

COMMITTEE REPORT

Date: 2 February 2017 **Ward:** Acomb
Team: Major and **Parish:** No Parish
Commercial Team

Reference: 16/02269/FULM
Application at: Site Lying to the Rear of 1 To 9 Beckfield Lane, York
For: Erection of 11 no. dwellings with associated access road and parking
By: Mr Craig Smith
Application Type: Major Full Application (13 weeks)
Target Date: 15 February 2017
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application seeks permission for the erection of 11 dwellings to an area of land to the rear of 1-9 Beckfield Lane. The site previously formed part of the rear gardens of 1, 3, 5, 7, and 9 Beckfield Lane and an area of fenced off grassland adjacent to Runswick Avenue. Access to the site would be served by a new access point between the rear of 11 Beckfield Lane and 18 Runswick Avenue.

1.2 The scheme proposes a pair of two storey semi-detached three bedroom dwellings, a row of six three bedroom terrace properties, a pair of semi-detached two bedroom bungalows and a detached three bedroom bungalow. A total of 16 car parking spaces would be provided for the dwellings with no visitor spaces provided.

1.3 The application site is within low risk flood zone 1, is not within a conservation area and there are no listed buildings in the immediate vicinity. The surrounding area is predominantly residential containing a mix of primarily two storey houses and bungalows. The host dwellings along Beckfield Lane are reflective of much interwar housing developments in the city. It is thought that the development of Runswick Avenue was carried out in the 1960's on land which was formally garden land of houses along Beckfield Lane, much in the same way as the application proposed. Runswick Avenue contains a mix of detached and semi-detached bungalow.

1.4 Planning permission has previously been granted for 9 dwellings on the site and work has recently commenced. The site has been cleared and the erection of a detached bungalow and a pair of semi-detached bungalows has commenced. These works accord with the previous permission and remain unchanged as part of the current application.

RELEVANT HISTORY

15/01301/FUL - Erection of 9no. dwellings with associated access and parking - Approved at committee 9th December 2015

08/00159/FULM - Erection of 12no. two storey semi-detached and terraced houses and 4no. garages- Refused at committee on 17th April 2008 for the following reasons:

1) The density of the development is too high in relation to the existing character and form of the area. The character and form of Runswick Avenue is semi-detached bungalows. The 2-storey houses proposed would look out of character with the area when seen in this context. In addition the scheme, if approved, would require the removal of a number of mature trees and the almost all of the area open space. Both of these greatly add to the character and greenness of the area. Their complete loss would have a significant impact upon the immediate area.

2) The scheme if approved would have a detrimental impact upon the amenity of adjacent neighbouring dwellings. In particular there would be significant detrimental impact upon 9 and 11 Runswick and 18- 36 (even numbers) due to vehicular movements of traffic entering and leaving the site and also vehicular movement within the site in such close proximity to residents primary rooms i.e. their bedrooms and living rooms, but also their gardens. In addition, due to the inappropriate height of the proposed scheme, overlooking of neighbours private rear gardens would occur and also intrusion into their principal living rooms. In particular no.'s 38, 40 and 42 would be particularly affected, due to the difference in land levels between the site and their dwellings. The scheme would also create intrusion towards existing adjacent neighbours due to being overbearing and un-neighbourly.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation: Air safeguarding Air Field safeguarding 0175

2.2 Policies:

CYGP1	Design
CYH4A	Housing Windfalls
CYGP10	Subdivision of gardens and infill devt
CYGP9	Landscaping
CYGP15	Protection from flooding
CYL1C	Provision of New Open Space in Development
CYGP4A	Sustainability
CYNE1	Trees, Woodlands and Hedgerows

3.0 CONSULTATIONS

INTERNAL

Highway Network Management

3.1 A similar scheme to this has had approval albeit for 9 houses on the site. The number of dwellings on the site has been increased as has the number of 3 bedroomed properties.

