



## Notice of meeting of

### East Area Planning Sub-Committee

**To:** Councillors Moore (Chair), Cregan (Vice-Chair), Douglas, Firth, Funnell, Hyman, King, Orrell, Taylor and Wiseman

**Date:** Thursday, 25 September 2008

**Time:** 2.00 pm

**Venue:** The Guildhall, York

### AGENDA

**The Site Visit for this meeting will commence at 10am on Wednesday 24 September 2008. Please meet in the entrance to St. Olaves School, North Parade, Clifton.**

**1. Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

**2. Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Sub-Committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Wednesday 24 September 2008 at 5pm.

**3. Plans List**

To determine the following planning applications related to the East Area.

**a) St. Peters School, Clifton, York, YO30 6AB (Pages 5 - 24)  
(08/01868/FUL)**

A major full application for a multi use games area incorporating non-illuminated synthetic grass pitch, tennis and netball courts.[Clifton Ward] [Site Visit].

**b) The Villa, Main Street, Elvington, York, (Pages 25 - 29)  
YO41 4AG (08/01868/FUL)**

Erection of 1no. dormer bungalow with attached single garage. Revised scheme. [Wheldrake Ward]

**4. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972

Democracy Officer:

Name: Laura Bootland

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

**EAST AREA PLANNING  
SUB-COMMITTEE**

**SITE VISITS**

**WEDNESDAY 24 September 2008**

**TIME**

**SITE**

**10:00 am St Peters School. Meet at the entrance to St. Olaves  
School, North Parade, Clifton.**

**(3a)**



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## **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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## COMMITTEE REPORT

**Committee:** East Area                                      **Ward:** Clifton  
**Date:** 25 September 2008                              **Parish:** Clifton Planning Panel

**Reference:** 08/00863/FULM  
**Application at:** St Peters School Clifton York YO30 6AB  
**For:** Multi use games areas incorporating non-illuminated synthetic grass pitch, tennis and netball courts  
**By:** Governors Of St Peter's School  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 4 July 2008

### 1.0 PROPOSAL

1.1 Planning permission is sought to create multi-use games areas incorporating synthetic grass football and hockey pitches, tennis and netball courts. In order to make way for the main football and hockey pitch, an area of existing tennis and netball courts require relocation to the east adjacent to the rear of the houses on Sycamore Terrace. Three further courts will be provided to the west of the proposed main pitch.

1.2 The application site is to the south of the buildings which form St. Olaves school. Part of the area covered by the development is in the Green Belt with the remainder within the area designated as within the built footprint of the school and shown to be within the urban area in the Draft Local Plan. The school is designated as an educational establishment in the Draft Local Plan.

1.3 The site is outside the Clifton Conservation area, the boundary of which runs to the north of St. Olaves school along the public footpath which separates St. Olaves school from St. Peter's school. There are a number of listed buildings in the area but none immediately adjacent to the application site.

1.4 The site is on the north side of the Clifton flood bank and is within flood zones 2 and 3. A flood risk assessment has been submitted with the application.

1.5 The application was initially submitted showing the pitch illuminated by 8 floodlight pylons. However these have been subsequently withdrawn from the scheme following concerns expressed by officers. Notwithstanding this it is proposed to make the pitches available for use by outside teams and bodies when not in use by the school.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Clifton 0013

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Schools Queen Anne 0253

## 2.2 Policies:

CYGB1

Development within the Green Belt

CYSP3

Safeguarding the Historic Character and Setting of York

CYSP2

The York Green Belt

CYNE1

Trees, woodlands, hedgerows

CYHE2

Development in historic locations

CYHE4

Listed Buildings

CYGP1

Design

## 3.0 CONSULTATIONS

### 3.1 INTERNAL.

### 3.2 Highway network management.

Network Management

The application is for the creation of sports pitches at St Peters School. Following discussions with officers the application was supported by an independent Transport



Assessment which considered the potential implications of the proposal on the surrounding highway network. Officers have considered the contents of the TA and are satisfied with the conclusions reached.

Based upon information supplied by the applicant, the school currently uses sports pitches around the city for home and away games. This undoubtedly generates a certain level of traffic. The proposal to create pitches at the school site will therefore, in real terms, not result in material changes in traffic on the surrounding highway and is likely to lead to a reduction in trips/traffic on the network.

The proposed facilities will be available for use by members of the public out of school hours. The school has indicated that parking for public use will be provided at the main car park accessed from Clifton. Concern has been raised by members of the public that patrons of the sports facilities will park on the adjacent public highway specifically Westminster Road and The Avenue. These highways are protected by various waiting restrictions including residents parking which limits the duration of stay to 10 minutes. It is therefore not possible for patrons to park on the highway without doing so illegally, and as such would be subject to enforcement by the authority.

The design of the facilities is also such that it will discourage access from any other route than through the school grounds on Clifton. The main pedestrian access is through the school buildings from Clifton. As the pitches are to be enclosed by fencing with access gates only from the aforementioned route it is considered unlikely patrons will use a longer route.

The use of the pitches by the public will occur outside of school times. There are approximately 70 car spaces within the school grounds for use by patrons of the pitches. Even considering a worst case scenario of use of all the pitches it is considered that adequate parking within the school grounds would be provided and as such on-street parking would not prove to be attractive.

Given the above circumstances it is considered unlikely that the public would choose to park on the surrounding highway.

As has been demonstrated in the Transport Assessment, the greatest impact from traffic on the adjacent highway will be during the construction phase, however it must be remembered that this phase is temporary and inevitably there may be some limited disruption. Through negotiation and the use of appropriate conditions the authority will seek to work with the contractors and local residents to ensure any disruption is kept to a minimum.

Construction access is to be taken from Westminster Road and will cross and existing Public Right of Way. In order to ensure pedestrian safety throughout the duration of works the applicant has confirmed that the construction access route will be gated and controlled by a site operative who will also act as a banksman to ensure there is no conflict between construction traffic and pedestrians. The construction access route will remain closed when traffic is not using the route, which will not affect the use of the adjacent Public Right of Way. The construction route and site will also be secured by fencing to further minimise any potential risk.

The formation of the temporary construction access will require the temporary suspension of a short length of resident parking bays at the end of Westminster Road adjacent to the site access to ensure that construction traffic can enter the site without having to wait on the highway adjacent to residential properties. The construction access route also includes a passing place to allow two-way traffic flow and further reduce the potential for construction traffic to wait on the highway. Parking and turning facilities for construction vehicles will be provided within the school grounds.

In order to reduce the environmental impact on residents and to protect the integrity of the structure of the highway, it is considered necessary to temporarily remove the existing speed humps along Westminster Road during the construction process. This will ultimately reduce noise and vibration for residents. Following the completion of works the speed humps will be reinstated to the satisfaction of the Authority to the cost of the applicant. The applicant has confirmed their agreement to this approach and a suitably worded condition is recommended.

