

COMMITTEE REPORT

Committee: Planning Committee
Date: 26 October 2006

Ward: Acomb
Parish: Acomb Planning Panel

Reference: 06/01739/REMM
Application at: Northfield School Beckfield Lane York YO26 5RQ
For: Reserved matters application for residential development comprising 37 houses and 20 apartments, new changing facility and public open space. (to which 05/00320/GRG3 relates)
By: Barratt Homes (York)
Application Type: Major Reserved Matters Application (13w)
Target Date: 22 November 2006

1.0 PROPOSAL

1.1 Previously outline planning permission was granted for the development of this site in 2005. The outline approval only considered development of the site in principle and also means of access. All other matters (siting, design, external appearance and landscaping) were reserved for future consideration. The proposal, as originally submitted, was for development of the school built footprint area, the vacant youth club and a small part of the playing fields for residential development. A new changing room building and car parking area were proposed on the playing field with a new access taken from Greensborough Avenue for users of the pitches. The proposal was then amended to delete the Greensborough Avenue access and locate the changing facility etc in place of the vacant youth club building.

1.2 This reserved matters application as submitted seeks approval for the remaining 4 matters, siting, design, external appearance and landscaping. It is proposed to erect 57 dwellings on the site. 37 of the dwellings will be houses and 20 will be flats. It is also proposed to:

- (i) Form car-parking and garages for the associated dwellings;
- (ii) Erect independent cycle storage and bin storage facilities;
- (iii) Form a LEAP (Local Equipped Area for Play);
- (iv) Create football pitch provision for Carr Vikings Football Club and the community;
- (v) Form car-parking provision and changing room facilities for Carr Vikings;
- (vi) Create areas of open space; and
- (vii) Provide 25% affordable housing.

1.4 Northfield School was previously used as a special needs school. However following the Council's Review of Special Education Needs the school become surplus to requirements. The Council has adopted a policy to increase the extent to which children with special education needs are educated in mainstream schools. As a result pupils from Northfield School were relocated to new facilities at Hob Moor School and Applefields (Galtres) School.

1.5 SITE

The overall site area including playing fields is approximately 2.42ha. Almost half of the site accommodates the predominately single storey school buildings, hardstanding areas and former youth club buildings. The actual defined area which is to be developed is 1.00 ha. The site is located relatively close to Beckfield Lane but is set back from this road by approximately 90.00m. The site is consequently bounded by dwellings to three boundaries.

To the north (Melwood Grove), south (Prestwick Court and Greensborough Avenue) and the east (Sunningdale Close). To the west is open countryside. There is also a council depot adjacent the site to the southeast boundary.

1.6 HISTORY

Previously outline planning permission (05/00320/GRG3) was granted on the 2nd November 2005 for residential development and a new changing facility building. A S106 agreement was entered into with the developer regarding provision of affordable housing and provision of open space.

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

Schools Northfield 0255

2.2 Policies:

CYGP1
Design

CYGP3
Planning against crime

CYGP4A
Sustainability

CYGP7
Open Space

CYGP9
Landscaping

CYGP15
Protection from flooding

CYNE1
Trees, woodlands, hedgerows

CYT4
Cycle parking standards

CYH3C
Mix of Dwellings on Housing Site

CYH5A
Residential Density

3.0 CONSULTATIONS

3.1 INTERNAL

3.2 HIGHWAY NETWORK MANAGEMENT: Commented that the application failed to satisfy Local Plan policies in terms of cycle provision, access arrangement.

3.3 ENVIRONMENTAL PROTECTION UNIT (EPU): EPU unit raise concerns about Milford (LD) Statesman house type range shown on plan reference P06:3576:18 and Thorne FOG. shown on plan P06:3576:19. They state that both of these units show first floor accommodation over 3 ground floor garages. It is clear from the plans that only one of these garages is provided for the occupants of the flat above. There is potential for disturbance to the flat occupiers from the activities that may take place in or outside these garages, as such, the environmental protection would not support the use of these house types at the site.

