

COMMITTEE REPORT

Committee: Planning Committee **Ward:** Osbaldwick
Date: 19 February 2008 **Parish:** Osbaldwick Parish Council

Reference: 07/02789/REMM
Application at: Land To The West Of Metcalfe Lane Osbaldwick York
For: Reserved matters application for residential development for 64 dwellings, including public open space, associated footpaths, cycleways, roads, engineering works and landscaping (Phase 1)
By: Joseph Rowntree Housing Trust
Application Type: Major Reserved Matters Application (13w)
Target Date: 25 February 2008

1.0 PROPOSAL

1.1 The application under consideration seeks consent for reserved matters not considered under the outline planning permission, reference number 03/02709/OUTM. The Secretary of State approved the outline planning application in May 2007. As part of this planning consent the applicants were required to submit details for approval of the following reserved matters: siting, design, external appearance, and landscaping. Design relates to a wider view of the development and how the place will work and look. External appearance is concerned more with the details of the design and the materials to be used.

1.2 Access and general landscaping details have been approved for a housing development which will consist of approximately 540 dwellings in total. The outline planning permission was subject to an Illustrative Masterplan which shows four neighbourhoods, each with their own individual vehicular access points. It will not be possible to travel between neighbourhoods in a motor vehicle other than a bus which will run through the site when later phases of development are completed

1.3 The proposed development under consideration is located within the southeast corner of the site and is bounded by Osbaldwick Beck to the south, Osbaldwick Village and Metcalfe Lane to the east, and the Sustrans route to the north. This Phase 1 development would bring forward the first 64 dwellings of Neighbourhood D which is accessed off Osbaldwick Village. The remaining 42 dwellings of Neighbourhood D will be brought forward for development at a later stage. Phase 1 also includes what is defined as the 'Village Green Area' and a section of the area defined as 'Osbaldwick Park Area' on the Public Access Area Plan approved at outline stage. The 'Village Green Area' contains a sustainable urban drainage pond, a neighbourhood equipped area of play (NEAP) (part of which would be a multi use games area (MUGA)), and a local area of play (LAP). The 'Osbaldwick Park Area' is a more informal space which acts as a green buffer between the dwellings and the boundary of the site. To the south of the site will be a car park which is to be supplied by the developer to serve Osbaldwick Village Hall, this was agreed as part of the outline planning permission. This application also contains a further LAP located towards the centre of the proposed housing development.

1.4 Conditions 2 and 4 of the Outline Planning Permission state what the requirements are and therefore what should be considered in determining the reserved matters application i.e. siting, design, external appearance, and landscaping. Condition 2 stipulates that such reserved matters applications shall comply with the Lifetime Homes standards and the general design principles set out in the Design Code and Design Guide documents submitted on 1 August 2003 as part of the application submission as amended by the Illustrative Masterplan dated July 2004.

1.5 A number of other conditions were attached to the outline planning permission which require discharging. Some of these require discharging prior to the commencement of development but are not part of the reserved matters application. In addition a Section 106 agreement was signed which requires the submission of various details to be agreed by the Council. In line with the usual Council practice, conditions and Section 106 requirements are to be discharged at Officer level.

1.6 A phasing scheme was submitted at the same time as the reserved matters application which details the sequential phasing of all aspects of the development site. Whilst this is not a consideration in the determination of this reserved matters application, a summary of the proposed phasing is presented below to develop a wider understanding of the proposed development of the site as a whole. As well as the development of a section of Neighbourhood D, Phase 1 works will include the construction of an access at both Osbaldwick Village and Fifth Avenue. These accesses would act as the main construction points for the development within Phase 1. A pond would be created to improve great crested newt habitat and fence enclosure would be erected to protect the great crested newt habitat. Species rich grassland would be translocated to a newly created and protected ridge and furrow enclosure. Some sections of hedge would be removed and tree protection zones would be installed. The indicative plans for stage 2 include the development of Neighbourhood C and ancillary works, Neighbourhood C would be accessed off Temple Avenue. Neighbourhoods A and B and the remaining section of Neighbourhood D would then be constructed, the order of this development is not yet known. Much of the ancillary work associated with the development of this northern section of the site will have been carried out during stages 1 and 2.

