

2.2 Policies:

CYGP1
Design

CYHE3
Conservation Areas

CYNE1
Trees, woodlands, hedgerows

CYHE11
Trees and landscape

3.0 CONSULTATIONS

3.1 INTERNAL.

3.2 Highway Network Management.

No objections. The footbridge is to be constructed over a public footpath, as such the construction of the footbridge will require a license under Sec 176 of the 1980 Highways Act.

The construction of the footbridge will undoubtedly require the closure of the PROW during the construction period. This requires a legal order prior to the closure occurring and therefore the applicant should therefore consult the Authorities PROW team.

3.3 Conservation Officer.

An interesting design for what are often quite basic structures. Requests a condition covering materials.

3.4 Landscape Architect.

No objection to this application in terms of fitting in with the landscape. Nor do I object to the removal of two or three of the smaller avenue trees to the east of the footpath.

However I am concerned for the health of the large, mature Sycamore (tag 1762) to the west of the footpath. The entire construction would be within the protected zone around the tree. Whilst I think it is possible to have some degree of development within this zone I am concerned that the current proposals would cause too much detrimental damage to the rooting zone of the tree. The Sycamore is of great stature and has a high public amenity value from both north and south directions. Because it is mature, it would be less able to recover from any damage.

Pile foundations would use up relatively little surface area. However height is required for the construction vehicles/machinery to implement the foundations and the heavy low boughs of this tree do hang quite low. Some crown lifting would probably be required to provide height clearance over the bridge too.

It would be better if all the construction could be kept outside of the existing shrub bed around the base of the Sycamore.

Also of less concern but still valid, is that the proposed post-top light would probably be within the canopy overhang, thus reducing its effect, i.e. the location of the lighting may need further consideration.

The existing arboricultural method statement is quite thorough, (including stipulating minimum excavations of 100mm depth), but as you know I had some outstanding concerns. These were discussed at our site meeting with the engineer, architect and arboriculturalist. Consequently I am satisfied that the development could go ahead with minimal damage to the tree. Nonetheless, I would like to formally secure the correct details and use of machinery on site through a condition. It may be that the additional information is provided by the engineer or contractor, rather than the arboriculturalist, so long as we acquire all the additional information before a start is made on site and all the information is consistent.

In summary, the bridge and tree could have a pleasing visual relationship, but the applicant must have a consultant arboriculturalist on board to assist in the detailing of the scheme and methodology for implementation.

3.5 Clifton Planning Panel.

Object.

- i) Do not see the justification for the bridge.
- ii) The structure is not in keeping with the listed building.

3.6 Third Parties.

2 letters of objection received making the following observations.

- Bridge is too large and represents further build up in a green area.
- Not sensitive to its environment especially so close to a Grade II listed building.
- Will increase traffic on Queen Anne's Road as it will shift activity within the school campus from the main site entrance on the A19 to this site and this will be dangerous to locals and school children. This traffic flow is likely to be outside of normal hours and so will cause disruption and increased risk to the community over extended periods of the day and evening.
- could be the first part of a larger plan to expand the site and the existence of the footbridge would be used to justify future applications for developments such as flood lighting and all weather pitches in this part of the site.
- No need for the bridge. The present arrangement is perfectly safe via the secure gate at the corner of St. Peter's playing field. No evidence that this is unsafe or poses any risk to the children.
- Serious invasion of privacy for the residents of North Parade whose houses back onto the playing fields. Footbridge appears to be at the same height as, and only metres from, the rear windows of these houses and children walking over the bridge will be able to look directly into resident's bedrooms and bathrooms.
- Noise level will increase as the children will be at first floor level and will be crossing a metal bridge.
- The bridge may attract local youths in the evening who have caused problems in the past.

- Bridge is to be lit so adding to the already significant light pollution from the school and outbuildings.

4.0 APPRAISAL

4.1 KEY ISSUES.

- Design and visual impact.
- Protected trees.
- Neighbour amenity.

4.2 Design and Visual impact.

The footbridge is relatively modest in size and is of a contemporary design which is of a steel and stone construction. The plans indicate a painted steel structure which will be of graphite colour. The Conservation Officer has raised no objections and has praised the design, describing it as interesting. The public footpath marks the boundary of the Conservation area and therefore half the footbridge is inside the Conservation area and half of it is outside. However, for the purposes of assessing the scheme in this context then officers have considered it to be in the conservation area.

4.3 Despite the loss of a couple of small trees on the St. Peter's school side, officers do not consider the setting of the area to be adversely affected by the proposal. Whilst some openness is inevitably lost, the interesting design does not detract adversely from the overall character of the area. It introduces a structure of some interest next to a range of buildings (St. Olaves) which are architecturally unimpressive. The suggested materials will also offer a modern, contemporary look which would preserve the character and appearance of the Clifton Conservation area.

Trees.

4.4 The application results in the loss of 2 unprotected small trees on the St. Peter's School side of the public footpath (they are not subject of individual tree preservation order although they are protected by virtue of their position in the Clifton Conservation area). These are relatively modest in size and not of significant amenity value. They are part of a more extensive avenue of trees and their loss is not seen as harmful in this wider context. Officers have raised no objection to their removal.

4.5 However, within the grounds of St. Olaves school is a large, mature Sycamore tree which does offer significant amenity value to the area. Whilst this is shown to be retained on the submitted plans, officers do have some concerns over the impact of the bridge on the roots of this tree. Other than the possible pruning of some of the very bottom branches, the bridge will not damage the canopy spread of the tree because the highest part of the bridge is to the side of the tree and it is not high enough to actually touch the tree.