3.4 ENGINEERING CONSULTANCY (EC): The drainage engineer commented that :- the development is in low risk Flood Zone 1 and will not suffer from river flooding. However EC objects to the proposed development, on the grounds that insufficient information has been provided by the developer to determine the potential impact the proposals may have on the existing drainage systems.

3.4.1 A Flood Risk Assessment was carried out for the development in April 2005 in which the following was identified: - The proposed housing development, with a total area of 1.23 Ha, is calculated to have a peak flow of 59 l/s. As this figure exceeds the existing impermeable runoff rate from the site of 42 l/s, sustainable drainage methods (SUDS) to attenuate flows will be required. This will also reduce the risk of any surface water sewer flooding in the downstream catchment.

3.4.2 EC further state that if 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.

3.5 HOUSING AND ADULT SERVICES (HADS): commented:- at this date (26-09-06) negotiations are taking place with respect to the location and mix of the affordable housing on the site. This has not yet been agreed in detail but the provision is agreed at 25% of the total number of dwellings i.e. 14 from 57.

3.5.1 HADS do not support the application. The main issues that are currently making the application unacceptable to them are the lack of adequate pepper-potting and the mix and size of the affordable dwellings that the applicant offered (without prior consultation). In particular the houses do not represent a pro-rata mix with all of them being of the Brandon type which is significantly smaller than the open market mix of proposed 3 and 4 bed houses. Furthermore, to accord with policy, the affordable homes should generally match the size and quality of the private homes and be undistinguishable.

3.6 ARCHAEOLOGIST: Comments and recommendations as per outline planning approval.

3.7 LANDSCAPE ARCHITECT: The existing trees should be kept as they:-

- Provide screening between existing and proposed residential properties;
- Have the potential to provide immediate amenity and character to a development;

- Have an intrinsic wildlife value;
- Are located towards the perimeter of the site and therefore do not pose an unreasonable restriction on development of the site; also
- Retaining the existing trees contributes to urban forestry; the space they occupy should allow for replacement trees to be planted and flourish in the future, when the time for removal comes.

3.7.1 The root protection areas (RPA) are generally within the canopy spread of the trees. All construction operations should be outside of the RPA; therefore in terms of practical protection of the trees, buildings should be another 2m beyond the RPA. Therefore in relation to the current proposals, the following properties are unsuitable - plots 5 (and garages and parking bays) 23, 24, 25 and 27.

3.7.2 The amenity benefit of the existing trees should be maximised where possible by incorporating them into visible locations such as open spaces or other communal areas such as parking courtyards. Also the open space is sited in an inappropriate location.

3.7.3 It is important that the fencing off of the sports pitches, the Leap, the remaining outdoor areas, the new amenity space, and links to the neighbouring open spaces are designed in a coherent manner with due attention to aesthetics. This will probably entail some additional footpaths and tree planting.

3.8 LIFELONG LEARNING & LEASUIRE: Commented that the bulk of the leisure related issues were dealt with at the outline stage and have been addressed in the section 106 agreement. However the sign proposed for the children's play area should additionally state that 'children should be supervised by parents or guardian at all times' and should not include opening and closing times.

3.8.1 It was further commented on 10/10/06 that: the pitches and the pavilion are the only areas that are being leased to Carr Vikings. There will be a fence round the pitches and the LEAP. The council will take down the fence between the former school play area and the adjacent Public open space. This will increase the total public open space in the area and provide for community access to the sports fields through a community use agreement with Carr Vikings.

3.9 EXTERNAL

3.10 SPORT ENGLAND (SE): Initially objected to the proposal. However after additional information was supplied in the form of drawing P06:3576:100 REV C, they rescinded their objection and commented that drawing number P06:3576:100 REV C shows the playing field area marked out to provide one junior soccer pitch and buffers in accordance with Sport England guidance. This also acknowledged that this pitch could be subdivided to provide two mini soccer pitches.

3.10.1 SE state that the submitted layout appears to now adequately satisfy playing pitch issues on the site, and seems broadly in line with comments made by Carr Vikings JFC in the outline planning application. They further consider that the scheme would also allow for other parts of the field to be used for playing field related uses e.g. training grids.