1.7 It is important to understand that an outline planning permission has been approved on this site with the access and some landscaping details having been agreed. The principle of developing the whole site for approximately 540 homes has been established. A number of applications will be submitted to cover the remaining reserved matters for each phase of development

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

2.2 Policies:

CYGP1

Design

CYGP3

Planning against crime

CYGP9

Landscaping

CYNE1

Trees, woodlands, hedgerows

CYNE7

Habitat protection and creation

CYT4

Cycle parking standards

CYT7C

Access to Public Transport

CYGP4A

Sustainability

CYNE6

Species protected by law

3.0 CONSULTATIONS

In addition to the information which was submitted for the reserved matters application, information was submitted relating to a number of outline planning permission conditions and Section 106 requirements. Therefore, a number of consultation responses include information which is not directly related to the reserved matters application. Only the information submitted in relation to the reserved matters application can be considered within the determination of this application.

Internal

3.1 Highway Network Management - The detail submitted in the application accords with the principles set out in the outline application for the site. As all issues relating to traffic generation and off site highway works were secured and addressed at the outline application stage all that is being considered is the detailed design of the scheme.

The highway layout is based around homezone principles where the road space is shared amongst users and as such does not have a formal kerbed carriageway/footway construction. The highway has been designed to restrain vehicle speeds through a variety of recognised measures including the use of planting in the highway, varying the width of the highway and restricting forward visibility.

The outer perimeter track is predominantly of a width to allow one-way flow with localised widening. This route would serve the majority of residences. The main Avenue through the scheme would become the route that public transport takes through the site and would have appropriate control measures to prevent other traffic using the route as a shortcut.

Car parking is in accordance with CYC Annex E maximum standards with the layout being carefully designed to avoid the potential for indiscriminate on-street parking to occur.

Refuse collection would be from dedicated bin drop off points with recyclable materials being collected from underground stores at dedicated areas around the site. Vehicle swept paths have demonstrated that refuse vehicles can successfully traverse the site.

The only outstanding issue relates to the provision of bus stops within the phase. Whilst buses will not stop within this phase as a stand-alone development buses will pass through the whole Metcalfe Lane development once future phases are approved and constructed. Officers therefore consider it necessary that bus stops are provided for residents of this phase and are currently negotiating with the applicants. A verbal update will be made to members at the committee meeting.

3.2 Transport Planning - No comments to make on the reserved matters application, traffic assessments were carried out as part of the outline planning application.

3.3 Countryside Officer - Subject to clarification of the following issues, it is considered that sufficient information has been provided and that the overall proposals with regard to the wildlife interest of the application area particularly as it relates to the Phase 1 development have been satisfactorily covered. The only remaining issues for which clarification is sought are: long term intentions of the hedge management; are grasslands to be sufficiently managed prior to turf translocation in order to allow further wildlife interest to occur; concerns that mounding is to be used around the ponds in Field 9, this spoil should be taken away from the area; oversowing should not be used if wildflower grassland translocation fails, the use of plugs would be better to ensure an adequate grassland re-establishment.

3.4 Landscape Architect - Awaiting a response to revised plans, Officer update to be given at Committee.

3.5 Environmental Protection Unit - No objections. In general the issues contained within the reserved matters application are not relevant to the EPU.

3.6 Planning Policy - The principle of the development for this site was established by the outline approval for approximately 540 units on the whole of the site known as Derwenthorpe. It is pleasing that the principles embodied in the approved Development Brief appear to be encompassed into the design and concepts of the reserved matters. The site accords with the Strategic Housing Market Assessment providing a good mix of houses of various types and tenures.

3.7 Housing - This application is part of a long-standing partnership between City of York Council and Joseph Rowntree Housing Trust to develop a model village. The scheme as a whole consists of 40% affordable housing (216 homes) which will be funded through the Housing Corporation's 2008-2011 Approved Development Programme (ADP). Phase 1 will deliver 64 dwellings of which 25 will be affordable.

The details of the delivery of the affordable housing are outlined in the Affordable Housing Plan which has been agreed with Housing and Adult Social Services. There is an Affordable Housing Neighbourhood Plan still to be negotiated between the two parties, and the development cannot start until this is agreed. However this is not required as part of the Reserve Matters Application, but will be signed off at a later date before starting on site.

The proposals are funded with Social Housing Grant (SHG) from the Housing Corporation. As part of the requirement of receiving SHG the homes must be built to Design Quality Standards (DQS) and Code for Sustainable Homes Level 3, which has influenced the design and aesthetics of the scheme.

This scheme is fully supported by Housing and Adult Social Services.

