

COMMITTEE REPORT

Date: 9 June 2016 **Ward:** Dringhouses and Woodthorpe
Team: Major and Commercial Team **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 16/00828/FUL
Application at: 26 Hob Moor Terrace York YO24 1EY
For: Erection of detached two storey dwelling following demolition of bungalow
By: Mr Tim Shepherd
Application Type: Full Application
Target Date: 1 June 2016
Recommendation: Approve

1.0 PROPOSAL

1.1 This is an application for the replacement of a single storey dwelling with a two storey property at Hob Moor Terrace York.

1.2 The site is located on the west side of Hob Moor Terrace. To the north is a row of terraced properties and beyond that the open area of Hob Moor. To the south is a semi detached bungalow, to the west is open land and public access managed by Mayfield Trust and to the east are semi and detached houses. The properties to the east are elevated above the road level, about 1 metre above the application site.

1.3 The proposal is to demolish the existing brick constructed single storey bungalow and garage and to construct a new two storey, three bedroom property on a similar footprint. The new dwelling, like the existing, is to be orientated so that the main windows face towards the side garden on the south of the plot. The existing access position is to be retained with the vehicular crossing point widened.

1.4 This application has been called into committee by Cllr Fenton who is concerned about the impact of the proposed development in terms of its fit with the current street scene, and also concerns that properties opposite would be overlooked in relation to the respective heights of the bedroom windows in the proposed new property and the living room windows in the existing properties opposite.

2.0 POLICY CONTEXT

2.1 Policies:

CYGP1 Design
CYGP4A Sustainability

Application Reference Number: 16/00828/FUL

Item No: 4b

3.0 CONSULTATIONS

INTERNAL

Highway Network Management

3.1 Comments awaited

Flood Risk Management Team

3.2 Comments awaited

Public Protection

3.3 No objections in principle an electric car recharging point should be conditioned and a construction informative placed on any approval. Gas monitoring is required because of the site's proximity to a former landfill site.

EXTERNAL

Dringhouses and Woodthorpe Planning Panel

3.4 Support the application.

Ainsty Internal Drainage Board

3.5 Acknowledges the applicants intention to attenuate flow of surface water and to employ sustainable drainage measures. It is recommended that conditions are imposed to ensure satisfactory surface water drainage.

Publicity and Neighbour Notification

3.6 Eleven letters of objection have been received covering the following points:-

- Concerned about the white finish of the building and possible glare
- Loss of privacy to properties opposite the site. These properties are set higher and the bedroom window of the new property will look directly in to lounge windows.
- Concerned about disruption during the construction phase of the development.
- Concerned about the glare from solar panels, would like to ensure that panels are matt so that windows in the property to the south are not affected.
- Proposed materials out of character with those on Hob Moor Terrace
- The development will cast a larger shadow on the garden area of the property to the north and will introduce windows overlooking the site.

3.7 One letter of support has been received on behalf of Mayfield Community Trust confirming that there are no objections to the scheme; the landscape details are considered to be sympathetic to the surroundings.

4.0 APPRAISAL

4.1 Key Issues:

- Principle of Development
- Siting and design
- Highways access and parking arrangements
- Residential amenity
- Drainage

PLANNING POLICY

4.2 The core planning principles set out at paragraph 17 of the National Planning Policy Framework (NPPF) include the expectation that planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives and should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.3 Paragraph 49 of the NPPF says that applications for new housing should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (Para 49). Local Planning Authorities should widen opportunities for home ownership and create sustainable, inclusive and mixed communities (Para.50).

4.4 Section 7 of the NPPF requires good design. Paragraph 56 says that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (Para 61).

4.5 The site is located within the urban area of the City in the City of York Draft Development Control Local Plan (DCLP) approved for development control purposes in April 2005. Policies in the DCLP are considered to be relevant to this development where they are consistent with the advice within the NPPF. The main policies relevant to this development are GP1 'Design' and GP4a 'sustainability' .

ASSESSMENT

4.6 The application proposes the replacement of an existing bungalow with a house on a very similar footprint. The principle of the re-development of the site is supported by national and local policy.

Design and Siting

4.7 The proposed house and attached store is sited in the same location as the existing bungalow and garage; that is on the north side of the plot with its main elevation facing towards the south and looking on to a side garden area. The plot has very limited land to the rear about a 1 metre strip; land beyond this is under the control of Mayfield Trust. The proposal is to introduce a house designed with pitched roofed gable facing Hob Moor Terrace. A bank of solar panel are placed in the southern slope of the roof and the building is to be faced in render and wood cladding with the wall of the attached store on the joint northern boundary constructed of brick. There are a number of different house types within Hob Moor Terrace. To the north of the site is a row of terraced, two storey properties, to the south is a semi detached property with bungalow eaves height and upper floor in the roof space, to the east are detached and semi detached relatively modern houses. The land on Hob Moor Terrace rises west to east so that the houses opposite are set about 1 metre higher than the application site. The majority of buildings along the street are constructed of brick but there are other materials present, mainly as small details on otherwise brick buildings. Concerns have been raised by objectors that the material proposed for the construction of the building will be out of character with the area. In particular objectors are concerned that the use of a white render would result in a building that could look out of place in an area of otherwise brick/muted palette of materials. The applicant has indicated that the render would not be pure white but would be more likely to be an off white (a sample will be available at committee). Officers consider that in an area of mixed house types with no overriding design character it would be difficult to impose any particular design criteria on the applicant. The NPPF advises that the Local Planning Authority should not refuse planning permission for buildings which promote high levels of sustainability because of concerns about incompatibility with an existing townscape. In this case the site is in a sustainable urban location, incorporates sustainable design features and is not part of a distinctive area that is designated for any special architectural or landscape character. Officers consider that the siting and design of the building can be accommodated on the site.