3.10.2 SE finally confirm that they consider that exception E4 of their playing field policy has been demonstrated now, issues over the provision of playing pitch provision also appears to have been resolved taking account of the new changing rooms and the community use agreement.

3.11 YORK CENTRE FOR SAFER COMMUNITIES: The YCFSC officer stated that the 'Secured by design' guidance relating to dwelling boundaries advises that "Vulnerable areas such as side and rear gardens need defensive barriers with walls or fencing to minimum height of 1.8m. Concern was also raised regarding the LEAP being isolated with little natural surveillance. The YCFSC commented that it could become a target for use by local groups and subjected to damage and inappropriate use. The current area has been subjected to vandalism - graffiti on the walls, fences damaged etc so it is conceivable that the development may suffer the same problems if the correct measures are not taken.

3.12 The presence of the changing rooms and community playing field also cause the YCFSC concern. They consider that unless access is restricted the design allows 24hr access to the area for anyone and opens up the field and the western boundary of the housing for crime. The western edge to the field where it borders open farmland should be strengthened to resist access and the southern boundary.

3.13 ACOMB PLANNING PANEL: Object to the proposal on the grounds that:-

- (i) The proposed erection of three storey buildings is completely out of keeping with local residential area;
- (ii) Existing properties will be overlooked;
- (iii) The access road is completely inadequate for normal use and in emergencies is the only access to/from 57 properties.

3.14 MARSTON MOOR INTERNAL DRAINAGE BOARD: The board raised no objections to this application as this issue was previously addressed at outline stage. However they did state that before development commenced they would require further details with regard to surface water discharge.

3.15 NEIGHBOUR LETTERS, SITE AND PRESS NOTICE: Letters from 9 local residents have been received raising objections to the original plans on the following grounds:

- The development is too close to properties in Sunningdale Close. In particular 18, 19 & 20 Sunningdale Close. No.19 would directly face, from the rear, a 2-storey and 3-storey dwelling in close proximity. The 3-storey properties in particular would be higher than no.19 & 20 and these properties would create a new view of gable walls as opposed to the existing countryside;
- The aforementioned dwellings would be directly in the line of sight, from the rear of no.19;
- The proposed scheme would adversely affect the levels of natural light to properties in Sunningdale Close, in particular 18,19 & 20 and their rear garden, especially as the sun sets at the rear. The gable end of the proposed Glanton dwelling will be only 1.00 m away from the rear fence 19 & 20 Sunningdale Close. This would represent a severe change from the existing arrangement and would be imposing;
- The development would affect the values of neighbouring dwellings (this is not a material planning consideration);
- There are no other 3-storey buildings in the area. As such the proposal fails to satisfy policy GP1 (b) of the Local Plan which states that development should be of a design which is compatible with neighbouring buildings and the character of the area;
- The proposed 3-storey dwellings adjacent properties in Melwood Grove would block out most of the natural light to the rear of these existing properties and their gardens. This is again contrary to policy GP1(i) of the Local Plan;
- The living area of proposed dwellings adjacent Melwood Grove is at first floor level. These would exacerbate the impact of this development upon existing properties privacy. Such overlooking is unacceptable and is contrary to GP1(i) of the Local Plan

which states that nearby residents should not be overlooked or dominated by overbearing structures;