Four conditions are recommended pertaining to access, parking and turning, traffic calming and a method of works statement.

### 3.3 Urban Design and Conservation.

St Peters School is a Grade II listed building which lies in the Clifton Conservation Area.

The application relates to St Olave's school which is a Grade II listed Brierley building. The application site itself lies outside of the Clifton conservation area boundary. As such, the proposal has been assessed on the basis of the potential impact on the setting of the listed building and the conservation area.

The application concerns the installation of two all weather pitches and associated flood lighting to the existing playing fields to the rear of St Olave's School. This area is accessed via the school but is visible from the public realm along the riverside footpath known as Esplanade. Only part the east wing of St Olaves is contained within the conservation area boundary. Here it extends back to the area behind the school and covers the existing tennis courts.

A flood banking is located near to the footpath and the entire site is visible from this raised area. The proposal is felt to be generally acceptable in principle with the exception of the floodlights. Given the open character of the site, the proposed lighting structures will have an incongruous presence which would affect the setting of the conservation area both through the day and at night. It is suggested that they are removed from the application.

The proposed multi use area is the only other part of the proposal which is in close proximity to the conservation area boundary. There will be little impact here - the area concerned is already in use as multi use sports pitches and there will be little change in terms the character and appearance of the conservation area.

The historic and most significant part of the listed building is located to the extreme east of the site covered by the conservation area boundary described above. The character of the rear elevation is maintained here by the existing formal gardens immediately behind the listed building. The proposed multi use area described above is the only part of the application in proximity to the listed building. As described above, the proposed area is already in use and there will be little physical impact or change. The proposal is not therefore felt to impact on the setting of the listed building.

The remaining works, i.e. proposed changing rooms, pitches and landscaping works are situated behind contemporary additions to the original listed school building. The majority of these extensions contribute little to the character of the listed building or its setting and it is felt that the proposed works are acceptable. This area of the school and playing fields is not part of the conservation area.

### 3.4 Landscape Architect.

Under chapter 5, para. 5.11 of the local plan, it acknowledges that 'the most critical elements of this character (of the historic city) are a series of green wedges (essentially the strays and floodplains) which run into the heart of the city from the surrounding area of open countryside,..'. Whilst the site in itself is not a stray or floodplain, it is viewed as part of what is effectively the Clifton Ings wedge (C6 in 'The Most Important Areas of Greenbelt' map which is part of the evidence base for the LDF).

Under chapter 5, para 5.12 the local plan states 'The extension of these wedges into the urban area offers a sense of openness when approaching the historic core along..... the River Ouse floodplain.

The site is also included in the southern tip of Landscape Character 9, titled the 'River Ouse Floodplain', in the 'York Landscape Appraisal'.

The Ings open space, running between the river and the site, is grassed; it includes single specimen trees adjacent to the riverside footpath and small groups of trees within the open space, onto which there is free access; in total providing a semi-rural, informal parkland character. The site is visually interpreted as an extension of this. The open grassed area that makes up the playing fields is best appreciated from the 'de facto' footpath on the flood bank (which forms part of the open space within the draft local plan). It can also be seen from the pathway to the north and east of the playing fields.

Natural grass is not a uniform solid colour, nor made up of a single species; it is made up of numerous colours/shades of reflected green. Artificial pitches have an effect of flattening and dulling the surface texture and colour. The introduction of fencing at heights of 3.0m down the sides and 4.5m at the ends, although transparent by their open 'woven' structure, create a significant degree of enclosure, especially at oblique angles where the fencing appears more solid. Therefore overall, the development would result in a loss of natural open space.

The scheme also involves the removal of a group of small trees, but many more new ones are proposed. It is not the function of the tree planting to entirely screen the

development; the essential open character should be retained. The tree planting would sit the development in a new landscape and positively distract the eye. The new tree planting appears to consider the best view of the Minster which they serve to frame but not screen.

The new pitches/courts encroach onto the existing grassed playing field, but they are largely seen within the context of the containment of the newer building blocks in an area already dominated with artificial surfacing and fencing. However the floodlight columns introduce elements with substantial height to the 'open space'.

From the elevated position on the flood bank, the fencing is not too intrusive on the views across to the edge of the residential area that forms the foreground of the views to the city centre and Minster; that is with the exception of the lighting columns.

From the true public right of way along the riverside and from within the lower level open space, the flood bank will largely screen the fencing and surfacing. However, at a height of 15m, the 8 floodlights will be visible from the footpath/cycleway and area of open space adjacent to the river. Their full height would not be screened by the flood bank. They would add an urban character to an otherwise low key area that currently merges with the 'green' wedge that brings the greenbelt into the city - an area which is enjoyed by a high population. The floodlighting effectively brings the development forward - closer to the river, and draws attention to the scheme.

In considering the impact of the flood lights, there is the impact of the actual lighting columns to consider and the illumination.

The Landscape and Visual Impact assessment submitted with the application recognises that the impact of the floodlights is medium to high for nearly all of the receptors.

The Horse chestnut at the end of Westminster Avenue, is a large, attractive terminating feature and is visible from the local footpaths. The Horse chestnut is now subject to tree preservation order (TPO) no. CYC 204. With strict protection measures in place, such as height and width restricting 'goal posts', temporary access could be achieved from the end of Westminster Avenue. Trial holes have been dug around the tree to ascertain the soil conditions and it was found to be historically compacted stone to some depth.

In summary, the development erodes the natural character of the open space. However, given the benefits of an apparently much-needed, quality, sports facility, it is felt that the extent of new pitches/courts and associated fencing, in this location, plus new tree planting, is acceptable. However the impact of the flood light columns on the character of the area causes serious concern.

Conditions are recommended to include LAND 1, the approval of boundary fencing spec. and colour, and tree protection.

### 3.5 Lifelong Learning and Leisure.

Support the schools application for these considerably enhanced sports facilities. This department have contributed a little to this project and have advised on design

and layout where appropriate. The scheme will be wholly funded by the school, so the design has not been influenced by the criteria of any external funders.

Active York's research has shown that the city has considerable pressure on the existing astro turf pitches as supply is limited, participation in hockey is continuing to grow and all competitive must be played on artificial turf. There are no plans for community access during term time, as the school are anticipating they will use it day times and evenings during the week and at weekends. This new facility will reduce the use that St Peter's makes of other Astro turf facilities in the city and will therefore create increased capacity for community hockey development. The school have advised the Sport & Active Leisure team that the facilities will be made available to the council for community sport development schemes during the holiday periods. This will allow community access to an excellent, accessible facility close to the city centre which the city badly needs.