Highways Parking and Access Arrangements

4.8 Hob Moor Terrace provides pedestrian and cycle access to Hob Moor and there is a public footpath to the rear of the plot. The existing access position is to be retained and widened for the new house and the scheme provides for the parking of two vehicles off road.

The number of traffic movements is not expected to increase (other than during the construction phase of the development). There are no objections to the proposed scheme from a highway perspective.

Residential Amenity

4.9 The scheme has raised concerns from the adjacent occupiers; particularly those on the east side of Hob Moor Terrace. These properties are about 1 metres higher (at finished floor) than the application site so that windows in the first floor of the development will align more closely with the ground floor windows of properties opposite. The proposed house stands 7.6 metres high the gable end elevation facing the existing houses has two upper floor windows within it serving bedrooms. One window is a secondary light with a relatively high sill height. The second window is a larger window and is designed to be in keeping with other window sizes in the building. The room is also served with a roof light so it would be possible to remove the window and for the room to have sufficient light within it. However being on the front elevation the loss of the window would unbalance the appearance of the building and would not be a favoured option by the applicant or Officers. The distance between the front elevation of the proposed house and the existing properties is just over 21 metres; between the properties is the road and intervening vegetation. The applicant is proposing a tree in the front area and has reconsidered the front boundary to retain and introduce more landscaping thus breaking up the view between properties; this would also enhance the landscape context of the structure. Overall Officers consider that the distance between properties and the intervening landscape features are such that there will be no loss of amenity as a result of the siting of the bedroom window that could justify a refusal of planning permission.

4.10 The end of terrace property to the north of the site has a side parking and garden area adjacent to the northern site boundary. The new house is set 3 metres from the boundary with the new store being set on the boundary with a single storey eaves height. Windows in the north elevation are at ground floor level with roof lights provide additional lighting to the upper floor. The existing terrace property has no side facing windows. This property will not be overlooked by windows as these are at ground floor level and look at the joint boundary. At three metres from the boundary the increased height of the new dwelling will not dominate or detract from the amenities of the existing property.

DRAINAGE

4.11 Details of drainage have not been submitted as part of the application. As the site is occupied by an existing dwelling Officers are satisfied that details of drainage can be sought by condition.

OTHER MATTERS

4.12 Public Protection require conditions to ensure gas monitoring; the site is close to a former refuse site. Facilities to charge electric vehicles is sought via condition and is justified having regard to advice in paragraph 35 of the NPPF.

5.0 CONCLUSION

5.1 In the opinion of the Local Planning Authority, subject to the conditions listed, the proposed development including its design and siting, parking and access arrangements, impact on residential amenity and drainage would comply with policies within the National Planning Policy Framework and the Draft Development Control Local Plan approved for development control purposes April 2005.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing no.2015HMT-03-012 rev.B - Floor plans and sections

Drawing no.2015HMT-03-013 rev.A - Elevations

Drawing no.2015HMT-03-014 rev.B - Site plan

Drawing no.2015HMT-03-015 rev.A - Site elevation/section

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

3 A sample panel of the brickwork, render and cladding to be used on the building shall be erected on the site and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. The approved development shall be carried out using the approved sample.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location.

4 Before the dwelling is first occupied there shall have been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs proposed to the front and side boundaries of the site. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

5 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site in order to ensure flood risk is not increased elsewhere and in accordance with the aims of Section 10 of the National Planning Policy Framework. The approval of details is required at this stage in order to ensure that the implementation of an acceptable drainage solution is not compromised by the premature commencement of works at the site.

6 Prior to commencement of development, gas monitoring and/or a risk assessment shall be carried out by a competent person to assess landfill gas generation and migration. Based on the results of the gas monitoring and/or risk assessment, the detailed design of a gas protection system shall be submitted to and approved by the local planning authority.

Reason: To ensure that risks from landfill gas to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors work. The approval of details is required at this stage in order to ensure that the gas monitoring and any required protection is not compromised by the premature commencement of works at the site.

7 Prior to occupation of the development, a verification report that demonstrates the effectiveness of the gas protection system shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from landfill gas to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8 The applicant shall install a three pin 13 amp external electrical socket which is suitable for outdoor use. The socket shall be located in a suitable position to enable the charging of an electric vehicle on the driveway using a 3m length cable.

Note: Any socket provided must comply with BS1363, or an equivalent standard, Building Regulations and be suitable for charging electric vehicles. It should also have a weatherproof cover and an internal switch should be also provided in the property to enable the socket to be turned off.

Reason: To promote sustainable transport through the provision of recharging facilities for electric vehicles

7.0 INFORMATIVES: Notes to Applicant

1. INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

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

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- Clarification of proposed material details
- Amendments to front boundary landscaping

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