- The proposed scheme is an overdevelopment of the site and is too built up with no sense of place, grass verges or greenery. This does not improve natural and built environment as stated in objective of chapter 2 of the Local Plan;
- The removal of trees/foliage will result in the loss of wildlife in the area;
- The proposal, if approved, would lead to an increase in traffic on an already busy road;
- The proposal would tax the already outdated sewerage system of York;
- The proposed scheme would create an imposing, overbearing and un-neighbourly development directly adjacent existing properties in Melwood Grove. The rear of the Kentmere and Keswisk dwellings adjacent Melwood Grove are poorly designed with a large, bland wall approximately 40.00 m long. Government advice in PPS1 states that good design should be encouraged;
- The birch tree which is indicated as T6 on the submitted arboricultural report should be kept to maintain the privacy of 33 Melwood Grove. Also other than trees protected by TPO's the scheme makes no reference to landscaping, especially the northern border;
- The alleyway adjacent existing properties in Melwood Grove fails to meet secured by design standards. Policy GP3 of the Local Plan states that 'new development will be required to incorporate crime prevention measures'. The alleyway will encourage crime and vandalism;
- The dwellings to the rear of 33 and 35 Melwood Grove are only 1.00 m away from the boundary with existing screening trees and shrubs shown to be removed. This is too close. A building this close to the rear gardens of properties in Melwood Grove would be very un-neighbourly and overbearing and will be detrimental to the enjoyment of residents houses and their gardens;
- There is an overprovision of car-parking. The Council should be encourage more sustainable designs for new developments in accordance with policy GP4(a). The site is in a very sustainable location. If the car-parking was reduced the layout of the scheme could be improved.

4.0 APPRAISAL

4.1 KEY ISSUES

- Planning policy;
- Density;
- Impact upon existing residents;
- Highways;
- Landscaping;
- Design;
- Affordable housing; and
- Open space.

PLANNING POLICY

4.2 PPS1: Planning for Sustainable Development sets out the Government's national policies on different aspects of land use planning in England. PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. 'The planning System: General Principles', the companion document to PPS1, advises the importance of amenity as an issue.

4.3 Planning Policy Guidance Note 3 'Housing' (PPG3) sets out Government policy on housing development and encourages more sustainable patterns of development through the reuse of previously developed land, more efficient use of land, reducing dependency on the private car and provision of affordable housing. PPG3 advises Planning Authorities to seek housing densities of between 30 and 50 dwellings per hectare with greater intensity at locations with good public transport accessibility. PPG3 also advises that car parking standards that require more than 1.5 spaces per dwelling are unlikely to secure sustainable development.

4.4 PPG17 'Planning for Open Space, Sport and Recreation' (July 2002) advises the setting of local targets based on a robust assessment of existing or future needs. This guidance note makes it clear that planning for the recreational needs of local communities is a material planning consideration, to be taken into account in the preparation of development plan policies, and in the decisions on individual planning applications.

4.4.1 The Government believes that open space standards are best set locally, since national standards cannot cater for local circumstances, such as differing demographic profiles and the extent of existing built development in an area. Local authorities are advised to use the information gained from their assessments of needs and opportunities to set locally derived standards for the provision of open space, sports and recreational facilities in their area.

4.5 PPG25 Development and Flood Risk: This PPG explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

4.6 Policy SP8 'Reducing the dependence on the car' of the City of York Local Plan Deposit Draft states that applications for large new developments, such as housing, shopping, employment, health or leisure proposals, must be able to demonstrate that they will reduce dependence on the private car by providing for more environmentally friendly modes of transport.

4.7 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will: respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, using materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.8 Policy GP3 'Planning Against Crime' of the City of York Local Plan Deposit Draft requires that new development should, where deemed appropriate, to incorporate crime prevention measures to achieve: a) natural surveillance of public spaces and paths from existing or proposed development; and b) secure locations for any associated car and cycle parking; and c) satisfactory lighting; and d) provision of CCTV, where the proposal would include the consumption of alcohol or the congregation of large crowds or would contribute to a significant increase in traffic, pedestrian activity, or the parking of significant numbers of vehicles.

4.8.1 Supporting text of this policy further states that the principle of reducing opportunities for crime by means of careful design of buildings and the spaces between them is widely acknowledged (e.g. PPG1) and is capable of being a material planning consideration. Circular 5/94 (Planning Out Crime) outlines that the type of environment created by development can be closely related to the causes of crime and violence. Attractive, well-

managed and vibrant environments that are designed to take into account the security of residents and property can help to reduce the potential for crime. The variation and mix of different land uses in the same vicinity can also go some way to create environments that are lively and well used, especially in the evenings.

