

COMMITTEE REPORT

Team: East Area
Date: 15 June 2006

Ward: Haxby And Wigginton
Parish: Wigginton Parish Council

Reference: 06/00516/OUTM
Application at: Thornlea 23 The Village Wigginton York YO32 2PL
For: Outline application for the erection of a two and three storey block of 15 no. apartments (siting and means of access for consideration)
By: McCarthy And Stone (Devs) Ltd
Application Type: Major Outline Application (13 weeks)
Target Date: 22 June 2006

1.0 PROPOSAL

1.1 Members will be aware that two previous proposals have been considered on this site. An application for 36 flats (retirement flats) was refused in April 2005 on design, highways, lack of affordable housing and bats habitat grounds and an application for 33 flats (retirement flats) was refused in November 2005 on design and lack of affordable housing grounds. This latter application is now the subject of an appeal which is to be heard at an inquiry on the 23rd May 2006.

1.2 The application site is located almost centrally within the remaining historic core of Wigginton, at the corner of The Village and Church Lane. The frontage to The Village is approximately 44 metres. The site stretches back along Church Lane for approximately 67 metres, bounded to the rear by an informal back lane. The site area is calculated to be 0.29 hectares. The frontage to The Village is formed by two blocks of houses, separated by approximately 10 metres. Nos 23 and 25 are a pair of semi-detached two-storey houses, dating from the 1930's. Nos 27, 29 and 31 are a short terrace, again two-storeys high, of late 19 century cottages. Long rear gardens extend to the back lane, the traditional form of plot boundaries associated with villages in the Vale of York.

1.3 This proposal, which is submitted in outline but includes siting and means of access, is for the erection of a two and three storey development to create 15 apartments with access to the site via Church Lane. The built form of the development is to be placed on the frontage of the site with parking for 20 cars provided to the rear. Illustrative elevations which accompany the application show the general height and type of development proposed to achieve 15 units on the site.

1.4 Despite the application being submitted by McCarthy and Stone there is no indication with this application that the proposal is for retirement accommodation.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

DC Area Teams East Area (2) 0005

City Boundary York City Boundary 0001

2.2 Policies:

3.0 CONSULTATIONS

3.1 Internal

Housing - The proposal will require an affordable housing quota there has been no approach from the developer prior to the submission of this application.

Countryside Officer - No further survey necessary on this site although the countryside officer will check the site himself. Since the last application there has been a replacement of PPG9 with PPS9 this places greater emphasis on the need to enhance biodiversity and encourages the incorporation of wild life features. A condition should be incorporated into any decision that requires a wildlife enhancement plan.

Environment and Conservation - From 'The Cottage' on Back Lane eastwards to 'Greenacres', where the lane narrows down to a boarded-in, long footpath, the character of the vicinity is that of an attractive, quiet leafy residential lane. The large trees and open space provided by the gardens and churchyard contribute to the local amenity. Looking westwards from 'The Cottage' along Back Lane the environment is relatively sterile and lacks the localised character seen further up the lane. This exemplifies the danger of back garden development and the creation of plots where the garden sizes are too small to contribute any spatial quality and to support any significantly sized trees. The flatted development is more acceptable because it could be possible to retain all the desirable trees. This scheme would also allow a greater spatial quality to the rear with room for additional/replacement planting. Nonetheless, the presence of 20 cars en masse would be a detracting element.

Environmental Protection - No objections in principle but require a contaminated land survey/condition and a condition controlling the hours of operation of the construction site.

Natural Environment Panel - The proposal is contrary to GP10 and therefore is not supported by the Panel. Of the two schemes proposed this one is preferred because of the larger garden area to be retained.

City Development - Set out all the relevant policies and concludes that the DC officers assessment is the crucial issue in determining the acceptability of the proposal.

York Consultancy - The development is in low risk flood zone 1 and should not suffer from river flooding. Based on the limited information submitted the proposals do not appear to significantly increase surface water run-off and therefore there are no objections.

Highways - No objections in principle, however, the detail submitted is not adequate to approve the means of access. It is assumed that the access will be taken from the bridleway church lane. The plan submitted with the previous scheme should be submitted to support this application.

Lifelong Learning and Leisure - Commuted sum payment should be paid to the Council towards off-site open space facilities.

3.2 External

Wigginton Parish Council - The drawings provided are not to any scale and therefore fail to provide the true impact of such major development on the local area. The inclusion of a

three storey terrace is totally at variance with the rest of the village and with its large frontage, would totally dominate the main street of the village. We have made this point on the two earlier applications and nothing, as far as the parish council is concerned has changed. The structure would dominate the single storey dwellings at the rear and we are concerned about the creation of a mini cul-de-sac at the rear of the development off Church Lane. Church Lane and the adjoining Back Lane are two of the oldest thoroughfares in the village and are therefore an important part of the village's character and therefore are not to be altered or changed in any way. Church Lane is a very quiet bridleway used extensively by children and pedestrians on route to the local school. The anticipated increase in the amount of traffic using Church Lane is potentially dangerous and a major concern.