Officer Note: The affordable houses will be 'pepper potted' around the site. The exact location of these dwellings is still to be determined but negotiations on an Affordable Housing Neighbourhood Plan are currently on going. This will be agreed prior to the commencement of works in accordance with part 5.4 of the Section 106 agreement.

3.8 Lifelong Learning and Leisure - The general open space layout and details are satisfactory although some areas appear a little over planted which could restrict impromptu play by children on grass verges outside of their houses. Details of the Local Areas of Play (LAPs) and NEAP are acceptable. The Public Access and Management Plan is fine. The timetable for providing the public access areas is reasonable.

3.9 Education - No objections, happy with the details of the education payments contained within the Section 106 Agreement.

3.10 Structures and Drainage - No comments. Drainage details have not yet been finalised, these are required as part of condition 19 of the outline permission at a later stage.

Officer Note: Please refer to paragraph 3.14

External

3.11 Osbaldwick Parish Council - Object.

- 1) There is no Traffic Impact Statement outlining the impact on the surrounding roads once the phase has been completed.
- 2) There is no detailed drawing of the junction at the entrance off Osbaldwick Village.
- 3) No details have been submitted regarding Condition 23 and 24 of the outline planning permission.
- 4) No detailed information has been made regarding the removal of pylons and the under grounding of cables.
- 5) When are the lagoons to be dug as they will be required before the houses are constructed in order to regulate runoff into the Beck.
- 6) The route of construction traffic should be considered now.
- 7) At no time during or after completion should cars be able to travel across the site from Fifth Avenue to Osbaldwick Village.
- 8) What will the piling method be and what will the hours of construction be.
- 9) Concerns are raised regarding the level of car parking being just 1.1 spaces per house, this appears inadequate and could force unacceptable parking off site.

3.12 Foss Internal Drainage Board - The site lies within the Board's District. There are a number of issues that this site raises and as such early talks would be welcome with the applicant to resolve issues. There would appear to be a spillway from a pond into Osbaldwick Beck, there is no information on how this will be used to control discharge rates because Osbaldwick Beck is unable to accept any greater rate than that currently discharged to it. Indeed there is no information on the surface water disposal system.

3.13 Environment Agency - Seeking further information regarding flood risk and surface water drainage.

3.14 Yorkshire Water - No comments to make on the proposed site layout details.

Officer Note: Drainage details are required to be approved by the Local Planning Authority in line with condition 19 of the outline planning permission. Meetings have taken place between the developer and the relevant parties since the consultee responses and it is thought that an acceptable drainage solution can be found within the current development layout. These details must be agreed by the Local Planning Authority prior to the commencement of development. It is not recommended that any further drainage conditions be attached to any approval as there are sufficient conditions to control this within the outline permission.

3.15 English Heritage - Do not wish to offer any comments, the application should be determined in accordance with national and local policy guidance and on the basis of Council specialist conservation advice.

3.16 Natural England - No objections subject to the following concerns. In the interest of bat protection trees to be 'soft-felled' should be surveyed a day before they are felled as a precaution. Features such as bat bricks and bat tiles should be incorporated into the design of the new houses to further enhance the whole development area for bats. Natural England is supportive of the mitigation measures

outlined in the report in relation to the protection of Great Crested Newts. However, a license is required to disturb Great Crested Newts and this can only be granted once planning permission has been received. This should be considered within the timetable for any work and no work should be undertaken on the development prior to the issue of the necessary licence and the mitigation measures have been put in place.

3.17 Sport England - No objections. From a sporting perspective, the proposals would appear to be broadly in line with the Section 106 Agreement associated with planning consent 03/02709/OUT. This requires in part details of on site open space and recreational facilities to be provided at the same time as the reserved matters for the housing development. In relation to the multi use games area, the plans provided do not appear to be detailed in relation to layout and specification. The MUGA should accord with these technical guidelines, and this is a matter which should form a condition on any reserved matters consent. If the proposed trim trail is to form part of this phase, then in accordance with the Section 106 Agreement, this should also be provided with the application.

Officer Note: A condition regarding details of the MUGA is not considered necessary as details are required to be submitted and approved by the Local Planning Authority in line with part 4 of the Section 106 Agreement. Details of the trim trail will be agreed as part of a later phase of development.

3.18 Yorkshire Wildlife Trust - General support for the application and its proposals to create considerable green space, particularly its proposed habitat creation measures. However, despite providing details of the formal and amenity planting measures there is little information on other habitat creation schemes.