To allow year round use of these all-weather facilities the floodlighting is essential and are pleased to see that it has been included in the scheme.

### 3.6 CYC Drainage.

No objections subject to conditions referring to the position of soakaways, no connection of the drainage into any of the existing surface water drainage at Bur Dyke and no conflict between the temporary haul road and the access track to the nearby pumping station.

### 3.7 Environmental Protection Unit.

No objections to the application. However, note that there are residential dwellings in relatively close proximity to the multi-use area. Recommend conditions to include hours of use for the pitches as follows:

Main synthetic grass pitch and multi-use courts to the west

Mon - Fri 08.00- to 20:00

Saturday 09.00 - 18.00

Sunday 10.00 - 16.00

One Bank Holiday annually 10.00-16.00

Multi use courts to the east of the main pitch

Mon- Fri - 08.00-18:00

Saturday - 09.00 to 18.00

Sunday - 10.00 to 16:00

One bank holiday annually 10:00 to 16:00.

## EXTERNAL

### 3.8 Clifton Planning Panel.

Do not object but make the following comments:

There are no objections to normal use by the school but have reservations about outside organisations for planning reasons:

i) Difficulty of controlling access by users with vehicles unless St. Peter's school can enforce requirement to use main entrance in controlling access from the main

entrance on Clifton only. Failing this, permission for the facilities should be withdrawn.

ii) Risk of light pollution from the floodlight columns.

iii) noise disturbance

iv) Need to contain all contractors and consultants vehicles including private cars within the campus.

v) Temporary access road to be removed once works are completed and full reinstatement made of public highways, footpaths and grassed areas.

vi) Part of site within the Green Belt. Does the work contravene Green Belt policy.

vii) Is it acceptable to the Environment Agency as it is close to the river. Could exacerbate flooding in the area.

### 3.9 Environment Agency.

No objections following receipt of detailed FRA. Recommend 3 conditions relating to compensatory flood storage works, work in accordance with the approved flood risk assessment and surface water disposal.

### 3.10 Sport England.

There will be no net loss of sports facilities on the site. Sport England therefore considers the application to meet exception E5 of our playing fields policy and support the application, subject to the following conditions

- to mark out the pitches on the remaining playing field in accordance with plan 472/200B

- all new facilities are constructed in line with Sport England's guidance notes

- a community use agreement is submitted and approved, through consultation with Sport England.

3.11 Third parties. Nearby residents were consulted by letter and several site notices were placed along Queen Anne's Road, North Parade, Sycamore Terrace, Westminster Road and North Parade. 48 letters of objections (including the same standard letter received 15 times) have been received making the following comments.

i) Development will lead to increased traffic using roads in the local area including Westminster Road. Level of traffic using these roads is already intolerable and this will contribute further to this.

ii) Increased air pollution from the increased traffic.

iii) Due to the increased traffic levels associated with the development and the traffic bottleneck at Clifton Green it is anticipated that more cars and buses will use Westminster Road to avoid this congestion.

iv) Flood lighting could be made available to local clubs up to 12 hours a day, 7 days a week. This will lead to more traffic using Westminster Road.

v) Insufficient parking on the St. Peter's campus is available to facilitate the extra usage required through increased community use. Will lead to the school submitting applications for a permanent access road link between Westminster and Queen Anne's Road.

vi) Up to 400 HGV trips will be required to construct the development. Will lead to damage to Westminster Road.

- vii) Proposals to remove speed bumps during the Construction phase. This will contribute to highway danger and there is little clarity as to when these will be re-installed.
- viii) There is a proposal to re-route part of the footpath at the bottom of Westminster Road on an area which floods and is muddy. This is unacceptable as residents should have safe walking routes to the city centre.
- ix) Damage to local green attributes. Especially concerned about damage to the horse chestnut tree at the end of Westminster Road.
- x) May increase chances of flooding.
- xi) Light pollution from the floodlights will be unsightly and detracts from the vistas across the city at this point.
- xiii) developments at St. Peter's school are beginning to dominate the area.
- xiii) Current parking restrictions in the area are not equitably enforced.
- xv) The temporary access road from Westminster Road could become a permanent feature. This would damage the horse chestnut tree at the bottom of Westminster Road which has a tree preservation order on it.
- xvi) Construction phase will have a significantly detrimental impact on the local area. HGV movements will bring safety concerns particularly as many elderly and small children live round here.
- xvii) Site is in the Green Belt. Will detract from the open character of the Green Belt. Views across the site from the floodbank will be spoiled by the security fencing, the artificial looking surface and the floodlights.
- xviii) School has stated that vehicle access will be from Bootham but as is seen every morning and evening the school has no control over this. At certain times of day and night the roads become gridlocked, in particular Queen Anne's Road and North Parade. The school does not address the problem of traffic in Queen Anne's Road and North Parade. This causes harassment, fear and distress to the local community due to excessive speeds and aggressive driving which causes damage to the highway and is a danger to residents. This development will only add to this. It is time that traffic problems were taken seriously.
- xiv) Will increase the pressure on drainage.
- xx) The pitches are for the benefit of the school only.
- xxii) Increased noise and disturbance from traffic and the use of the pitches. Pitches and floodlights should not be used after 9pm.
- xxiii) The benefits of wider use should not outweigh the welfare of local residents.
- xxiv) The new footbridge should be in use before this facility begins to be used. Upon completion of this all access to St Olave's school from North Parade or Queen Anne's Road shall be closed meaning that access is only possible through the school grounds from Clifton. This would be in line with previous commitments made by the school.
- xxv) Water usage should be from reclaimed sources and sustainable.
- xxvi) Hedge along the flood barrier should not be damaged and further planting should be encouraged.
- xxviii) The promise of the headmaster that parking will be limited to the existing campus car parks is fine but cannot be guaranteed. One day he will be replaced and the Governors may feel the need to change the arrangements if economic considerations dictate. St. Peter's management asserts but really keep promises made to residents over traffic, in particular the original written declaration that it would not allow St Olave's traffic to use Queen Anne's Road and North Parade.

xxix) To say that this will not result in increased traffic on these roads is naïve. Similar pitch uses should be considered in the local area as this would lead to a more robust assessment of the likely traffic volumes that will be generated but also the significant percentage increase in off peak volumes of traffic. The location of the facility being so far from the proposed access point on Clifton also increases the likelihood of traffic using Queen Anne's Road and North Parade. If approved a condition should be appended preventing vehicular access down these roads by all those using this facility.

xxx)

xxxi) Access to the facility would be through a Conservation area. This could be harmed as a result of increased traffic, nuisance etc.

xxxii) Application has been withdrawn before. There is little difference between the two.

xxxiii) The demand for community use is unclear. Where is the evidence for this. Who the users will be is not clear. School does not open up its existing surfaces for community use so why does the change in surface result in a different attitude. They have not consulted local residents as to whether they would make use of the facilities.

xxxiv) Lack of explanation on the removal of the temporary construction road. This must be removed immediately construction is over and not used as a surrogate route for parents dropping children off.

xxxv) Should be incorporated within a City of York Leisure services plan.

