

## COMMITTEE REPORT

**Committee:** West/Centre Area  
**Date:** 19 April 2007

**Ward:** Holgate  
**Parish:** No Parish

**Reference:** 07/00181/FULM  
**Application at:** The Veterinary Surgery Salisbury Road York YO26 4YN  
**For:** Erection of 3 no. two storey dwellings with rooms in roof and a three storey block of 7 no. apartments after demolition of the existing buildings (resubmission)  
**By:** The Minster Veterinary Practice  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 30 April 2007

### 1.0 PROPOSAL

1.1 This application is for the demolition of an existing clinic, residential unit and store ancillary to the Veterinary Surgery and subsequent erection of three dwellings and 7 no apartments. The dwellings and apartments shall be two separate buildings, one three storey pitched roof building fronting on Salisbury Avenue and the second block set within the site to the north, a row of three 3 storey town houses. Vehicular access to the site would be gained through a covered entryway with accommodation above. Within the site the accommodation is arranged around a parking area, and the three town houses would have there own private amenity space.

1.2 The area is within the defined settlement limits but is otherwise unallocated within the Local Plan.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Schools St. Barnabas' CE Primary 0224

## 2.2 Policies:

CYH5

Residential densities over 25 per ha

CYGP4A

Sustainability

CYGP15

Protection from flooding

CYH4

Housing devp in existing settlements

CYGP1

Design

## 3.0 CONSULTATIONS

### 3.1 INTERNAL CONSULTATIONS

3.2 DRAINAGE - Objection. Leeman Road Flood bank was almost overtopped during 2000 flood, and the lowest level on the defences is 10.62 metres AOD. Bullen's River Ouse modelling report for the EA quotes a 1 in 100 year prediction level of 10.94 metres, and the consultant quotes a level of 11.01 metres AOD. Both of these 100 year levels exceed the level of the existing earth flood defences. Therefore the defences do not offer 1 in 100 year flood protection, as stated in section 5.4 in the FRA. The existing earth defences have also been assessed as structurally poor.

### 3.3 LIFELONG LEARNING AND CULTURE -

As there is no on-site open space commuted sums should be paid to the Council for

- a) Amenity open space - which would be used to improve a local site such as Victoria Park or West Bank Park.
- b) Play space - which would be used to improve a local site such as Garnet Terrace, Victoria Park or West Bank Park
- c) Sports pitches - which would be used to improve a facility within the West Zone of the Sport and Active Leisure Strategy.

### 3.4 ENVIRONMENT PROTECTION -

The Environmental Protection Unit has no objections to this application. However I do have various concerns regarding the application, these are as follows:

\* The site is situated on one of the main roads into town which is also the park and ride bus route. I therefore have concerns regarding noise adversely affecting the amenity of the future residents of the proposed development.

\* The monitoring of air quality in this area has shown raised concentrations of NO<sub>2</sub> at the roadside and that these levels are approaching the Air Quality Objective. I therefore have concerns regarding the potential health risks to the future occupants of the proposed dwellings.

\* There is also concerns regarding possible contamination, found during any construction works, as council records indicate that the adjacent piece of land has historically been used for land filling. It is therefore recommended that the developer carry out gas investigation works, as stated below, at the earliest stage. This is due to the fact that the presence of gas can be a possible constraint on the development.

### 3.5 URBAN DESIGN - No comments

### 3.6 HIGHWAYS -

There are no highway objections to the development, however it is noted that a 2 metre pedestrian splays at the rear of the public highway footpath are included at both pedestrian accesses. Whilst this is not objected to, it is a recommendation that 2 metre pedestrian v's vehicle splays are provided at the vehicular access as well/instead of the footway splays. In addition the footways should be a minimum of 1.2 metres wide to permit a wheelchair to pass a pedestrian.

The tunnel entrance through the back, at 4 metres high will allow the passage of standard bin wagons, around 3.5 metres, but this will entail the vehicle reversing from the highway as on site turning area is inadequate. A bin collection area should be shown adjacent to the public highway at the front of the site. At 4metres the height of the tunnel will not permit fire tenders access to the rear (4.5 metres required) but the entrances to the houses, considered as three stories high, are within the maximum distance to the public highway for fire vehicles to stand.

## EXTERNAL

### 3.7 ENVIRONMENT AGENCY - Objects.

The topographic survey shows the gradient of the site varies from 10.84 metres AOD to 9.22m AOD. The majority of the area to be developed is well below the highest recorded flood level and the modelled 1 to 100 year flood level. The FRA states that the finished floor levels will be 300mm above ground level. However it does not state if this would be average ground level, existing or proposed levels. 300mm above any of these levels offers insufficient protection to the development should the defences is breached.

The applicant should consider providing compensatory storage on a like for like basis for the volume of floodwater that could be displaced by a new development.

The applicant should consider incorporating flood proofing into the design of the dwellings.

The application form states that surface water will go to soak away. The FRA states that the soak away is not feasible at this site and that surface water would discharge into a sewer.

