

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Guildhall
Date: 20th December 2007 **Parish:** Guildhall Planning Panel

Reference: 07/02629/FUL
Application at: Riverside Dennison Street York
For: Erection of substation located to the rear of no. 38 Huntington Road
By: Barratt Homes (York Division) Ltd
Application Type: Full Application
Target Date: 14 January 2008

1.0 PROPOSAL

Application site

1.1 The application relates to the Minster Engineering site, located between houses fronting Huntington Road (numbers 22-68 evens only) and the River Foss. The site has recently been cleared and has permission for residential development.

Proposed development

1.2 Permission is sought to erect an electricity substation to the south of the Dennison Street entrance to the site, behind 38 Huntington Road. The substation would provide electricity to the housing site.

1.3 The application is brought to committee at the request of Councillor Watson and because of the objections received to the application.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001
DC Area Teams Central Area 0002
Floodzone 2 Flood Zone 2 CONF
Floodzone 3 Flood Zone 3

2.2 Policies:

CYGP1 Design

CYHE3 Conservation Areas

CYGP15 Protection from flooding

3.0 CONSULTATIONS

Internal

Highway Network Management

3.1 No objection. Ask for conditions requiring the hardstanding around the sub station and in the car park to be laid out before the development is brought into use.

Drainage

3.2 Advise floor level inside the substation should be 10.6AOD, to prevent electrocution risk if the site were to flood.

Environmental Protection Unit

3.3 No objection.

External

Planning Panel

3.4 Response pending.

3.5 The application was publicised by site notice (on Dennison Street) and letters of neighbour notification, sent to the occupants of 1-4 Dennison Street and 34-40 (evens) Huntington Road. The deadline for comments is 20.12.07. Four objections have been received to date.

Objections are -

- Adverse effect on health - due to exposure to electromagnetic fields (EMFs)
- Noise
- Inadequate neighbour notification carried out
- Loss of property value
- Different location suggested, such as next to the allocated play area
- Why was it not recognised initially by the applicants that this essential part of infrastructure would be required?
- Flood risk, the part of the site where the substation is proposed is most likely to flood
- Developers assume permission shall be granted and have already prepared the site for the development.

4.0 APPRAISAL

4.1 Key issues

- Appearance/effect on the conservation area
- Amenity
- Flood risk
- Highway safety

Policy

4.2 National policy contained in The Planning System: General Principles advises that planning decisions have to be based on land-use planning considerations. The effect on local property values is not a planning consideration. The policy states, "the basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest".

4.3 GP1 Refers to design, for all types of development. It states that development proposals must, respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with the surrounding area; avoid the loss of open spaces which contribute to the quality of the local environment; retain, enhance, or create urban spaces; provide and protect amenity space; provide space for waste storage; ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or overdominance.

4.4 The site is on the edge of a designated conservation area (Huntington Road/Heworth/Heworth Green/East Parade); the Minster Engineering Site is omitted from the conservation area. Within such areas, the Council has a statutory duty to consider the desirability of preserving or enhancing the character and appearance of the area.

4.5 The application site falls within an area where the risk of flooding is high (flood zone 3). As such the developer is obliged to produce an assessment of additional flood risk as a consequence of the development and mitigation measures, in accordance with GP15a.

Appearance/effect on the conservation area

4.6 The sub station proposed would be a brick structure with a 22.5 degree hipped roof. It would be 3.66m by 3.66m and 4.8m in overall height. The building would also have an external stair access with an associated handrail.

4.7 The size, height and location of the building mean that it would not be harmful to the appearance of the area. The height is comparable to existing backland development nearby, the garage at the rear of 38 Huntington Road and the dwelling at 4 Dennison Street. The substation is located so it would not interrupt views into the (Minster Engineering) site from Dennison Street.

4.8 The materials are given in the design statement as to match the development at the Minster Engineering site, which would allow the building to be of a similar character, and blend in with its surroundings. A slate roof would match the recently erected garage at the rear of 38 Huntington Road. Woodside mix bricks are to be used across the Minster Engineering site and would thus be appropriate on the proposed substation.

Amenity

4.9 The building is a reasonable distance, at least 12m, from the nearest elevations on houses/flats that would look toward the sub station. It is considered there would be no adverse effect in terms of outlook. The nearest building is the garage at the

rear of 38 Huntington Road, overshadowing would not affect its level of amenity. The rear garden/yard to No.36 is around 3m away. The substation would be 3.8m to eaves level. As such although the proposed development would be in line with the morning sun, it is not so high that it would unduly overshadow the rear yard. The nearest building to the north would be 4 Dennison Street, because this is 12m away it would not be overshadowed. Because of the orientation of the sun, there would be no significant effect on other surrounding buildings.

4.10 The Environmental Protection Unit confirm that modern substation developments such as this proposal run at a level that would not cause a noise disturbance.

4.11 Health has been raised as an objection to the proposed development. The developers advise that the substation would meet the pertinent British Standards. The Health Protection Agency advise there is no good or conclusive evidence that substations harm persons health. Research carried out by the National Grid and National Radiological Protection Board (whom have the responsibility for providing advice on limiting exposure of people to electromagnetic fields) found that magnetic fields are undetectable around 5m from substations, with levels akin to those generated by domestic electrical appliances. The proposed substation is in excess of 5m from any habitable rooms. It is considered that the application could not be refused on health grounds, as there is no evidence that demonstrates there would be an adverse effect on persons health.

Flood risk

4.12 The site is in an area where flood risk is high. To protect the building from flooding the floor level is set at 850mm above ground level. However the application does not demonstrate that this would attain a ground floor level of 10.6AOD, as the ground level around the substation is around 9.3AOD, the floor level is thus around 450mm below that required. As the internal room is 2.9m high, it is expected the floor level required can be achieved without alteration to the external appearance of the structure. Revised plans are awaited to clarify. The development is on an area formerly proposed to be hardstanding. Because of this and its scale, there would not be a material increase flooding risk elsewhere.

Highway safety

4.13 The conditions requested asking for hardstanding to be laid around the substation need not be added, as these are conditions of approval for the residential development of the site.

5.0 CONCLUSION

5.1 Revised plans are required to demonstrate the finished floor level is adequate to make the building flood safe. Otherwise there would be no harm caused in terms of appearance and amenity. Subject to receipt of the revised plans, approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 PLANS2 Apprvd plans and other submitted details

2 TIME2 Development start within three years

3 The development shall be carried out using the following materials, walls - Hanson woodside mix, roof – slate.

Reason: So as to achieve a visually cohesive appearance.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual impact (including that on the conservation area), residential amenity, flood risk and highway safety. As such the proposal complies with Policies GP1, GP15, and HE3 of the City of York Local Plan Deposit Draft.

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