4.6 Of particular concern is the landing area on the St.Olave's side which is shown as new hardstanding and this will run to within 2.5 metres of the centre of this tree.

As well as this, officers were also initially concerned about the method of construction as the main construction zone (the piling of the foundations) is shown within what should be a protected zone around the tree. Officers met the agents and their arboriculturist out on site to discuss these problems and amended proposals have since been submitted which show the specification of machinery to be used. The piling rig to be used will be no higher than 2.5m so as not to damage the lower canopy of the tree. A lamppost on the public footpath needs to be relocated slightly and the drawings have been amended to show the revised location of this.

4.7 The components of the bridge shall be installed using a side hiab, so as not to cause damage to the tree canopy although at the time of writing this report we still do not know the type of machinery to be used. Details for porous pedestrian block paving for the ground-level landing areas has now been submitted and the latest report confirms that the depth of construction around the landing areas (which are within the protected zone of the tree) will to be no more than 100mm below existing (with allowance up to 150mm to give a 50mm margin of error). The attendance of the developer's arboriculturist at specific intervals during development and the commitment to invite the opportunity for LA's landscape architect to visit the site has now been included in the latest arboricultural method statement and this is welcomed.

4.8 There are still one or two outstanding issues which still require the confirmation of details such as issues regarding the removal of ground vegetation and the introduction of mulch to improve growing conditions for the tree in the remaining areas of soil, the locations of electricity supply for lighting and type of machinery to be used in connection with described in para. 4.7 above. However, these were discussed at the site meeting on the 14th November and officers are content that these details can be agreed. However, at this stage condition 5 is recommended so that the Council can ensure that all details re the construction work around the tree have been agreed before any work can commence. Officers are content however that the construction of the bridge will not damage or harm the protected Sycamore tree either during construction or in the long term.

Neighbour amenity.

4.9 Objections have been received from residents on North Parade concerned at a possible loss of their amenity as a result of the use of the bridge. Whilst officers can understand this concern they are of the opinion that the impact will be minimal. The nearest properties are no's 42 and 44 North Parade and the distance from the decking of the bridge to the nearest part of these dwellings is approx. 28 metres. The nearest first floor windows of these houses is then several metres more further in. The walkway is only 2.2 metres off the ground with adult head height approx. a further 2 metres above this. This is obviously less for a child. At a distance of around 30 metres, a height of around 4 metres and with views from the bridge filtered by the existing trees, overlooking of the houses on North Parade will be extremely minimal.

4.10 As for noise, the length of the walkway is small with the distance from top step to top step being approx. 5 metres. Users will be over to the other side in a matter of seconds. There is no reason to think that the disruption will be any greater than that associated with the existing daily use of the school. Lighting is low key and will be

capped so that it just lights the bridge and its walkway. As for its abuse by local youths on a night, this is not a material planning consideration as it is outside the control of the Local Planning Authority. However, the bridge can only be used from within school grounds and the point of the application is to make the school grounds secure and inaccessible to the public at this point. Therefore, the use of the bridge outside of school hours should not be an issue.

4.11 Some concern has also been expressed over a possible increase in traffic around Queen Annes Road as a result of the bridge been installed. Officers cannot see how one would conclude this given that the number of pupils is the same, they will still initially access the site from the same spot (the coded gate) and the only alteration is the movement of children within the site. There is direct correlation between this and an increase in vehicles using Queen Anne's Road and North Parade.

4.12 As for the need for the bridge, this is not for the Local Planning Authority to speculate on or judge.

5.0 CONCLUSION

5.1 The bridge is modest in size and of a modern, interesting design which preserves the character of the Conservation area. Despite the loss of a couple of trees, the impact on the natural environment is also considered to be minimal, subject to the work being carried out and finished in conjunction with the details of the recently submitted management plan in order to ensure the future health and vitality of the large, mature, protected Sycamore tree. The impact on the amenity of nearby neighbours is also considered minimal. Subject to conditions, 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 only in accordance with the following plans and other submitted details:-

Drawing no's
- 104 Rev. A
- 201 Rev. A
- 401 Rev. A

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 VISQ8 Samples of exterior materials to be app
- 4 HWAY40 Dilapidation survey
- 5 Before the commencement of development, including demolition, building operations, or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details of protective fencing, phasing of works, site access during demolition/construction, type of construction machinery/vehicles to be used, (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles and storage of materials. The following details must also be provided: construction details and existing and proposed levels, where a change in surface material is proposed within the canopy spread and likely root zone of a tree.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

7.0 INFORMATIVES:

Notes to Applicant

1. The applicant is advised that the proposed scheme is likely to affect the adjacent Public Right of Way (PROW). The PROW should remain free to use throughout the works and unaltered without the prior consent of the authorities PROW team. Any diversions or extinguishments will require the relevant legal works, which will need to be funded by the applicant and carried out prior to the commencement of works on site. Such legal processes are not guaranteed to be successful. To discuss this matter further please contact the Council's Public Rights of Way Officer on 01904 551481).

2. 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 good design, impact on the Conservation area, protection of trees and neighbour amenity. As such the proposal complies with Policies GP1, HE3, NE1 and HE11 of the City of York Local Plan Deposit Draft.

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