway safety. As such the proposal complies with Policy H9 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, GP3, GP9, H4a, H5a, L1c and T4 of the City of York Local Plan Deposit Draft.

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