1 letter of support received making the following observations:

- Have no objection to the floodlights providing they are turned off by 10pm.
- Hockey and other sporting activities should be encouraged.
- Other schools and colleges in the city have been allowed hard surfaces recently so one here should be supported.
- Sympathise with the concerns of my neighbours on Queen Anne's Road but have spoken to the school and they say that people will have to park in the school grounds and walk down to the facility and that they will not be able to enter from St. Olave's school itself. This route is already used by people who come to swim at the school.

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES.**

- Green Belt and the impact on the Clifton Ings Green Wedge.
- Impact on the setting of the Conservation area and Listed Buildings
- Visual amenity and the impact on the City skyline.
- Use and the Impact on the local highway network.
- Neighbour amenity.

Green Belt, the impact on the historic skyline of the city, the Clifton Ings Green Wedge and general visual amenity.

4.2 The application site area is partly within the Green Belt and partly within the built footprint of the school (allocated as an educational establishment in the draft local



plan) and consequently within the developed urban area of the city. However, even given its only partial position in the Green Belt, it is necessary to consider the application against Green Belt policy. The site is also effectively part of the Clifton Ings wedge, one of the important green wedges which run into the heart of the city from surrounding areas of open countryside. These wedges are considered very important as they offer a sense of openness when approaching the historic core of the city and therefore the visual impact of the development on this wedge is also an important consideration.

4.3 Appropriate forms of development in the Green Belt are defined in national guidance in PPG2 (Green Belts) and Policy GB1 of the draft City of York local plan re-iterates this advice in local policy form. This defines appropriate uses of land in the Green Belt and stresses the importance of any development, appropriate or otherwise, in maintaining the openness of the Green Belt. Policies SP2 (The York Green Belt) and SP3 (Safeguarding the historic character and setting of York) are also relevant when assessing the impact on the skyline and the series of green wedges referred to above. Criteria b and c of Policy SP3 are of particular relevance here.

4.4 Paragraph 1.6 of Planning Policy Guidance Note 2 ("Green Belts") (PPG2) states that the use of land within the Green Belt has a positive role to play in fulfilling a number of objectives, which include the provision of opportunities for outdoor sport and recreation near urban areas. It is considered that the formation of artificial football / hockey pitches and netball and tennis courts for school and outside use would fall within this definition. It is considered, therefore, that the proposal would assist in fulfilling this objective. There are no new buildings proposed as part of the application.

4.5 The main issue is whether the formation of the MUGA's would harm the openness of the Green Belt. The formation of the MUGA is considered to be an engineering operation and as it involves use by outside bodies includes a material change in the use of the land. Paragraph 3.12 of PPG2 states that such development is inappropriate development in the Green Belt unless it maintains openness and does not conflict with the purposes of including land in the Green Belt. A previous application for two pitches to the west of this site was withdrawn following concerns expressed by officers about the extent of the development and its very open location. This was considered to harm the openness of the Green Belt and the setting of the Clifton Conservation area and nearby listed buildings. This application has amended that scheme by reducing the size of the development to just one main pitch and six courts. It has been moved over to the east so that it is better related to the existing buildings of St. Olaves School, sitting as it does now, immediately to the north of these buildings. The very detailed and helpful comments of the Council's landscape architect are at para. 3.4 above and members attention is referred to these. They help significantly in describing this relationship and the overall visual impact of the scheme. It is acknowledged that the proposal will result in the land at this point appearing much more artificial than existing and even coloured green, this can never hope to replicate the appearance of natural grass. However, the MUGA's are now positioned where there are currently three artificially surfaced tennis courts and whilst the proposal would increase this surfaced area, the open natural appearance of the land at this point has already been undermined to some extent.

4.6 The principal MUGA is situated immediately to the north of the Clifton Ings floodbank and as a result the application site is largely screened from the Ings and the river, all of which are in the Green Belt. It is also viewed within the context of the existing modern buildings of St. Olaves school (see para. 4.9 below for more information on this). The pitch and its surrounding fencing will be largely screened from the Ings by the floodbank although it is acknowledged that it will be visible from on top of it. However, the proposed floodlights would have extended significantly above this bank level and would have been visible from a long distance away, whether illuminated or not. Members will note the concern expressed by the Landscape Architect to this and the case officer supports this view. It was considered that the floodlights would have resulted in significant harm to the openness of the Green Belt at this point and would also have damaged views across the historic skyline towards York Minster and would have significantly eroded the character of the important Clifton Ings green wedge over a wide area. The floodlights have subsequently been deleted from the scheme and therefore no longer form part of the application.

4.7 Therefore, with the removal of the floodlights from the scheme, it is necessary to consider only the MUGA's and their means of enclosure only. The fencing, despite its open woven structure will appear quite solid at oblique angles at ground level and this will to some extent result in some loss of natural open space. However, this would be mainly from inside the site and from an elevated position on top of the floodbank and it is not considered that the fencing would be unduly intrusive on the views across the site and across to the city skyline, including York Minster. From the Ings level below the floodbank the development will be largely screened from outside the site to the south by the floodbank itself although the very top of the fencing will be visible. Given the existing artificial nature of part of the site and the much closer relationship with the built form of the school, officers conclude that the proposal would not materially harm the openness of the Green Belt.

Impact on the setting of the Conservation area and Listed Buildings.

4.8 The detailed comments of the Council's Urban design and Conservation officer are at para. 3.3 above and members are referred to these. The application site is outside the Clifton Conservation area but consideration has been given to views both from the Conservation area towards the site and across to it from the Ings land to the south.

4.9 By relocating the development further over to the east, it is viewed in the context of the existing modern buildings of St. Olaves school. Only part of the east wing of the original building of St. Olaves school is in the Conservation area and this structure is also a Grade II listed building. The remainder of the school buildings represent fairly typical 20th century school architecture and are design wise, fairly uninspiring. The MUGA and the western most tennis and netball courts are mostly located behind these more modern blocks although it is acknowledged that they do encroach slightly beyond the westernmost line of these buildings and into the well maintained grass playing fields to the south of the swimming pool. However, this encroachment is limited and generally this area is already occupied by some existing artificial surfacing and fencing. It is acknowledged that the natural character of the

land will be eroded to some extent but given its location behind the modern buildings and the existence of some existing artificial surfaces in this area and the deletion of the floodlighting columns from the proposal, officers consider that the impact on the Conservation area, listed buildings and views across the historic city skyline are acceptable. Some additional tree planting is also proposed to help soften this further.

