

Publicity and Neighbour Notification

3.2 One letter of objection has been received raising the following issues:-

- Objection to the number of additional parking spaces being insufficient and requiring that they be brought into use prior to the adjacent access being formed;
- Objection to a lack of visitor parking within the approved Lowfield development;
- Objection to the levels of traffic that would be utilising the new junction;
- Objection in principle to the re-development of the former Lowfield School site.

4.0 APPRAISAL

LOCAL PLAN

4.1 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF as revised in July 2018, although the weight that can be afforded to them is very limited.

4.2 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF as revised in July 2018, the relevant 2018 Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

4.3 Central Government planning policy as outlined in paragraph 127 f) of the NPPF indicates that planning decisions should create places with a high standard of amenity for all new and existing occupiers of land and property. At the same time

Policy D1(Place making) of the 2018 Publication Draft City of York Local Plan indicates that planning decisions should take account of the residential amenity of neighbouring properties.

4.4 The proposal envisages the layout of two car parking spaces to serve the block of maisonettes comprising Nos 108 Tudor Road and its neighbours, directly to the rear and taken from the access road to the approved Lowfield development. The parking spaces would be tarmaced with a block paved path accessing the back door with the parking area separated from the garden area by means of a 1.8 metre high timber close boarded fence with a 1.2 metre high close boarded timber fence to the side garden. The parking spaces would be located some 4.5 metres south of the nearest approved properties within the Lowfield development and some 12.5 metres from the closest other property on Tudor Road. They are designed to serve the needs of the occupier of 108 Tudor Road and the directly adjoining properties and as such would not give rise to any material harm to the residential amenity of other properties.

IMPACT UPON THE SAFETY AND CONVENIENCE OF HIGHWAY USERS ON THE LOCAL NETWORK

4.5 Concerns have been expressed by objectors in respect of the adequacy of the number of parking spaces and that they should be brought into use prior to the access being constructed. The maisonettes do not currently have parking spaces within their curtilage. Provision of the access road to the Lowfield site will remove on-street parking bays within the highway directly in front of the maisonettes. Three additional on-street parking spaces will be provided elsewhere on Tudor Road under Highway Authority powers.

4.6 The parking area makes compensatory provision to allow for space lost by formation of the access and would be accessed directly from it. As a consequence it would not be possible to provide the spaces in advance of the provision of the access.

OTHER ISSUES

4.7 Concern has been expressed by objectors in respect of the level of vehicle traffic projected to use the adjacent access and also the level of visitor parking to be provided within the development. Both issues have however been previously fully addressed in terms of the determination of the planning permission for the wider Lowfield development ref 17/02428/FULM.

5.0 CONCLUSION

5.1 Planning permission is presently sought for the layout of two car parking spaces to the north of the property in order to compensate for the loss of on-street parking

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bays resulting from the construction of the access to the Lowfield development site. It is considered that the proposed development would not lead to any material harm to the residential amenity of neighbouring properties or the safety and convenience of highway users on the adjoining network. The proposal is therefore acceptable in planning terms and approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Refs: 180097.02; 180097.04

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The car parking area hereby authorised shall be laid out with a permeable surface to the satisfaction of the Local Planning Authority prior to being first brought into use.

Reason:- To ensure that the site can be safely and satisfactorily drained.

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) and having taken account of all relevant national guidance and local policies including imposition of appropriate planning conditions, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

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