3.2 Turning is provided for bin lorry access, and the applicant has expressed an interest to offer up this area for adoption. The applicant has designed the layout as a shared space but is resistant to surfacing it in line with Manual For Streets Principles which advocates using quality materials such as tegulars, setts or larger element materials. The applicant has expressed a preference for cheaper tarmac solution more fitting of a traditional footpath/ carriageway material however has not redesigned the space to include footpaths. However, this can be conditioned were permission to be granted.

Planning and Environmental Management (Heritage Project Officer)

3.3 The proposed site is located on a large undisturbed piece of land in a wider landscape which has produced evidence for Roman, and earlier, activity. It is possible that groundworks associated with this application may disturb archaeological features related to prehistoric-medieval landscape features.

3.4 The archaeological condition attached to the previous application for this site was for a strip, map and record (ARCH1). For various reasons this has become a watching brief which has been undertaken by YAT for 2 of the dwellings so far. It is recommended that an ARCH2 condition be attached to this scheme but that this will just be a continuation of the archaeological monitoring which is already in place.

Public Protection

3.5 The application has been reviewed in terms of noise, dust, light, odour, land contamination, air quality etc. and public protection does not wish to object to this application. Should permission be granted conditions are recommended

EXTERNAL

Ainsty Internal Drainage Board

3.6 The Board wishes to state that where possible the risk of flooding should be reduced and that, as far as is practicable, surface water arising from a developed site should be managed in a sustainable manner to mimic the surface water flows arising

from the site prior to the proposed development. The Board notes that this is an application for the erection of 11 dwellings with associated access roads and parking. This will enlarge the impermeable area on site and has the potential to increase the rate of surface water run-off from the site if this is not effectively constrained.

3.7 The Board has no objection to the principal of this application but would suggest that any approval granted to the proposed development should include appropriate conditions.

Yorkshire Water

3.8 No objections but recommend conditions

Neighbours and Publicity

3.9 Ten objections received raising the following planning issues:

- Elevations for plots 9-11 do not correspond
- Potential impact to mature trees to the rear of plots 9 and 10
- Terrace properties are not in character with the local neighbourhood
- On site parking is limited and it is likely to overspill onto Runswick Avenue
- Five car parking spaces would be lost along Runswick Avenue to the introduction of the new access to the site
- Cars already park on the pavement when people visit the local convenience store
- Dangerous junction with Beckfield Lane due to parked cars
- Previous refusal for 12 dwellings on the site
- The previous application stated that a lower density would be more appropriate within this location
- Dormer windows should not be inserted into plot 11
- Concerns about drainage
- The pear tree to the rear of 38 Runswick Avenue should be removed
- The fence to Runswick Avenue should measure 1.8m from Runswick Avenue not the application site
- The path to the rear of the terrace properties would not be secure in relation to the properties along Wetherby Road
- Loss of views from Wetherby Road properties

4.0 APPRAISAL

4.1 The key issues are:

- Principle of development
- Impact on neighbouring residential amenity
- Visual Impact
- Highways and parking

- Drainage

4.2 The National Planning Policy Framework (NPPF) states that there is a presumption in favour of sustainable development which, for decision-making, means approving without delay development proposals that accord with the development plan (paragraph 14). Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless: (1) any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or (2) specific policies in the Framework indicate development should be restricted.

4.3 Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. In considering proposals for new or improved residential accommodation, the benefits from meeting peoples housing needs and promoting the economy will be balanced against any negative impacts on the environment and neighbours' living conditions.

4.4 The City of York Development Control Local Plan (DCLP) was approved for development control purposes in April 2005. Its policies are material considerations although it is considered that their weight is limited except where they accord with the NPPF. The relevant local plan policies are listed at paragraph 2.2 of the report.

4.5 The NPPF encourages local planning authorities to set their own policies in respect to the development of garden areas. DCLP Policy GP10 'Subdivision of Gardens and Infill Development' states that planning permission will only be granted for the sub-division of existing garden areas to provide new development where this would not be detrimental to the character and amenity of the local environment.

4.6 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.7 The application site is within an urban area with good access to shops, services and public open space. DCLP Policy H4a on 'Housing Windfalls' supports the development of new housing on non-allocated sites where the site is underused, in a sustainable urban location, and is of an appropriate scale and density and will not have a detrimental impact on existing landscape features. It is agreed that the

principle of developing the site has already been established under planning application approval 15/01301/FUL.