3.19 Police Architectural Liaison Officer - Given the inclusion of the specific recommendations that have been made and continued liaison with both architects and clients It is felt that this development will achieve the required ACPO 'Secured by design' accreditation. Concerns that have been raised regarding the overall permeability of the estate design and would prefer that less access points had been included. However to balance these concerns the continued estate management by the Joseph Rowntree Trust is reassuring me that any issues will be addressed by them due to their pro-active ownership and management systems on the estate. The individual residential designs have been well considered in terms of their security and safety with good use made of natural surveillance, useable space and indicative use of good quality materials in respect of windows and doors. The basic design of the Derwenthorpe Phase 1 should achieve a 'Secure by Design' accreditation subject to the necessary certification of windows, doors and other material elements of the build. The estate design allows for a high level of natural and formal surveillance, the natural surveillance having been provided by careful positioning of the individual builds together with large overlooking windows.

Clearly defined use of space should be a feature of this estate that makes clear those areas which are public and those that are private. Symbolic gating at the main entrances to the development should be a specific feature together with changes in road and pavement surfaces to further define a sense that the space beyond is not quite public and encompasses a sense of ownership by the residents. Where

individual gardens face onto public areas particularly adjacent to the border access road called 'Green lane' clear definition of ownership should be shown by way of simple metal/wooden rolled top fencing with appropriate gating . Throughout the development the use of signage to support the definition of public and private space and access points should be utilised.

Where there are pedestrian only footpaths or access points they should be protected from the use of motor cycles and cycles unless their use by such is intended by way of 'kissing gate' style restrictions supported by appropriate signage.

The allocated LAP area within the centre of the estate should be restricted as appropriate to its intended age group. Therefore a suitable metalled fence with an 'air lock' sprung loaded style gate should be provided. Signage should be used that clearly defines the appropriate age and hours of usage for the play-area - additional consideration should be given to the management of the play area inclusive of locking the enclosed area outside of agreed hours. All landscaping and planting schemes should ensure that no plants or shrubbery are placed that do not have a maximum growth height of more than 1m. The tendency in the warmer weather to open windows for ventilation purposes creates an opportunity for the thief to operate. It is therefore vital that vulnerable ground floor windows have opening window restrictors fitted. I would also ask that all front doors have security chains and individual wide-angle door viewers (spy hole). The above specification is mandatory in respect of any application for Secure by Design accreditation and will need to be evidenced by way of certification or other documentary evidence. Appropriate lighting around the site should be carefully designed to cover potential high-risk areas. Good lighting will deter intruders and reduce the fear of crime. The following areas must be lit: Main development access, all footpaths and associated areas leading to main buildings and Mews Courtyard areas.

Play Areas (NEAP and LAP) North West Corner of Estate. Consideration of the secondary play-areas located in the North West corner of the estate does create some concern principally because of the lack of natural or formal surveillance. The overall scheme appears to allow for hiding places and the accumulation of rubbish and an unseen degree of anti-social behaviour or low-level criminality associated with ease of access to adjacent footpaths and bridleways. This is further added to the open access afforded to and from the Sustrans route that runs through the centre of the estate. However, detailed plans relating to these areas have not yet been provided and some of the issues raised may be addressed subsequently.

3.20 Public Consultation - One letter of support was received from a local resident which stated:

- The proposal would be a vast improvement to the area particularly with regard to the removal of the electricity overhead lines and cables;

8 letters were received from local residents and residents organisations which raised the following concerns:

- 1) The development will increase traffic in the area which could present a danger.
- 2) There are parking problems already in the area and the proposed development would exacerbate this.
- 3) Doctors surgeries are already at capacity and extra people in the area would add to the problem.
- 4) Traffic Calming measures should be considered in the local area.

- 5) Proper consideration does not appear to have been given to the schooling provision for this development, schools are already fully subscribed in the area.
- 6) Concerned about the extra buses which may run in the area, there are already a number in the area which can be dangerous when they overtake each other.
- 7) It appears from the plans that the different areas would be linked by a road, the original plan said each section could only be accessed from one road and thus could not be used as a cut through.
- 8) Concerns about management of rainwater run off and how this will affect neighbouring land.

4.0 APPRAISAL

4.1 This report attempts to separate some of the individual reserved matters into sections. This was done to aid clarity of the issues but also to structure the report. However it must be noted that there is a degree of overlap within each category and thus each section cannot be read in isolation.