Use and the Impact on the local highway network.

4.10 The impact on traffic in the area is the issue which has generated the most objections and of particular concern are vehicle movements on North Parade and Queen Anne's Road as well as construction traffic using Westminster Road. The detailed comments of the Council's highways officer are at para. 3.2 above and members are also referred back to these.

4.11 One of the principal concerns of the residents is the proposed out of school hours use of the pitches. It is proposed that local hockey / football / netball teams will use the facilities at these times. Residents are concerned that the users will use North Parade, Queen Anne's Road and Westminster Road to access the facility, consequently increasing the number of vehicles using these roads outside of normal school hours. Members will note from the objections received that many of the residents of these roads are concerned about parents dropping and picking up children from St. Olaves school, the main entrance to which is off North Parade and that by allowing these MUGA's, this problem will be exacerbated and expanded to evenings and weekends.

4.12 In response to this the school have indicated that users of the pitches will only be able to access the site directly from the grounds of St. Peter's school as the entrance to St. Olaves school is security controlled and no public access is available. Once the recently approved footbridge linking the grounds of the two schools is built, this access will be even more curtailed. They would therefore expect and encourage that users of the MUGA coming by car or mini-bus will park or drop off patrons in the main St. Peter's school car park on Clifton and be taken from there, down to the site. The car park has space for approx. 70 spaces.

4.13 Following on from the deletion of the floodlights, the scope for outside use has diminished significantly and officers would predict that this would now be largely limited to summer evenings, weekends and school holidays only. This clearly represents a significant improvement over the possibility of every day use throughout the year. The highways officer explains that these local roads are protected by various waiting and parking restrictions including residents parking schemes. This limits the duration of stay to 10 minutes. It is therefore not possible for patrons to park on the highway without doing so illegally, and as such would be subject to enforcement by the authority. Given that it is envisaged that some of these outside patrons will consist of adult users, the extent of 'dropping off' and 'picking up' is unlikely to be as high as that associated with school children as they are more likely to drive themselves to the facility and will therefore require somewhere to park. The numbers involved are also unlikely to be as high as that associated with the general school use. Therefore, officers do not consider that the levels of traffic generation as a direct result of this proposal will be materially high to the extent that places significant extra pressure on local roads. Furthermore the school will be in a position

to control who will be using the pitches and will direct patrons to park in the main St. Peter's school car park if necessary. Use on weekends, summer weekends and school holidays will coincide with the times when the car park will be most available for use. Use by the school or inter-school competitions already make use of the car park.

4.14 North Parade, Queen Anne's Road and Westminster Road are all public highways and therefore no restriction can be placed on them in terms of use. A condition preventing the use of these roads by patrons using the MUGA's would not be appropriate as it would fail the test of enforceability under the provisions of Circular 11/95. Thus one would have to rely on the parking and waiting restrictions already in operation to control this but no control can legally be placed on simple dropping off or picking up. Driver behaviour is a matter that is outside of the remit of the local planning authority. Therefore, the principle issue is whether the proposed facility would result in a material increase in traffic using local roads around the school to the extent that highway safety and the amenity of local residents is compromised. For the reasons outlined above, officers do not consider that this would be the case.

4.15 The temporary access road that will be required in order to implement the development will access the playing fields from Westminster Road. Realistically this is the only route construction traffic could take due to the location of the MUGA's. It is acknowledged that a large number of traffic will be involved in the formation of the pitches, in particular the initial removal of soil and this will cause some short term disruption in this area. However, this will be temporary measure and would not justify the refusal of the development. The temporary removal of the speed bumps is noted and no objections to this have been received from highways officers. A condition of approval would be that these are replaced at the developers expense. A condition requiring the removal of this temporary road upon completion of the development is also recommended.

4.16. Construction traffic would have to pass in close proximity to a horse chestnut tree at the end of Westminster Road. However, the Landscape Officer is happy that with strict protection measures in place, this is acceptable. Again, a condition is recommended to ensure that appropriate measures are carried out.

Neighbour amenity.

4.17 Notwithstanding the highway issues already discussed, the impact of the proposed uses on nearby residential properties have also been considered. The nearest houses back onto the playing fields on Sycamore Terrace and these will be in close proximity to the easternmost tennis and netball courts. The distance from the rear boundary of these houses to the court fencing is approx. 13 metres rising to 21 metres to the houses themselves. The level of the courts is also set down slightly from the level of the houses and a solid brick wall and mature trees define this boundary. There is an existing tarmac court on this part of the site and although this new development represents an enhanced facility, any noise and disturbance is unlikely to be materially different to the existing situation other than the possibility of some evening and weekend play. One would expect some level noise and disturbance from existing school activity. However, it is recommended that the hours

of use are controlled by condition and thus it is considered that the amenity and living conditions of residents in Sycamore Terrace would be adequately safeguarded.

4.18 The main synthetic football and hockey pitch will be 80 metres away from the nearest house and for this reason it is considered unlikely that will also cause any undue harm to the living conditions of neighbours from general noise and disturbance. Again, the hours of use will be controlled. The removal of the floodlights from the proposal means that the issue of light pollution is no longer relevant.

Flooding.

4.19 Concerns over flooding have been raised by both the local Planning panel and several of the objectors. However, a flood risk assessment was submitted and this has been considered by the Environment Agency. They have raised no objection (see para. 3.9 above) subject to conditions.

## **5.0 CONCLUSION**

5.1 The use constitutes an appropriate form of development in the Green Belt and following the deletion of the floodlights, it is considered that the openness and appearance of the Green Belt or the important Clifton Ings Green Wedge will not be materially harmed.

5.2 The concerns of local residents over traffic generation are acknowledged but preventing the use of Queen Anne's Road and North Parade by users of the facilities is not possible through a condition as they are public highways and such a condition would fail the conditions test under Circular 11/95. Parking restrictions on these roads prevent vehicles from parking but would not prevent users being dropped off. However, given the deletion of the floodlights from the proposal, the scope for out of school use has diminished significantly and realistically this is now limited to summer evenings and weekends only. The school car park will be largely fully available at these times and access directly into St. Olaves school grounds from the North Parade area is extremely limited and therefore it would be reasonably expected that there would be little scope for access to the site from this direction. On balance, it is not envisaged that the development will result in so much extra traffic down these roads that the refusal of planning permission could be justified.

5.3 Following the deletion of the floodlights from the proposal, officers do not consider the development to harm the setting of the Clifton conservation area or nearby listed buildings or unduly harm the living conditions of local residents. The Environment Agency also raise no objections on flood risk grounds.

5.4 Given all of the above, subject to conditions, officers raise no objections to the application.

5.5 The application does not need to be referred onto Government office as a leisure use constitutes an appropriate form of development in the Green Belt and it is not considered that the proposal will have a significant impact on the openness of the Green Belt.