In line with the limitations placed on the last development in this area all traffic related to the building of the development must approach from The Village and not Back Lane or Church Lane. We strongly object to this application for outline planning permission.

Police Traffic Management Liaison Officer - Church Lane is a bridleway. Motor vehicles have unrestricted access to premises to the rear of The Village along Church Lane which is just over a car's width. Church Lane is well used by cyclists and pedestrians alike and there is no footpath facility. If a car and pedestrian meet in the lane there is little or no room for both to pass comfortably. The car parking area to the rear of the proposed development would have seriously restricted visibility into the lane or into the car parking area. If cars meet on the lane vehicles will have to reverse onto the carriageway. The 'way' is not designed for this type of use and danger would be caused to other road users.

North Yorkshire Police - Designing out crime issues are difficult to assess at this time however the applicant should be made aware of the advice in PPS1. Secure cycle parking should be included with the application.

Neighbours - 15 Letters of objection have been received covering the following points:

- Concerned the impact the development will have on the children getting to Wigginton Primary school particularly as more children are being encouraged to walk and cycle.
- Church Lane which runs along the side of the development is one of the main pedestrian links between the village and two public footpaths, both the public footpaths are extensively used as they create links to all the major services both within Wigginton and Haxby.
- If the properties are to be sheltered accommodation there is potential for additional traffic from carers nurses etc coming to the site.
- The Village area of Wigginton is predominantly the only street left that retains any character and should be protected at all costs. It is mainly made up of two storey cottages and houses to introduce a three storey building of such height and scale would completely ruin this area and would be detrimental to the character of the village and would dwarf adjacent properties.
- The walking route is a haven for wildlife that is enjoyed by everyone, a high block of housing would ruin this.
- Object to the demolition of 5 perfectly good houses in an age when sustainability is encouraged.
- Check the roof heights of this development to ensure lift equipment can be incorporated or else the roof heights may be even higher.
- Church Lane can already be blocked by deliveries to the Rosedale Nursing Home next door.
- Object to being bombarded by planning applications from this company for this site, by doing this they seem to be trying to confuse people.
- It is interesting to note that around the time a photographer was spotted taking photos of the site the outward appearance of one of the cottages changed for the worse with a graffitied number for the house sprayed on the front wall.

- There is already a vast amount of both sheltered housing and bungalows in both villages, enough is enough.
- There is currently no vehicular access to the site from the village.
- Numbers 30 and 34 opposite the site are described as 'two storey 1980's' this is incorrect these properties are amongst the oldest in the village. No. 34 existed in at least 1824.
- Governing body of the school concerned about the loss of the safe route to school.
- Wigginton Recreation Hall now let parents drop their kids off in their car park to join the walking bus. It is not considered that this could continue if the safety of Church Lane were to change.
- The nursery at the school site and baby and toddler sessions at the Recreation Hall will also be affected.
- After the Council have just spent thousands of pounds providing safety features around the school it is a bit ironical that parents and pupils are now threatened by this proposed development.
- The distance of the flats from major local shops is likely to cause residents to shop in supermarkets using cars and so increase traffic.
- The demolition of the existing buildings will cause nuisance pollution and a traffic hazard.
- Parking provision is unlikely to be adequate this means parking elsewhere such as on The Village or obstructing Church Lane
- The proposal constitutes overdevelopment which is inappropriate to the village.
- The increase in densities proposed should only be contemplated in inner city areas and will destroy the character of the village.
- Three storeys will dominate the properties either side at both front and back. In an ordinary domestic dwelling the bedroom would not be occupied for any significant length of time, however both second and third floor flats would be occupied for much longer and overlook neighbours who have enjoyed considerable privacy for many years.
- The highest roof line of the development is shown as being as high as Rosevale Nursing Home and in reality, the flats are likely to be much taller.
- There will be increased strain on drains and sewers.

4.0 APPRAISAL

4.1 The key issues are considered to be

- Sustainability and the sequential test
- Design considerations
- Highways issues
- Affordable housing
- Open space and education

4.2 Sustainability and the sequential test

Central Government guidance regarding new housing is contained within Planning Policy Guidance note 3: Housing. Policy H4a and H5a of the Draft Local Plan are also relevant.

The key aim of local and national policy is to locate new housing on brownfield land in sustainable locations. PPG3 sets out a sequential test which favours the re-use of previously developed land within urban areas, then urban extensions and finally new development around nodes in good public transport corridors. Policy H4a deals with housing developments within existing settlements and says that permission will be granted within defined settlement limits for new housing developments on land not already allocated on the proposals map, where the site is vacant, derelict or underused land where it involves infilling, redevelopment or conversion of existing buildings. The scheme must be of an

appropriate scale and density to surrounding development and should not have a detrimental impact on landscape features. Policy H5a says a density of 30 dwellings per hectare should be achieved on this site subject to the scale and design of the development being compatible with the character of the surrounding area and that there is no harm to local amenity.