Layout

4.2 The general layout of the whole development has been approved in part by the outline planning permission. The approximate size and shape of the four neighbourhoods has been approved as well as the approximate number of dwellings within each neighbourhood. The location of the public open space areas and basic details of the facilities to be found within them has also been established. In terms of the reserved matters submission for Phase 1 of the development this appears to be consistent with the approved outline site plans. The 64 dwellings proposed are located within a cluster towards the east of the Neighbourhood. The layout of the area is such that dwellings are set within a green area to allow an attractive open character to the wider area. The area is highly permeable by non-car modes which allows and encourages use and enjoyment of the surrounding area. Generally the houses are located around public spaces such as the LAP, Mews Court, and the Homezone. The use of a LAP within the centre of the housing development could act as a local centre and an informal meeting place. This central feature combined with a highly permeable layout is considered good planning practice and encourages a sustainable and inclusive community.

Design and External Appearance

4.3 Policy GP1 of the Local Plan states that new developments should respect or enhance the local environment and they should be of suitable scale and mass using appropriate materials. The dwelling houses are predominantly two and two and a half storeys in height, with 2 no. three storey dwellings being located adjacent to the vehicular access point off Osbaldwick Village. The general scale of development is considered suitable for this site and will reflect the character and form of the surrounding area. The three storey dwellings will act as features to define and enhance the entrance to the neighbourhood.

4.4 Dwellings along the main access road (currently known as the Avenue) are generally terraced to provide more formality and cohesion to the street scene. Around the outside of Phase 1 more space is allowed between dwellings to provide a

step change in the built environment. There are 16 different dwelling designs to be used within Phase 1. The variety of dwelling house designs will give interest to the street scene and give sections of the development a different style and character. However, the dwellings would still retain a good level of cohesion through the use of consistent building materials such as clay roof tiles and consistent design features such as elongated window openings.

4.5 The dwellings themselves have a contemporary feel with large openings to create natural surveillance as well as providing solar gain to reduce energy to be used for heating and lighting. Larger buildings have been located at key points in order to act as a clear indication that one is leaving one area and entering another. They would also act as landmark buildings to set the tone for the rest of the development. The dwellings become smaller towards the centre of the residential area to create a more intimate environment and to not overpower or dominate the pedestrian friendly spaces.

4.6 18 no. houses would contain two bedrooms, 22 no. houses would contain three bedrooms, and 24 no. houses would be four bedroom. Each dwelling has its own private outdoor amenity space and car parking space. Parking places are generally provided at the rear of dwellings to ensure that there is an active frontage onto the street, again to encourage inclusion and a well-used sustainable urban area. Parking is often within courtyards which allows for surveillance of the area whilst minimising the prominence of vehicles within the street scene. A number of visitor car parking spaces are also provided.

4.7 One of the key principles in the design of the development is that of giving cars a lower priority than that of pedestrians and cyclists. Car parking spaces are at a level of just 1.1 per dwelling on average which should discourage private vehicle ownership. A car club is to be set up where motor vehicles can be hired as and when needed. A bus travel pass or a voucher towards the purchase of a bicycle will further encourage sustainable transport choice. The use of pinch points on the roads and homezones will encourage a reduction in vehicle speeds whilst also giving pedestrian priority in places. This will help promote sustainable living within the development.

4.8 A variety of building materials would be used in the construction of the development. The dwellings would be constructed of high quality red brick with timber windows and doors. Roofs will be constructed of clay tiles. Some of the red brick would be painted in order to visually break up the overall bulk of the dwellings. Some use of stone and wood boarding would also help give dwellings an individual character whilst still retaining the overall design ethos. The suggested building materials will give the dwellings a contemporary feel and would also be used as a way of defining the character of the various areas of the development. An indication of the build materials has been submitted as part of the supporting statement, however a condition is recommended to be attached to any approval to ensure physical samples of the materials are submitted to the Local Planning Authority for approval prior to commencement of development. A number of road materials would also be used. These would indicate to drivers of vehicles an appropriate speed and also, in places, show that pedestrians and cyclists have priority. The homezone would be constructed of Yorkstone paving flags and bounded gravel would be used

on Mews courts to provide pedestrian friendly environments. Grey tumbled setts would be used on the avenue which helps to reduce vehicle speeds and provide a more pedestrian friendly environment. Tarmac dressed with stone chippings along Green Lane would slow down vehicular speeds but also provide a soft edge to the development to maintain the semi-rural feel to parts of the site. It is considered that good practice has been used in the selection of both the residential and road and footpath surface materials in order to provide an attractive and cohesive built environment which has individual character in places.