### 3.8 NEIGHBOURS

The application has been subject to local consultation; as a result four letters were received making the following comments;

- The road would become busier resulting from the dwellings
- The three storey building is not in keeping with the area and is too high
- The beautiful trees should not be affected.
- Would the bus stop be affected as a result of this application.
- The height of the buildings would cause overshadowing
- The flats are to be built above the food level they would be higher affecting properties around the site.
- The area has plenty of flats
- The slipper baths make a positive contribution to the character of the area.
- The house is not in a derelict state.
- The existing building should be incorporated into the design.
- The apartments would dominate the streetscape.

### 4.0 APPRAISAL

#### Key Issues

- Principle
- Design and Appearance
- Impact upon Residential Amenity
- Highway Safety
- Flood Risk

#### PRINCIPLE

4.1 The relevant City of York Council Draft Deposit Local Plan Policies is GP1 and H4. Policy GP1 is concerned with design and seeks a standard of design that will secure an attractive development and safeguard or enhance the environment by being of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces. Policy H4 refers to housing developments in existing settlements and states that permission will be granted within defined settlement limits for new housing development and land not already allocated on the proposals map where the site is vacant, derelict or under-used or it involves infilling, redevelopment or conversion of existing buildings and is of an appropriate scale and density to surrounding development and it would not have a detrimental impact on existing landscape features.

4.2 The application site consists of a house, a former slipper baths and currently forms half of the Minster Veterinary Practices headquarters. Within the application site there are a number of trees, which are subject of a Tree Preservation Order. The surrounding area is predominately residential in nature, with rows of modest terraced properties to the east and semi detached two storey properties to the south. The semi detached properties have off road parking and the terraced properties have on street parking.

4.3 The site may be considered as brown field it is a combination of domestic curtilage and ancillary external space for the Slipper Baths within the settlement limits. The site is also in a sustainable location, close to the city centre within a well established residential area close to public transport links. The principle of redevelopment is therefore acceptable.

## DESIGN AND APPEARANCE

4.4 The flats have not been designed to reflect the character of the surrounding area, and would not relate in terms of scale, design and massing to the surrounding properties. The apartments, which front onto Salisbury Road, are not designed to match any of the surrounding properties. The height of the proposed apartments would be significantly higher than any of the surrounding buildings; this is exacerbated by the pitched roof on top of a three storey building, which collectively has a significant impact. The vehicle entryway below the apartment building is does not relate in terms of design and appearance to the surrounding area. The proposed apartments fronting onto Salisbury Road would measure approximately 19.4 metres long by 10 metres wide and 10.8 metres to the highest point. The three town houses to the rear would collectively constitute as a block of development measuring 13.6 metres long by 8 metres wide and 8.7 metres to the highest point. The height and scale of the townhouses would be more in keeping with the surrounding properties than the apartments fronting onto the highway.

4.5 The proposal would not have a positive effect upon the street scene, and therefore any development would have a significant effect relating to the character of the area. The application site is a gateway site into this residential area of the city when approached from the west. As such propriety should be given to ensure good design in this prominent location. When approaching the site from the west the differences in height, mass and scale are particularly apparent highlighting the differences the proposal would have upon the street scene and surrounding properties. This would contradict with Planning Policy Statement 1.

4.6 Whilst it is accepted that the slipper baths is an older building the proposed removal would not be to the detriment of the locality, as it does not make a significant contribution to the street scene or appearance of the area or is listed or within a Conservation Area. The principle important features to the site are the trees, which are substantial and some are subject to Tree Preservation Orders and would be protected as part of the application.

## RESIDENTIAL AMENITY

4.7 The distance between the rear of the apartments and the front of the town houses within the site would measure approximately 20 metres and would result in an acceptable relationship and would not result in a substantial a loss of amenity for both residents. The relationship of the apartments to the neighbouring properties to the south over the highway is approximately 26 metres, which would be sufficient to preserve amenity.

## HIGHWAY SAFETY

4.8 Concerns have been raised with regard to the impact the proposal would have upon traffic in the area. The Highways section of the council has not raised any concerns with a regard to the increase in dwellings in this location. With regard to the public transport, the application would be sited to the east of the existing bus stop, which should not be affected as a result of this application.

## FLOOD RISK

4.9 Concerns have been raised from the Environment Department and Drainage that the proposal would not satisfy Planning Policy Statement 25 (PPS25). This sets out Government policy on development and flood risk. It's aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. The proposal in within an identified high risk area and the development would not mitigate these concerns. The submitted Flood Risk Assessment is considered to not contain adequate information, which has not satisfied the Local planning Authority, contrary to GP15a.

## 5.0 CONCLUSION

The proposal does not respect the character and appearance of the area, is inappropriate in terms of design, compromises residential amenity and does not satisfy the flood risk requirements of the locality compromising polices GP1, GP15a and H4 of the Local Plan.

## 6.0 RECOMMENDATION: Refuse

- 1 The proposed three storey apartment building would not add to the character of the area or be well integrated into the existing environment. The height and massing would be inappropriate and would be excessively high, this

contradicts policies GP1 and H4 of the Local plan and Planning Policy Statement 1.

- 2 The Flood Risk Assessment does not successfully identify measures that would ensure the site can be safely developed, services and occupied contrary to policy GP15a of the Draft Local Plan and Planning Policy Statement 25.

## **7.0 INFORMATIVES:**

### **Contact details:**

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