4.8 Policies contained with the Emerging Local Plan include H3 which is concerned with balancing the housing market and states that proposals for residential development are required to balance the housing market by including a mix of types of housing which reflects the diverse mix of need across the city as defined by the most up to date Strategic Housing Market Assessment (SHMA). This includes flats and smaller houses for those accessing the housing market for the first time, family housing of 2 to 3 beds and homes with features attractive to older people. Proposals will be supported that are suitable for the intended occupiers in relation to the quality and type of facilities, and the provision of support and/or care. Individual sites will be expected to reflect the needs of the SHMA, subject to site specific circumstances and the character of the local area. Housing should be built as flexible as possible to accommodate a broad cross section of society to help meet a wide range of needs.

4.9 Policy D2 of the Emerging Local Plan states that development proposals will be supported where they improve poor existing urban and natural environments, enhance York's special qualities and better reveal the significances of the historic environment. Development proposals that fail to take account of York's special qualities, fail to make a positive design contribution to the city, or cause damage to the character and quality of an area will be refused.

IMPACT UPON NEIGHBOURS RESIDENTIAL AMENITY

4.10 The proposed development achieves an acceptable level of separation between neighbouring houses. The dwellings sit 45-55m away from those on Wetherby Road and are approximately 8m off the boundary with the exception of the bungalow at Plot 9 which is closer but will not be dominant above the boundary fence. Approximately 33m is retained between the back of houses on Beckfield Lane and Plot 1. There is approximately between 18 and 21m between the rear of bungalows on Runswick Avenue and proposed Plots 1-8. This is considered in line with typically acceptable suburban separation distances and the dwellings will not appear dominant or overbearing or result in a significant loss of privacy at this distance.

4.11 Only around 17m will exist between the rear of 42 Runswick Avenue and the rear of Plots 9 and 10. However, given these dwellings are single storey, this level of separation is considered sufficient to maintain amenity. A 1.8m boundary fence will be erected on the boundary between these dwellings. The closest relationship proposed is between Plot 11 and 28 and 30 Runswick Avenue. The separation distance between the rear of the existing dwellings and the side of Plot 11 is approximately 11.5m. Plot 11 is set 4m off the shared curtilage boundary and would have no windows in the roof and therefore there would be no overlooking of the garden or windows of 28 and 30 Runswick Avenue. The eaves are approximately 2.8m in height and the roof hips away from the boundary reaching 5.7m at the ridge. The ridge is a

further 4.3m away from the boundary than the side of the bungalow. It is considered that the proposal will not appear dominant and overbearing or result in an unacceptable loss of natural light at this height and distance.

4.12 It is worth noting that the design and siting of the bungalows at plots 9, 10 and 11 have not altered since the previously approved scheme.

VISUAL IMPACT

4.13 Policy H5a 'Residential Density' states that the scale and design of residential developments should be compatible with the character of the surrounding area and must not harm local amenity. The development includes a mix of two storey semi detached dwellings, terrace properties and bungalows. The surrounding area contains bungalows and primarily 2 storey detached and semi detached dwellings. The dwellings surrounding the site vary in build height as well as true height given the variations in land levels.

4.14 The design of the dwellings matches that of the originally approved scheme in terms of detailing and proportion and includes soldier brick heads, cast artificial stone cills and gable corbelling. However, the previous approval incorporated only semi detached dwellings and the current proposal to insert a row of six terrace properties gives rise for concern. As stated the area is characterised by semi detached and detached two storey dwellings and bungalows. The proposed terrace would have an overall length of approximately 30m and has been designed with no relief or break within the ridge or front elevation creating a very uniform row of dwellings with little character or distinction. It is considered that the row creates a massing which is not typical of the area and would be at odds within the locality.

4.15 Whilst the development site is located to the rear of the dwellings facing onto Runswick Avenue the wide open access to the site and the single storey nature of the dwellings along Runswick Avenue results in the terrace being clearly visible from outside of the development site. Whilst the dwellings along Runswick Avenue are located in relative close proximity to each other a degree of separation is still retained which is reflected within the wider area. It is therefore considered that the row of terrace properties would detract from the character of the area.