4.9 The materials chosen are considered to help in terms of integrating the proposed development into the wider area. The dwellings within the area of Osbaldwick which are the closest to the proposed development are generally constructed of red brick with clay roof tiles. Although the proposed dwellings represent a development of modern character and style the materials to be used are considered to complement those of the surrounding area. The use of red brick, clay roof tiles, and wood timber windows would help give the dwellings a visual quality which is also representative of some of the older dwellings within Osbaldwick Village.

4.10 A sustainability statement was not required to be submitted as this was not a condition of the outline planning permission. However, the development has been designed with sustainability in mind and would satisfy many of the criteria set out in Local Plan Policy GP4a. The development incorporates a good level of natural sustainability such as the closeness of public space and the pedestrian and cycle friendly layout. The dwellings themselves have been designed to take advantage of natural solar gain and will incorporate good levels of air tightness and insulation. The developers are considering a number of energy saving measures in order to further improve the sustainability of the site. This includes features such as solar thermal panels, photovoltaic panels and a community heating system. Communal rainwater storage would also be used for toilet flushing and garden watering therefore reducing both the amount of rainwater runoff and water usage. As well as providing sustainability benefits for the site itself it is considered that it may prove to be a development which can be used as a positive example in guiding future development both within the site and further a field. It is not considered that any significant loss to the visual value of the area would result from the energy efficiency measures to be incorporated into a scheme. There are three recycling areas within Phase 1 located around the outside of the proposed housing development. Large storage areas are hidden underground and specialist vehicles empty these on a regular basis. Whilst this relies on people being willing to walk to a central location to recycle it is considered that given the location of these recycling areas close to the residential dwellings this would not be too onerous. Each section of the proposed development has a bin drop area where wheelie bins can be placed during refuse collection day and then taken back to the dwelling once emptied. These are located within a short walk of the rear garden access gates. This has the benefit of encouraging people to store bins out of the public domain and within enclosed garden areas outside of refuse collection days.

4.11 The LAP in the centre of the housing site would act as an informal meeting place. The LAP would have a low level hedge which would both define its boundary and also retain good natural surveillance from surrounding areas. The NEAP within the Village Green Area would contain a MUGA and a variety of play equipment for

use by four to sixteen year olds. Having been assessed by the Lifelong Learning and Leisure Department the suggested play equipment is considered suitable. The MUGA would contain football goals and basketball hoops which local residents could use. It is not proposed to have floodlights around the MUGA.

4.12 Policy GP3 of the Local Plan states that new developments should achieve good natural surveillance of public spaces and paths and there should be secure locations for car and cycle parking. As can be seen in earlier comments from the Police Architectural Liaison Officer it is considered that the development is likely to be awarded Secured by Design status subject to the use of high safety standard windows and doors. The use of public spaces would be encouraged through good pedestrian routes. The central LAP would be well overlooked by neighbouring dwellings and people using the Avenue that runs through the site. The open space and play areas within the Village Green Area would not benefit from the same level of natural surveillance. It would not be suitable for all play areas to be located within the residential area itself due to the noise and disturbance play areas of this size may create. The success of the open space areas would be highly dependent on its level of use. A management plan of the play areas was submitted which states that daily checks of the areas with repairs made where necessary and daily litter picks would take place. This should help create a safe environment and ensure the areas are well used. A number of dwellings have garages which could be used for the storage of bicycles. In addition storage areas are to be provided within rear gardens which can accommodate bins and bicycles. The level of cycle parking is in accordance with Policy T4 of the Local Plan.

Landscaping

4.13 The land proposed to be developed as part of Phase 1 is currently grassland. Hedges and shrubs border the site to the north, east and south with two rows of hedges running north to south through the site itself. The majority of the hedgerow to the east and south, alongside Osbaldwick Village and Metcalfe Lane respectively, would be retained. Some of the shrubs to the north of the site, alongside the Sustrans route, would be removed. This would help facilitate the agreed widening of the route with this corridor replanted once works have been complete. One of the hedges which runs north to south through the site is located within the proposed housing development and would therefore have to be removed. This was essentially approved at the outline stage in terms of agreeing the Application Site Plan and Public Access Area Plan. The second hedge which runs north to south through the site is located between the proposed residential development and the bulk of the Village Green Area which contains the NEAP and a LAP and the drainage pond. These hedges will be retained but reduced in height for safety and visibility reasons. The hedges will be integrated into the new shrub planting to provide an extended block of shrubs. Details regarding the timing of this are still to be agreed and discussions are on going with the Councils Countryside Officer. A method for the protection of existing planting, where necessary, has been submitted to the Council in line with Policy NE1.