4.9 Policy GP4a 'Sustainability' of the City of York Local Plan Deposit Draft requires proposals for all development should have regard to the principles of sustainable development. All residential developments will be required to be accompanied by a sustainability statement. The document should describe how the proposal fits with the criteria specified in policy GP4a and will be judged on its suitability in these terms.

4.10 Policy GP7 'Open Space' of the City of York Local Plan Deposit Draft requires that development of land designated as open space on the Proposals Map, or any other areas of open space that are provided in conjunction with a planning permission during the Plan period, will only be permitted where: a) there will be no detrimental effect on local amenity or nature conservation; and b) compensatory provision of an equivalent size and standard is provided by the applicant in the immediate vicinity of the site proposed for development.

4.11 Policy GP9 'Landscaping' of the City of York Local Plan Deposit Draft states that where appropriate development proposals will be required to incorporate a suitable landscaping scheme, and this must: a) be planned as an integral part of the proposals; and b) include an appropriate range of indigenous species; and c) reflect the character of the locality and surrounding development; and d) form a long term edge to developments adjoining or in open countryside.

4.12 Policy GP15a 'Development and Flood Risk' of the City of York Local Plan Deposit Draft states that there will be a presumption against built development (except for essential infrastructure) within the functional floodplain outside existing settlement limits. The use of sustainable drainage systems to mimic natural drainage will be encouraged in all new developments in order to reduce surface water run-off. Discharges from new development should not exceed the capacity of existing and proposed receiving sewers and watercourses and long term run-off from development sites should always be less than the level of pre development rainfall run-off.

4.13 Policy NE1 'Trees, Woodlands and Hedgerows' of the City of York Local Plan Deposit Draft states that trees which are of landscape or amenity value will be protected by refusing development proposals which will result in their loss or damage. Trees or hedgerows which are being retained on development sites should also be adequately protected during any site works. All proposals to remove trees or hedgerows will be required to include a site survey indicating the relative merits of individual specimens. An undertaking will also be required that appropriate replacement planting with locally indigenous species will take place to mitigate against the loss of any existing trees or hedgerows. Developments should make proper provision for the planting of new trees and other vegetation including significant highway verges as part of any landscaping scheme.

4.14 Policy T4 'Cycle Parking Standards' of the City of York Local Plan Deposit Draft requires that all new developments provide adequate cycle parking provision. In the case of affordable housing or dwellings without a garage this should be 1 covered space per ½ bedroom dwelling. For dwellings with garages the requirement is the same but cycle parking provision could be accommodated within the garage depending upon the garage size.

4.15 Policy H3c 'Mix of Dwellings on Housing Sites' of the City of York Local Plan Deposit Draft requires a mix of new house types, sizes and tenures should be provided on all new residential development sites where appropriate to the location and nature of development. Developers will also be encouraged to build new housing to accessible standards (in

accordance to Building Regulations) with negotiation on a proportion of dwellings having full wheelchair access.

4.16 Policy H5a 'Residential Density' of the City of York Local Plan Deposit Draft requires The scale and design of proposed residential developments should be compatible with the character of the surrounding area and must not harm local amenity. Applications for all new residential developments, dependent on individual site circumstances and public transport accessibility, should aim to achieve net residential densities of greater than: 60 dwellings/ha in the city centre; 40 dwellings/ha in the urban areas and 30 dwellings/hectare elsewhere in the City of York.

4.17 PRINCIPLE OF DEVELOPMENT

The principle of development has already been approved at outline stage (05/00320/GRG3). This application is for the reserved matters, as such only issues relating to siting, design, external appearance and landscaping can be considered.