**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:-

Drawing no's:  
472/200A  
472/LP

or any plans or details subsequently agreed in writing by the Local Planning Authority as 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 The hours of use of the proposed multi use games area and synthetic pitches shall be confined to the following times:

Main synthetic grass pitch and multi-use courts to the west:  
Mon - Fri 08.00- to 20:00  
Saturday 09.00 - 18.00  
Sunday 10.00 - 16.00  
One Bank Holiday annually 10.00-16.00

Multi use courts to the east of the main pitch:  
Mon- Fri - 08.00-18:00  
Saturday - 09.00 to 18.00  
Sunday - 10.00 to 16:00  
One bank holiday annually 10:00 to 16:00.

Reason: In the interests of the amenity and living conditions of local residents

4 Prior to the commencement of development details of the materials, specification and colour to be used on the surfaces of the new pitches and courts and associated means of enclosure shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

5 Prior to the commencement of the development details of the facilities for the parking and turning of vehicles within the site and storage of materials shall be submitted to and approved in writing by the Local Planning Authority. Such areas shall thereafter be retained during the construction period for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby ensuring safe and free passage for highway users.

6 Prior to the commencement of the development hereby approved the existing traffic calming measures on Westminster Road shall have been removed and the highway surface made good in accordance with details submitted to and approved in writing by the Local Planning Authority. Within 1 month of completion of the development hereby approved traffic calming measures on Westminster Road shall be reinstated to the satisfaction of the Local Planning authority in accordance with details that have previously been submitted to and approved in writing by the Local Planning authority.

Reason: In the interests of highway safety and amenity of local residents

7 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of construction works including the protection of pedestrians using the adjacent Public Right of Way and routing of construction traffic that will be promoted shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and amenity of local residents

8 Vehicular access for construction traffic to the proposed development shall be taken from Westminster Road only.

Reason - To confine access to the permitted points in the interests of good management of the highway, the free flow of traffic and the safety of highway users.

9 Within one month of the completion of the development the temporary haul road off Westminster Road shall be removed and the land re-instated to its former condition.

Reason. In the interests of visual amenity and to prevent the permanent presence of a road in this location.

10 LAND1 IN New Landscape details

11 Before the commencement of development including earthworks or the importing of materials, a method statement regarding protection measures for the existing trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing to be shown on a plan; phasing of works; details of site access; 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; location of site cabin; specific method of protecting the horse chestnut tree at the end Westminster Road.

The protective fencing line shall be adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil,

lighting of fires, parking or manoeuvring of vehicles; within the exclusion zones there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new service runs.

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 and/or development.

12 The pitches on the remaining playing fields shall be marked out in accordance with plan ref. no. 472/200B unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to retain the uses of other pitches on the site for sport related uses.

13 Prior to the use of the facility coming into use, a community use agreement shall be submitted to and agreed in writing by the Local Planning Authority in consultation with Sport England. This agreement shall be adhered to at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with Sport England's guidelines on outside sporting activity.

14 No development approved by this permission shall be commenced until a scheme for the provision and implementation of compensatory flood storage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason: To alleviate the increased risk of flooding.

15 The development hereby approved shall be implemented in complete accordance with the submitted Flood Risk Assessment.

Reason: To protect the site from flood flow routes and so as to ensure no increase in flood risk to others.

16 Surface water shall be disposed of to a soakaway system designed and constructed in accordance with BRE Digest 365 in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure the satisfactory provision of drainage facilities to serve the proposed development

## **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 the impact on the openness of the Green Belt, the impact on the historic skyline of York, impact on the Clifton Ings Green Wedge, neighbour amenity, protected trees, traffic generation and highway safety and impact on the setting of the Clifton Conservation area and nearby Listed buildings. As such the proposal complies with Policies GB1, SP2, SP3, GP1, NE1, H2 AND HE4 of the City of York Local Plan Deposit Draft (4th set of changes) approved April 2005.

2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

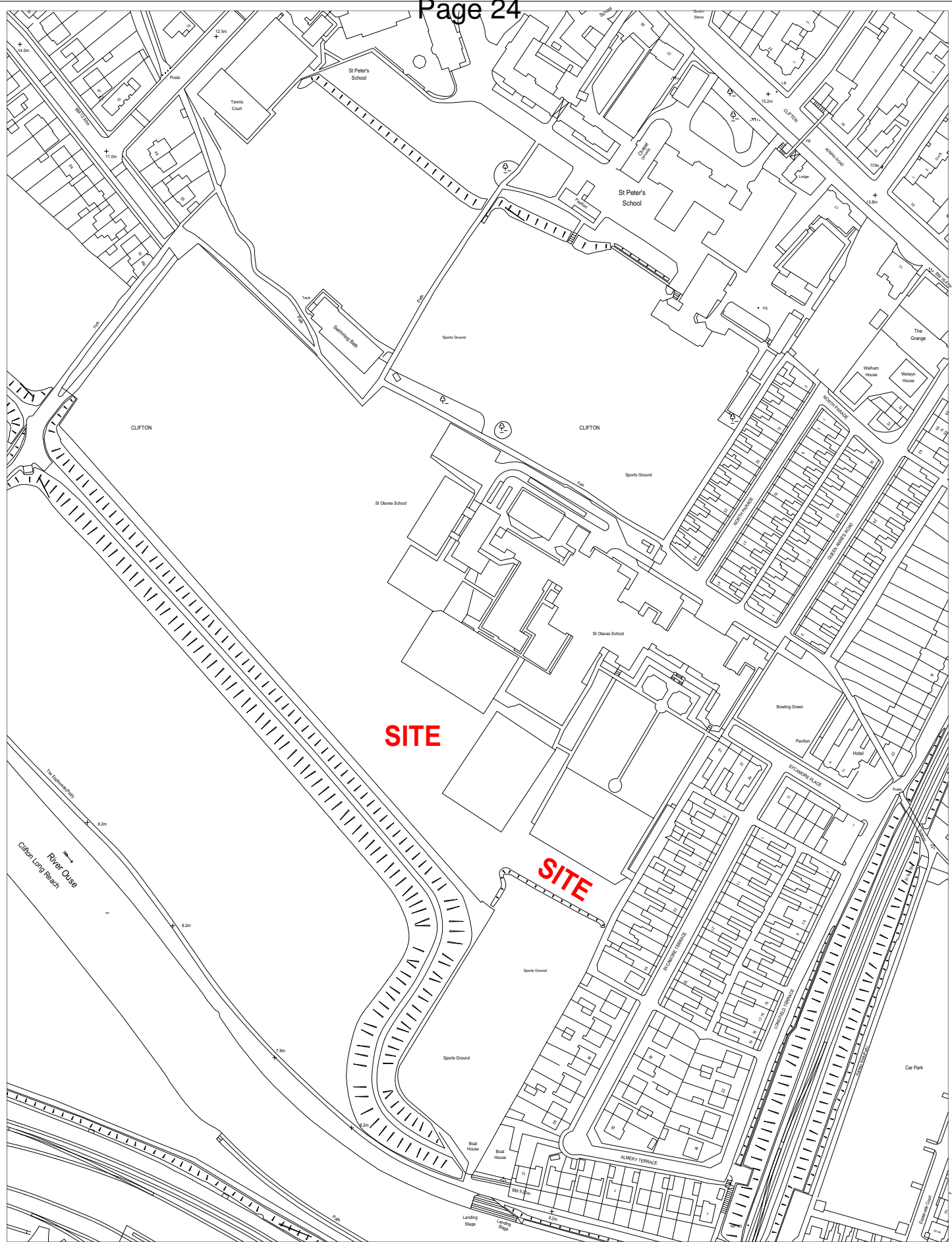
3. The applicant is advised that in order to facilitate a safe means of access for construction traffic it is likely that it will be necessary to temporarily suspend adjacent residents parking bays. The suspension involves a cost in the region of £300, which will need to be met by the applicants. It is strongly advised that the applicants contact the authorities Traffic team prior to commencement of any works on site in order to discuss the requirements.