4.14 Phase 1 is to be heavily planted with new trees and shrubs. Trees will line the Avenue running through the site. This brings benefits of creating a more pleasant living environment as well as helping to define the route through the site. The trees

would also provide solar shading for a number of dwellings as well as increasing the level of privacy enjoyed within dwellings fronting the street. Car parking areas and the less formal vehicular and pedestrian routes would also contain a number of trees which again would provide a more pleasant local living environment as well as helping to control vehicle speeds.

4.15 The open space areas, both formal and informal, would be planted with a large number of trees and shrubs. As well as providing a semi-rural feel to these areas the planting brings other benefits. One of these is that it maintains to an extent the green outlook currently enjoyed from a number of dwellings along Osbaldwick Village. The planting would soften the visual impact of the proposed development. The planting locations have also been selected in order to try and reduce the possibility for vehicles to park outside of the designated parking bays and on grass verges and more widely into the public open space areas. Much of the planting around the pond area would provide ecological value as well as visual value. Planting around the play areas provides a screen which helps to reduce the potential for disturbance to local residents.

4.16 A number of dwellings would have hedging to the front boundary in order to clearly define the public and private domains. Many dwellings would have planted and/or grassed areas within their front gardens. A large variety of species are proposed and their locations have been selected based on the merits of native species, potential ecological value, and to provide decorative cover. Planting close to houses is typically more ornamental in order to provide year round colour. Other areas of the site would be extensively native planting in line with Policy GP9 of the Local Plan. Discussions are on going between the Councils Landscape Architect and the applicants and an update will be provided to Committee Members in this regard.

4.17 Within the approved Village Green Area is a pond which would act as a sustainable urban drainage system (SUDS). This balancing pond is connected to a network of drains and swales which would collect surface runoff. The ponds would be part of a wider drainage scheme to be approved with the Council as part of Condition 19 of the outline planning consent. Drainage details were not required to be submitted as part of the reserved matters application. Full details are required to be submitted and approved prior to the commencement of development. The pond would also provide landscape and habitat benefits. Wildflower grassland is proposed around the pond in order to improve the ecology of the area. The pond would result in habitat creation which is encouraged within Policy NE7 of the Local Plan.

Response to concerns raised by Osbaldwick Parish Council and local residents

4.18 Osbaldwick Parish Council

The numbers below relate to the objections raised and summarised in paragraph 3.11.

1) Regarding an increase in traffic in the area this was assessed as part of the outline planning application. A transport assessment was submitted and this was

considered acceptable and as such the outline application was approved for approximately 540 homes and the principle of this development was established.

2) Condition 22 of the planning permission requires the detailed design of the junction to be approved by the Local Planning Authority prior to the commencement of development. This was not required as part of the Reserved Matters Application.

3) The details required by Condition 23 (signage) must be submitted and approved prior to the commencement of development and are not part of the reserved matters application. Condition 24 requires certain off-site highway improvement works to be completed before any dwelling within Neighbourhood D is occupied. These details were approved at the outline stage and are not a matter for this reserved matters application. No further information has to be submitted in this regard.

4) The removal of pylons and under-grounding of cables is a practical pre-requisite of the development. Planning permission is not required for these works and thus it is not a material consideration in the determination of this application.

5) Condition 19 of the outline planning permission requires drainage details to be submitted to the Local Planning Authority for approval prior to the commencement of development. This is not a consideration in the determination of the reserved matters application.

6) Works cannot commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. This is controlled within part 9 of the Section 106 Agreement and is not a material consideration for this reserved matters application.

7) The proposed development does not propose a vehicular link between Osbaldwick Village and Fifth Avenue except for buses and emergency vehicles. This was agreed as part of the outline planning permission.

8) Piling details have not yet been submitted to the Local Planning Authority and they are not a consideration in the determination of this reserved matters application. Prior to the commencement of development an Environmental Management Scheme for minimising the creation of noise, vibration and dust during the works is required to be submitted and approved by the LPA. There is also an hours of work restriction on this development, Condition 12 of the outline consent, which is in place to protect the amenities of local residents.