4.18 DENSITY

4.18.1 Section 57 of PPG3 'making the best use of land' states that the level of land take was historically very high with developments. Build densities of 20-25 dwellings per hectare (dwpha) were not uncommon. The guidance note further states that, such density of development can no longer be sustained. Development of this nature is also less likely to sustain local services or public transport, ultimately adding to social exclusion. Local planning authorities should therefore examine critically the standards they apply to new development, particularly with regard to roads, layouts and car parking, to avoid the profligate use of land. PPG3 requires that Local authorities should encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net). The indicative layout plan indicates 57 dwellings on the site which equates to a density of 57 dwellings per ha. This exceeds the 30-50 dwpha PPG3 advises should be sought with higher densities sought where public transport accessibility is good.. Council policy on build densities (policy H5a) states that net residential densities greater than 60 dwellings/ha in the city centre should be sought, whilst 40 dwellings/ha are acceptable in urban areas and 30 dwellings/ha elsewhere in the City of York. It should be borne in mind that the issue of density of this scheme was not conditioned at outline stage, therefore it is not possible to precisely control the number of dwellings to be erected on this site. Furthermore policy H5a states that residential densities should be greater than the aforementioned prescribed figures for density. The character of the immediate area could be used as an argument for a lower density. Based on the comments below regarding landscaping, it may well be that a revised scheme which addresses these issues could result in a lower density.

4.19 IMPACT ON RESIDENTS

The indicative layout which was part of the approved outline planning permission indicated three storey dwellings in the centre of the site and some 'two and a half storey' dwellings on the boundary with Melwood Grove properties. The submitted scheme now proposes that 3-storey dwellings are to be erected adjacent dwellings to Melwood Grove. A number of residents in Melwood Grove have objected to this part of the scheme due to loss of privacy, loss of light, shading to their back gardens and the proposed height and mass of the dwellings opposite them creating an un-neighbourly and overbearing feature.

4.19.1 The depth of the gardens in the surrounding area is such that separation distances are well in excess of what would normally be required as a minimum. A separation distance of approximately 32.00 ms can be achieved between the properties on Melwood Grove and

closest proposed terrace of dwellings. The terraced dwellings would be approximately 8.00 - 11.00 m from the site boundary. Whilst it is acknowledged that these terraced dwellings are 3-storeys in height the separation is considered adequate. Refusal on the grounds of loss of privacy could not be sustained. In terms of loss of light to these dwellings the retention of the preserved trees (TPO) to this boundary would lessen the impact of the scheme upon the dwellings to the immediate north. Other than that, given the length of the gardens serving the dwellings a refusal on the grounds of loss of light would be difficult to sustain for remaining properties given their orientation and the separation. It would however been more practical if the applicants had addressed this issue more thoroughly. Informative 1 of the approved outline permission required that a cross-section be submitted indicating levels between existing dwellings in Melwood Grove and proposed dwellings. The applicants have not submitted this information.

4.19.2 Objections have also been received from residents in Sunningdale Close with regard to loss of outlook and light. In particular residents at no.18, 19 and 20 Sunningdale Close have objected to the position of a 2 storey dwelling which is to be erected approximately 11.50 m away from the rear elevations of their houses. The property is orientated at a 90° angle to their rear boundaries. As a consequence these dwellings would predominantly face a blank elevation. It is considered that this separation distance is inadequate. Should the development be approved, it is considered that this particular arrangement would have a detrimental impact upon the residential amenities of these dwellings in terms of loss light, outlook, shading and would create an un-neighbourly and overbearing feature.

4.20 HIGHWAYS

4.20.1 The principle of the scheme in terms of impact upon the highway is considered acceptable as this was approved at outline stage. The detailed application now submitted however fails to satisfy particular policies within the Local Plan. Covered secure cycle parking facilities are not shown in relation to the 9 no. 'Brandon' terrace properties. The cycle storage building designed for residents of the 18 'Troydale' apartments, has insufficient capacity to cope with the expected demand and therefore needs to be subject to changes. Two storage areas with capacity for 9 cycles each is the recommended provision in this case. Also the refuse store is badly placed with regard to ease of collection and should be relocated closer to the highway.

4.20.2 The stage 1 road safety audit which accompanies this application has identified a safety concern with regard to the alignment of the access road leading into the estate. The layout previously agreed with the highway authority consisted of a 5.5 metre carriageway, a 2.0 metre footway running along the southern side, and a grass verge on the northern side varying in width between 1.0 metre and 2.0 metre. This issue is covered by conditions contained in the original outline planning permission.