4. Please note that should the Environment Agency require access to the flood defences due to a breach, for example, it may be necessary to remove some fencing around the pitches. This would be at cost to the school.

**Contact details:**

**Author:** Matthew Parkinson Development Control Officer

**Tel No:** 01904 552405



CITY OF  
**YORK**  
COUNCIL

PROPOSED MULTI USE GAMES AREAS  
ON LAND TO SOUTH OF ST. OLAVE'S SCHOOL - 08/00863/FULM

SCALE 1:2500  
Originating Group

DRAWN BY PSL  
Project

DATE 16/9/2008  
Drawing No.



9, St. Leonards Place, York, YO1 2ET  
Telephone: 01904 551550

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City of York Council LA 1000 20818

**DELEGATED REPORT**

**Committee:** East Area                      **Ward:** Wheldrake  
**Date:** 11 September 2008              **Parish:** Elvington Parish Council

**Reference:** 08/01868/FUL  
**Application at:** The Villa Main Street Elvington York YO41 4AG  
**For:** Erection of 1no. dormer bungalow with attached single garage  
(revised scheme)  
**By:** Mr Paul Lofthouse  
**Application Type:** Full Application  
**Target Date:** 1 October 2008

**1.0 PROPOSAL**

1.1 Members will recall that in September 2007 planning permission was granted for the erection of a three-bedroom dormer bungalow in the rear garden of The Villa on Main Street, Elvington. The officer recommendation at that time was one of refusal. In July 2008 members considered a revised scheme that sought to increase the size of the building, most significantly by making the single garage a double garage and adding a sun room. It was also proposed to increase the eaves height of the building from 2.6metres to 3.4metres. Members refused this application for four reasons - the poor living conditions for the occupants of the house, the inadequate garden space, harm to trees and harm to the amenity and living conditions of adjacent residents.

1.2 The application now submitted seeks to retain the footprint of the scheme approved in September 2007, but to increase the internal space of the house by increasing the eaves height by approximately 0.6m and increasing the eaves height of the garage by 0.3m. The ridge height of the house would be the same with the ridge height of the garage reduced by approximately 0.3m. The changes would create an additional small bedroom taking the number of bedrooms up to four and allow the space above the garage to be used as an ensuite bathroom.

1.3 The site is adjacent to a property occupied by a Council employee. It has been referred to Committee in order to ensure transparency in the decision making process. A site visit was carried out in July 2008 and as such it is not considered that a new site visit is required.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

2.2 Policies:

CYGP1  
Design

CYGP10  
Subdivision of gardens and infill devt

CYH4A  
Housing Windfalls

### 3.0 CONSULTATIONS

#### 3.1 Internal

Highway Network Management - No objections subject to conditions including those relating to the provision of a turning area within the site and a minimum access width of 3.7m.

Landscape Architect – awaited.

#### 3.2 External

Parish - Object for the same reasons as the original schemes. (case officer - objections to 07/01806/FUL were on the grounds of highway safety. Objections to 08/0892/FUL also related to over-development and harm to trees).

Neighbours - At the time of writing this report objections from three neighbours have been received. The following issues have been raised:

The reasons for refusal of the previous scheme are equally valid.

The proposal is an overdevelopment of the site

The increase in eaves height will lead to the development having a dominating and overbearing impact

Internal Drainage Board - No objections

### 4.0 APPRAISAL

4.1 Proposals to make more efficient use of land for residential accommodation within previously developed accessible locations are in line with the thrust of current local and national planning policy. The definition of previously developed land includes the application site. However, in assessing the acceptability of the application it is important to ensure that the proposal does not cause harm to issues of acknowledged importance.

4.2 Policy GP10 and H4a of the Local Plan relate to infill development and the sub-division of gardens. They place particular significance on avoiding over-development and ensuring that new development is not detrimental to the character and amenity of the local environment. The application site is within the defined settlement limit of Elvington although it is not within the Elvington Conservation Area. The south-west corner of the rear garden abuts the green belt.

4.3 The planning officer recommended the original scheme submitted in September 2007 for refusal on the grounds of the impact on the amenity of the occupiers of Grange House and 3 Loraine Avenue and because of concerns in respect to the close relationship to trees. Bearing in mind that planning permission was subsequently granted it would be inappropriate for Members to re-visit the principle of development, however, the officer's opinion on these aspects is as previously reported. This report focuses on the differences between the scheme that was approved by Members in September 2007 and the scheme currently submitted. The key considerations are:

The Impact on the Streetscene

The Impact on Neighbours' Living Conditions

Highway Issues

The Quality of Accommodation.

## IMPACT ON THE STREETSCENE AND TREES

4.5 The changes to the scheme will not increase the dominance of the development when viewed from the street. The main issue is the impact of the development on adjoining trees and the visual impact of any loss of these trees. Although the eaves height will be increased slightly it is not considered that the revised scheme would have a materially different impact on surrounding trees than that which was approved previously. The fenestration facing the main row of trees (south) is little changed

## IMPACT ON NEIGHBOURS' LIVING CONDITIONS AND ENVIRONMENT

4.6 The footprint of the scheme is the same as that which was approved previously. The only significant change is the increase in the eaves height of the building. Although the eaves height of the building is only proposed to increase from 2.7m to 3.3m it is considered that this increase in height would have a material impact on the mass of the building when viewed from surrounding properties. When viewed from surrounding houses and gardens residents would largely just see the roof of the approved house. Significantly more of the walls of the revised scheme would be visible and its impact on the character of the backland site would be greater. This is significant given that Policy GP10 that relates to the Subdivision of Gardens and Infill Development states that new development should not be 'detrimental to the character and amenity of the local environment'

## HIGHWAY ISSUES

4.7 Highways officers have previously raised no safety objections to the development. It is not considered that the increase in the number of bedrooms would create such a rise in traffic levels to cause concern.

