

COMMITTEE REPORT

Committee: West/Centre Area
Date: 19 April 2007

Ward: Acomb
Parish: Acomb Planning Panel

Reference: 06/02519/FUL
Application at: Land Between 29b And 31 Beckfield Lane York
For: Erection of 2no. dwellings
By: John Wheldon
Application Type: Full Application
Target Date: 15 January 2007

1.0 PROPOSAL

1.1 The applicant seeks planning approval to erect 2 no. dwellings.

1.2 The application relates to a vacant area of privately owned land and located toward the bottom of an unadopted highway adjoining Beckfield Lane. The unadopted highway contains a range of two storey dwellings and dormer type bungalows varying in size and age. The site is enclosed by wooden "hit and miss" fencing approx. 1.8 metres in height. A detached single garage is the only permanent structure upon the site. The gable of no.54 Raven Grove overlooks the site. Alpine Bungalow (located beyond the eastern boundary) is well set down.

RELEVANT HISTORY

1.3 04/03321/REM - Reserved Matters Application for the Erection of Detached Bungalow on Land Between 29B AND 31 Beckfield Lane (revised scheme) - Outline Application 02/01847/OUT refers - Approved (33b Beckfield Lane)

1.4 03/04045/REM - Reserved Matters Application for the Erection of Detached Bungalow and Garage on Land Between 29B and Beckfield Lane. Outline Application 02/01847/OUT refers - Approved 19.02.2004.

1.5 02/02167/FUL - Erection of Bungalow with Detached Garage - Approved 22.10.2002. (Application Site)

1.6 02/02100/REM - Reserved Matters Application for the Erection of Bungalow with Attached Garage - Outline Application 01/00686/OUT refers - Approved 22.10.2002. (29c Beckfield Lane)

1.7 02/01847/OUT - Outline Application for Erection of Two Bedroom Bungalow on Land Between 29B and 31 Beckfield Lane - Approved 22.10.2002.

01/00686/OUT - Erection of Bungalow with Attached Garage - Approved 24.07.2001.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYGP1
Design

CYH4A
Housing Windfalls

CYGP10
Subdivision of gardens and infill devt

3.0 CONSULTATIONS

INTERNAL

3.1 York Consultancy - No Objections (Conditions Included).

3.2 Highway Network Management - No Objections (Conditions Included).

3.3 Environmental Protection Unit - No Objections (Conditions Included).

3.4 Lifelong, Leisure and Learning - No Objections (Comments Included)

Commuted sums should be paid to the Council for

a) amenity open space - which would be used to improve the local open space such as Northfield School site or Acomb Green.

b) play space - which would be used to improve the local site such as Viking Road or Acomb Green.

c) sports pitches - which would be used to improve a facility within the West Zone of the Sport and Active Leisure Strategy.

EXTERNAL

3.5 Acomb Planning Panel - Objections

- * Overdevelopment of the site.
- * Very restricted access via narrow road already serving four properties.
- * Poor access from highway into Beckfield Lane.

3.6 Objections Resulting from Original Neighbour Consultation Letter 28.11.2006

7 letters of objection have been received regarding the applicants' proposals. The letters raise the following concerns.

- * No right of access.
- * Highway Issues.
- * Concerns about the height.
- * "Garden Grabbing".
- * Lack of Parking.
- * Emergency Vehicles have trouble accessing the site.

3.7 Objections Resulting from Additional Neighbour Consultation Letter 07.03.2007

2 letters of objection have been received. The letters raise the following concerns.

- * No right of access.
- * Highway Issues.
- * Increased likelihood of accidents.
- * Increased Traffic.

4.0 APPRAISAL

4.1 The bungalow approved under application no. 02/02167/FUL, was clearly designed to mitigate any harm to neighbouring properties, as the height variations are all located at strategic points.

4.2 Although larger in terms of footprint and higher than the approved bungalow, the overall design of the proposed dwellings has a similar impact.

4.3 The garage element and in particular the northern elevation (including the bike store) are located within 0.15 metres of the shared boundary with No.34, Raven Grove, however the proposed ridgeline (located 3.3 metres from the aforementioned boundary) has a height of only 4.1 metres. The garages have been designed as such to maximise sunlight levels to the main amenity areas of No.34, Raven Grove. The rear elevation of the eastern bungalow, faces the blank gable of No.34, with the existing trees and shed combining to mitigate any amenity impacts.

4.4 The western bungalow will replace an existing double garage, which dominates the south western and south eastern corners of No.34, Raven Grove's and 29, Gresley Court's rear gardens respectively. Although some overshadowing is expected, this will occur along the shared boundary and is not considered to be of detriment to the main amenity areas.

4.5 The pitched/partially hipped roofs take the bungalows height away from the boundary, mitigating any overbearing impact. The bungalow (app. no. 02/02167/FUL) had a maximum height of 4.7 metres located within 1.7 metres of the northern boundary, while this particular proposal has a maximum height of 6.1 metres within 4.7 metres of the aforementioned boundary. Rear windows are located at ground floor level only; below the height of the existing fence, therefore no overlooking is expected.

4.6 The front dormers are located approx. 10.5 metres from the boundary hedge of No's 9 and 11, Staithes Close, with a further 11.5 metre provision to the rear elevations of the aforementioned properties. The dormer windows (max. glazed height 4.8 metres) in conjunction with the aforementioned distances and the height of the boundary hedge represent little threat to the residential amenity of properties on Staithes Close.

4.7 Concerns have been raised about the "right of access", this is not a material planning consideration and cannot be considered as part of this application. In terms of access, many of the objection letters have raised concerns about the lack of suitable access for emergency vehicles. The existing access will remain as existing so the proposed bungalow is not considered to compound the situation any further.

4.8 A number of large modern dormer bungalows already exist in Beckfield Lane, this along with the limited amenity impact already highlighted ensures compliance with the principles of Policy GP10 "Subdivision of Gardens and Infill Development"

4.9 Highway Network Management have no objections to the applicant's proposals. Parking provisions meet the requirements as set out in Appendix E "Dwellinghouses" (C3) of the City of York Development Control Draft Local Plan.

5.0 CONCLUSION

5.0 The applicants' proposals are considered to be appropriate in this instance and are therefore recommended for approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2

2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

JW/01A - Proposed New Dwellings.

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 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

- 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 H 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 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no doors, windows (including dormers and roof lights) or other opening additional to those shown on the approved plans shall at any time be inserted into the external elevations of the properties hereby approved.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

- 6 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 alternative arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: To comply with Policy L1C 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 financial contribution towards the off site provision of open space. The obligation should provide for a financial contribution calculated at £1630.00.

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.

- 7 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with the approved plans.

Reason: To prevent the egress of water and loose material onto the public highway.

- 8 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

- 9 Prior to the commencement of works on site, details of the existing and proposed surface water systems should be submitted for the written approval of the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

- 10 Details showing the existing and proposed ground levels for the site/adjacent properties and the finished floor levels of the dwellings hereby approved shall be submitted for the written approval by the Local Planning Authority and retained thereafter as such.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

- 11 HT1 - 5.9 metres

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 visual/residential amenity and highway safety. As such the proposal complies with Policies GP1, H4a and GP10 of the City of York Development Control Draft Local Plan.

2. As the proposed method of surface water disposal is via soakaways, these should be shown to work through an appropriate assessment carried out under BRE Digest 365, carried out in winter - to prove that the ground has sufficient capacity to except surface water discharge, and to prevent flooding of the surrounding land and the site itself.

Contact details:

Author: Richard Mowat Development Control Officer

Tel No: 01904 551416