4.20.3 Visitor parking is also identified as a potential problem and greater use could be made of shared surfacing within the estate in order to free up areas for parking by visitors.

4.20.4 In light of the above, it is considered the proposal fails to satisfy local plan policy in terms of cycle storage provision and road layout.

4.21 DESIGN AND LAYOUT

4.21.1 Section 63 of PPG3 'rejecting poor design' states that new housing development of whatever scale should not be viewed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the

character and identity of a development, recognising that new building technologies are capable of delivering acceptable built forms and may be more efficient.

4.21.2 Issues of design have been previously raised with the agents with regard to general design, arrangements and setting out of the scheme. In particular the scheme appears to have designed to maximise the number of dwellings which could be achieved on the site without taking into account the character of the scheme or existing neighbours' amenity. No significant information has been submitted by the applicants to justify the design of this scheme.

4.21.3 Better Places To Live by Design: A Companion Guide to PPG3 states that scheme's should be tailored to reflect their surroundings and not use standard house types and layout forms. This document seeks applicants to quantify the architecture of the scheme and its space planning and asks the question does the scheme create a distinctive quality place? Left over or incoherent space is also identified as detracting from the quality of a scheme.

4.21.4 Bearing in mind the above it could be argued that the scheme as submitted has been designed in isolation and does not take into consideration the wider built environment, ecology of the area and does not create a distinctive qualitative environment.

4.22 LANDSCAPING

4.22.1 The quality of the public realm can be undermined through the lack of a full landscape plan and specification as part of the design of the scheme submitted for planning approval. It is considered that the applicants have not submitted a suitable landscaping scheme to support this application. As a consequence it is considered that this element of the scheme cannot be considered as a reserved matter. The application cannot therefore be considered as a whole as the landscaping scheme is a vitally important component of overall scheme.

4.22.2 'Better Places To Live by Design' states that the landscape design needs to complement the buildings and vice versa. Landform, natural features and their ecology are always important. Trees, shrubs, flowers and grass and their containment require particular attention. The retention and use of existing trees and, on occasion, walls, ramps, steps and hedges can give a sense of maturity and distinction. New planting needs careful and specialised consideration according to locale and practicality.

4.22.3 It is considered that the application is unacceptable in landscaping terms both amenity value and technical detail. With regard to the technical deficiencies of the scheme, it is considered that a number of proposed dwellings are too close to the root protection areas (RPA's) of the trees which are protected by a tree preservation order (CYC209). Therefore in relation to the current proposals, the following properties are considered unsuitable:- plots 5 (and garages and parking bays) 23, 24, 25 and 27. With regards to landscape amenity value of the scheme, it is considered that proposals do not incorporate the existing TPO'd trees. The amenity benefit of the existing trees should be maximised where possible by incorporating them into visible locations such as open spaces or other communal areas such as parking courts.

4.22.4 The open space is sited in an inconvenient and isolated corner of the development. It will create little amenity value for the larger development and could present problems with misuse as it is tucked away and not very well overlooked. The position of the open space offers no spatial quality or amenity value for properties on the site. Whilst this location may favour the retention of 2 protected trees, it should be central to the scheme, either as a sequential space to the neighbouring proposed LEAP or as a continuation/buffer zone to the proposed LEAP. Either way it should be central to the housing development, contribute to the overall setting and be overlooked by a significant number of properties.

4.23 AFFORDABLE HOUSING

4.23.1 Sections 15 and 16 of PPG3 require that decisions about the amount and types of affordable housing to be provided in individual proposals should reflect local housing need and individual site suitability and be a matter for agreement between the parties. PPG3 further states that Local planning authorities and developers should be reasonably flexible in deciding the types of affordable housing most appropriate to a particular site. The objective should be to ensure that the affordable housing secured will contribute to satisfying local housing needs as demonstrated by a rigorous assessment.

4.23.2 It should borne in mind that the issue of provision of affordable housing has been agreed at outline stage. As a consequence this is not a reserved matter. The execution of affordable provision for the scheme will be controlled by the S106 agreement which is linked to the original outline permission.