## THE QUALITY OF ACCOMMODATION

4.8 Because of the existence of a belt of trees along the southern elevation it is the case that the outlook from the property and light levels entering the property would be restricted. The revised scheme would not be significantly different in this respect than that which was approved.

4.9 The garden of the approved scheme was fairly modest with fragmented areas often in the shade around the house. It was, though, considered adequate to meet the needs of the property. The larger scheme that was refused had a smaller area of garden and one of the reasons for refusal related to the garden size. The current scheme has the same size garden as the scheme that was approved, however, the internal size of the house has increased to create an additional bedroom. Paragraph 17 of PPS3 (Housing) states that where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreation areas, including private gardens, play areas and informal play space. Although the garden size is small, prospective occupiers would typically have a choice in respect of whether to live in the home and may decide that they did not want, or need a larger garden. Given that the development is for one house only and there are other houses in the vicinity with gardens more suitable for children's play it is not considered that the layout is such to justify refusal.

## 5.0 CONCLUSION

5.1 The main change between this scheme and the approved scheme is the increase in the eaves level of the house (the overall height remains the same at 6.8 metres). The house is in relatively close proximity to the boundaries of the site and the change would significant

increase the mass of the building. Within the context of the local environment it is considered that this would detract unacceptably from the character of the site and the enjoyment of neighbouring gardens. It is recommended that the application be refused on these grounds.

**6.0 RECOMMENDATION:** Refuse

1 The proposed dwelling would be located in close proximity to the garden boundary of surrounding properties, particularly Grange House and 1 and 3 Lorraine Avenue. It is considered that the increase in eaves height in comparison to the approved scheme would increase the mass and dominance of the proposed house to a degree that would make it unduly prominent and intrusive when viewed from these properties and have a detrimental impact on the established character and amenity of the local environment. As such the proposal fails to comply with Policy GP1 (criterion a, b and l), Policy GP10 and Policy H4a of the City of York Local Plan 4th Set of Changes 2005.

**7.0 INFORMATIVES:**

**Contact details:**

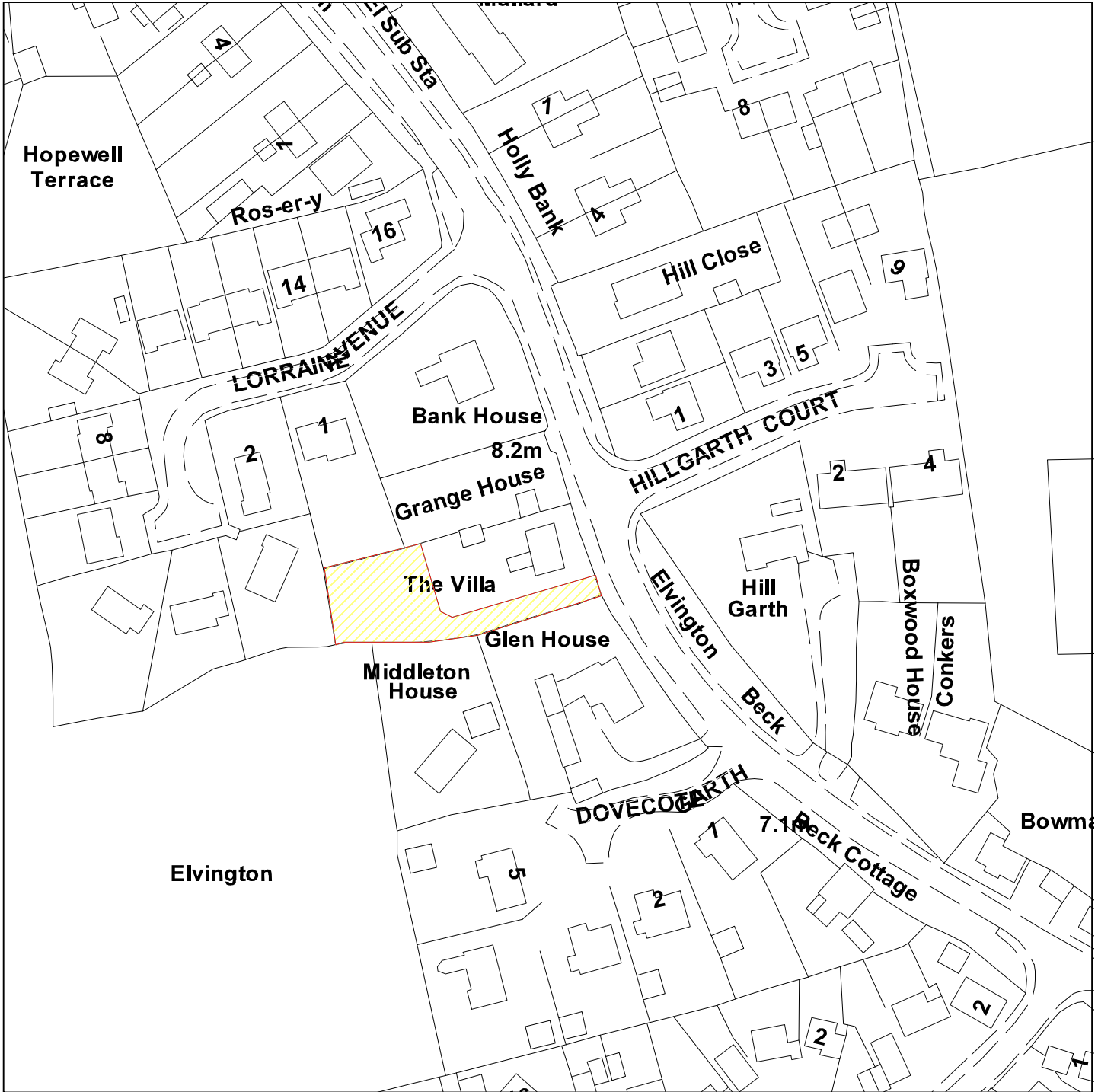
**Author:** Neil Massey Development Control Officer (Wed/Thurs/Fri)  
**Tel No:** 01904 551657

# The Villa, Main Street, Elvington, York

Ref: 08/01868/FUL



GIS by ESRI (UK)



Scale : 1:1250

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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Application Site
<b>Date</b>	15 September 2008
<b>SLA Number</b>	Not Set