9) The proposed development has been designed to reduce dependence on the private car which is in line with both national and local planning policy. A bus service will run through the site, a bus pass or financial contribution towards a bicycle will be provided to each household, a car club will be set up, and the existing Sustrans route will be widened. These measures have been agreed as part of the Section 106 Agreement and are included to reduce dependence on the car. The level of car parking is in line with the City of York Council parking standards.

4.19 Local Residents

The numbers below relate to the concerns raised and summarised in paragraph 3.20.

1) See number 1) within the Osbaldwick Parish Council response above.

2) As discussed above there are a number of measures incorporated into the scheme which are designed to reduce dependence on the car. In addition traffic impacts were considered as part of the outline planning permission and are not a material consideration within this reserved matters application.

- 3) In terms of the suggestion that doctors' surgeries are already at capacity, again the principle of new housing has been established on this site and there is scope within the local area for additional health provision should the relevant authority consider this necessary.
- 4) Traffic implications were considered at the reserved matters stage and as a result a number of off site highway improvements have been agreed. In terms of Neighbourhood D this is controlled by Condition 24 of the outline planning permission. These works shall be completed prior to the occupation of any dwelling within this neighbourhood.
- 5) In terms of education provision in the area, a total sum of 604,330 pounds is to be paid by the developer at various stages of the development to contribute towards foundation and primary educational facilities in localities accessible to and convenient for residents of the development. This was approved at outline stage.
- 6) It is officer opinion that additional buses in the area would be a positive step due to the additional sustainable transport choice which would be available. Traffic implications outside of the site were considered at the outline application stage. Within the site itself the submitted plans show that there is sufficient space for a bus to travel through the site safely. Although the location of bus stops within the site has not been finalised as yet there is a degree of confidence that these can be accommodated within 400 metres of all the houses within Phase 1 and thus accord with Local Plan Policy T7c.
- 7) The application was approved on the basis that each neighbourhood would have its own vehicular access point and that once in a neighbourhood, private cars would not be able to move through the site to other neighbourhoods. This position has not changed. The road internal road which runs from Osbaldwick Village to Fifth Avenue will only be used by emergency vehicles and buses.
- 8) Five conditions were placed on the outline planning permission to control flooding and drainage. Details are required to be submitted to and approved in writing by the LPA prior to the commencement of development. These details are not required to be approved as part of the reserved matters application.

5.0 CONCLUSION

5.1 It is considered that the proposed layout, design, external appearance, and landscaping for Phase 1 of this development is acceptable. The general design principles are consistent with the development masterplan approved as part of the outline planning permission and the site-specific design details are thought to be well considered and suitable for a development of this type within this location. Therefore this application is recommended for approval.

6.0 RECOMMENDATION: Approve

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

- Revised Site Plan Drawing Number 2138)PL_101A received by The CoYC on 07/02/08
- General Arrangement Drawing Number LA/S1/L/-/90/01 received by The CoYC on 26/11/07
- House Elevation Drawing Numbers 2138_PL_300 to 2138_PL_321 received by The CoYC on 26/11/2007 excluding Drawing Number 2138_PL_320A received by the CoYC on 07/02/2008
- House Plan Drawings Numbers 2138_PL_200 to 2138_PL_221 received by The CoYC on 26/11/2007 excluding Drawing Number 2138_PL_219A received by The CoYC on 07/02/2008
- Revised Landscape Masterplan Drawing Number LA/WS/L/-/90/01 received by The CoYC on 07/02/08
- Revised Section Drawing Number LA/WS/L/-/90/002 received by The CoYC on 07/02/08
- Revised Site Layout Drawing Number 25365/031 received by The CoYC on 07/02/08
- Initial Road Construction Details Drawing Number 25365/028A received by The CoYC on 26/11/2007
- Supporting Statement, Plan and Schedule of Trees and Hedging, and Landscape Details Supplementary Information received by The CoYC on 26/11/2007

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.

- 2 VISQ8 Samples of exterior materials to be app
- 3 VISQ7 Sample panel ext materials to be approv

4 No development shall take place until there has 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. 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 Prior to the development commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

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 layout, design, external appearance, and landscaping. As such the proposal complies with Policies GP1, GP3, GP4a, GP9, NE1, NE6, NE7, T2b, T4, and T7c of the City of York Draft Local Plan.

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