4.24 OPEN SPACE

4.24.1 The provision of open space was agreed at outline stage. The applicants have submitted details in accordance with the S106 agreement which is linked to the outline planning approval. The submitted details indicate the LEAP sited within the existing playing fields. Sport England and Life Long Leisure and Learning have both indicated that the design and position of the LEAP is acceptable. Carr Vikings who will play football on part of the playing pitches have also not raised any objections to the position of the LEAP.

4.25 FLOOD RISK

4.25.1 The applicants submitted a Flood Risk Assessment (FRA) that considers the potential for increased runoff from development of the site. The conclusion of the assessment was that the site would not increase flood risk elsewhere, including on adjoining land, providing an appropriate flow balancing Sustainable Urban Drainage System (SUDS) is used, existing land drainage is used and ground levels are not raised above the level of adjacent land. The Environment Agency (EA) and Internal Drainage Board have been consulted on the Assessment and have not objected. EA commented that Informative 2 of the original permission required that the SUDS assessment should be submitted with the first reserved matters. The applicants have not submitted this report as part of the scheme. It is considered it would be prudent to ensure that the development can be adequately drained prior to reserved matters being granted, although conditions were attached to the outline planning permission to control drainage.

5.0 CONCLUSION

5.1 The proposed scheme is considered unacceptable in terms of siting and layout, detrimental impact upon adjacent neighbours, setting out of the access and cycle provision and landscaping of the scheme.

5.2 As a consequence the proposed scheme is not considered acceptable and is recommended for refusal as it fails to satisfy policies national planning guidance PPS1 and PPG3 and also policies GP1, GP4a, GP9, NE1, T4, H3c and H5a, of the City of York Development Control Draft Local Plan (incorporating 4th set of changes) - 2005.

6.0 RECOMMENDATION: Refuse

- 1 Because of the height, bulk, mass and location the proposed block of dwellings adjacent Sunningdale Close, this particular element of the development would result in overshadowing, would have an overbearing effect and would impact upon the outlook on no.18, 19 and 20 Sunningdale Close thereby harming their existing living conditions. As a consequence the proposal fails to satisfy national planning guidance PPS1 and PPG3 and also policies GP1 of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.
- 2 The proposal is undermined by the lack of a full landscape plan and specification as part of the design of the scheme. As a consequence the proposal fails to provide for a planned and integrated landscaping scheme. The outcome of which is a development which would be dominated by dwellings, car parking and hard surfacing. As such the proposal would not be compatible with the well established suburban character of the area is therefore contrary to national planning guidance PPS1 and PPG3 and also policies GP1, GP9 and H5a of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.
- 3 Due to the layout and siting of the dwellings within the site, such a high density scheme does not allow for any associated soft landscaping which would add to the amenity of the scheme and create a sense of place, nor does the proposal incorporate existing landscaping, trees, etc which could further add to the visual amenity of the proposed residential development. As a consequence the proposal does not create a definable character or distinctive quality of place for the scheme as sought by 'Better Places to Live by Design: A companion Guide to PPG3'. As such the proposal would not be compatible with the well established suburban character of the area is therefore contrary to national planning guidance PPS1 and PPG3 and also policies GP1, GP9, NE1 and H5a of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.
- 4 The proposal fails to provide adequate provision for covered and secure cycle parking provision with regard to the proposed flat accommodation. Such an under provision would harm the City Council's objectives of maintaining and promoting cycle usage in order to minimise traffic generation, reduce pollution, noise and the physical impact of traffic and is therefore contrary to policy T4 of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.
- 5 The proposed bin storage for the proposed flat accommodation is inadequate in size, inconvenient to access from the majority of the proposed flats and difficult to collect for refuse collection. Such an inadequate arrangement would most likely result in rubbish being stored in other common areas or outside in the parking or circulation areas this would be harmful to residential and visual amenity and is contrary to policy GP1 and GP4a of the City of York Draft Local Plan (incorporating 4th set of changes) 0- 2005.

7.0 INFORMATIVES:

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