HIGHWAYS AND PARKING

4.16 Car parking varies through out the site. The 2 two bedroom bungalows have a single car parking space each. Five of the three bedroom dwellings have two car parking spaces, as does the three bedroom bungalow, with the remaining three dwellings only being provided with a single car parking space. The majority of the parking is provided to the front of the dwellings and is interspersed with small areas of landscaping. One of the car parking spaces for plots 5 and 6 are located to the boundary with Runswick Avenue, opposite the dwellings. No on site visitor spaces are

provided and parking on the highway would result in an obstruction for refuse vehicles visiting the development. Concerns are raised that the reduced level of off street parking would result in cars parking on adjacent streets. However, as car parking space standards are maximum and the site is located within a sustainable location it would be difficult to uphold a refusal on the grounds of lack of car parking provision.

4.17 In terms of highway safety the level of traffic associated with the proposed development will be low and will have no significant impact on the local highway network. Tracking information has been submitted showing a refuse vehicle entering the site, turning around and leaving in a forward gear. The entrance to the site at Runswick Avenue is relatively narrow in width to aid pedestrians in safely crossing this access point, although specific details would need to be conditioned. The previous scheme identified block paving in order to distinguish the shared surfacing. The applicant is now reluctant to undertake this as part of this scheme but as there is inadequate space within the site to provide a pavement it is suggested that if permission is granted surfacing materials should be conditioned.

DRAINAGE

4.18 Conditions can be attached requiring drainage to be agreed prior to the commencement of development. This will require the development to demonstrate that a sustainable natural infiltration system is not possible on this site in the first instance. Should this not prove suitable then an attenuated surface water drainage system will need to be agreed with the council's Flood Risk Engineer to ensure that surface water runoff into the public sewer is at a controlled rate to reduce the potential for the drain to be overwhelmed in times of a storm. The system would be required to take account of existing runoff rates and likely changes in weather conditions as a result of climate change.

LANDSCAPING

4.19 The two most significant trees in the immediate context of the site are a large pine and mature silver birch just outside the site within the gardens of dwellings on Wetherby Road. The development has been designed to minimise the potential harm to these two significant trees through the retention of the existing boundary fence rather than replacement. However, the current scheme identifies hard paving and cycle storage facilities in close proximity to the canopy of one of these trees. However, amended plans can be secured to relocate this store to prevent any damage to the root zone should permission be granted. The design allows scope for some replacement planting within front gardens and along the access route which will be most visually prominent from public areas. The significant hedge along the rear of dwellings along Runswick Avenue which borders the site is to be retained.

OTHER ISSUES

4.20 The proposed development falls below the threshold for the provision of affordable housing. The previous approval contained a unilateral undertaking securing a payment of £17,516 towards the provision of public open space with payment being secured on first occupation of the dwellings. Consideration will need to be given to “pooling” under the CIL Regulations. Members will be updated.

5.0 CONCLUSION

5.1 Whilst the development is located within a sustainable location it is considered that the erection of a row of terrace properties would introduce a form of development that would be at odds with the prevailing character and form of the area. The application would therefore fail to accord with advice contained within the NPPF and Policies GP10, H4a and GP1 of the City of York Local plan which state that housing developments should be of an appropriate scale and density that is compatible with neighbouring buildings and spaces and not be detrimental to the character and amenity of the local environment.

6.0 RECOMMENDATION: Refuse

1 The proposed row of six terrace properties introduces a form of development that would be at odds with the prevailing house type within the area, specifically the semi detached and detached bungalows situated along Runswick Avenue, and would not respect the scale and massing of the overall character of the area. The application would therefore fail to accord with the NPPF which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and Policies GP10, H4a and GP1 of the City of York Local plan which state that housing developments should be of an appropriate scale and density which is compatible with neighbouring buildings and spaces and not be detrimental to the character and amenity of the local environment.

7.0 INFORMATIVES:

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. However, it was not possible to achieve a positive outcome, resulting in planning permission being refused for the reasons stated.

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