The emphasis of both PPG3 and local plan policies is that development should maximise use of existing sites but that development should respect the character of the site and its surroundings. Wigginton with its proximity to local facilities and accessibility is considered to be a sustainable location however officers have concerns about increasing the density and scale of development on the site because of the important role it plays in maintaining the visual character and qualities of the settlement. These issues are discussed below under design considerations

4.3 Design Considerations

One of the key principles identified in PPS1 is to ensure that development plans and decisions taken on planning applications contribute to the delivery of sustainable development is that 'planning policies should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted'.

Furthermore PPS1 says planning authorities should plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Good design should contribute positively to making places better for people. Design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted.

Such a stance is supported by Local Plan Policies GP1, GP10, H4a and H5a which seek to ensure scale design density, layout and mass are compatible with the site surroundings.

This area of Wigginton village retains a rural character and the area around the site remains the village heart. The buildings along the frontage are generally two storey, in short terraces or semi-detached/detached blocks. The one exception to this is the large nursing home formerly the Rectory adjacent to the site which is a substantial building and has had substantial extensions. The site and adjacent properties (nos. 11-31 The Village) retain a traditional relationship to Back Lane/ Church Lane of frontage plots with long, narrow plots extending to a narrow back lane. The linkages around the site to both the church and the school make the area an important focal point for the village.

In officers opinion the design submitted takes its reference from the nursing home using the height and length of this building to justify the scale of the proposal. The scheme cuts across the traditional form of the site by putting emphasis on the width rather than the depth of the plots, it also disregards the smaller scale of development both on and adjacent to the site and the spaces between buildings which afford glimpses through the site to the land and church at the back. Officers are also concerned that the requirements to improve the Church Lane access and the provision of hardstanding and car parking in the rear area would change the nature of the site detracting from its rural feel and from its attraction as a safe route to the village school and other parts of the village.

Based on the information submitted it is considered that the proposal does not respond to the requirements of PPS1 or the requirements of policies in the Local Plan which seeks development that is compatible with its surroundings.

4.4 Highways

Limited information has been submitted in relation to access issues. It can be noted from the highway comments that in order for the proposal to be acceptable from their point of view the application needs to be supported by a plan showing improvements to Church Lane in detail. The sketch layout plan does in fact show some realignment of the access road in accordance with discussions with highways on the previous applications on the site and highways are satisfied that any additional information they required could be achieved through conditions.

4.5 Affordable Housing

In this location Policy H2A of the Draft City of York Local Plan seeks a contribution of 50% of units towards housing need in developments of 15 or more units, or 0.3 hectares or over, and is supported by the advice in Planning Policy Guidance Note 3. In the absence of any agreed offer of affordable housing it is recommended that the application is refused as being contrary to Policy H2A of the Draft City of York Local Plan and the aims of PPG3.

4.6 Open space and education

Under Policy L1c there would be an open space provision requirement for this site. If the scheme were acceptable in all other respects the provision of open space could be dealt with by condition. There would also be a need to assess whether a contribution would be required towards education provision however without knowing the type of occupation of the flats these issues cannot be fully assessed.

5.0 CONCLUSION

5.1 The principle of redeveloping sites in sustainable locations is consistent with Government guidance and advice within local plan policies. However the requirement of all the relevant guidance is that development should be compatible with the character of the area in terms of scale, massing, density and design. In officers opinion the scheme submitted fails to take account of the character of this part of Wigginton and therefore cannot be supported in planning terms.

5.2 As the development is for 15 houses, 50% affordable housing is required in accordance with Policy H2A of the Local Plan. In the absence of an offer of affordable housing it is recommended that the application is refused.

5.3 There are other outstanding matters relating to the details of the scheme such as provision of open space and education contributions which officers believe are not insurmountable were the scheme to be acceptable in all other respects.

5.4 For Members information work has been commenced to look at a conservation area around the central core of Wigginton. It will be necessary to await the outcome of the appeal on this site to progress the conservation area further at which point a report could go to main committee on this issue.

6.0 RECOMMENDATION: Refuse

- 1 The proposal, by virtue of the absence of any offer of affordable housing, is contrary to the aims of PPG3 and Policy H2a of the Draft City of York Local Plan (incorporating the 4th set of changes).
- 2 The proposal, by virtue of the scale, massing, bulk, overall height of the building, and access and layout of the site is considered to be out of character with, and detrimental to the appearance of The Village, and hence contrary to Policies GP1, GP10 and H4a of the Draft City of York Local Plan (incorporating the 4th set of changes), and the aims of PPS1 and PPG3.

7.0 INFORMATIVES:

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