

COMMITTEE REPORT

Committee: East Area
Date: 7 February 2008
Ward: Heworth Without
Parish: Heworth Without Parish Council

Reference: 07/02504/FUL
Application at: Stray Garth Community Home 7 - 9 Stray Garth York YO31 1EL
For: Erection of 4no. detached dwellings
By: Lovel Cooper (South Yorkshire) Ltd
Application Type: Full Application
Target Date: 17 December 2007

1.0 PROPOSAL

1.1 The application site is a former care home at the end of Stray Garth. Stray Garth is located at a right angle to Elmfield Terrace and is effectively at the end of what is for motor vehicles a 300m cul-de-sac. The application site is within a generally residential area with a large pond located immediately to the north.

1.2 It is proposed to demolish the two-storey care home which contained 15 bedrooms and erect in its place four dwellings linked by single garages. The dwellings each contain 4 bedrooms and are proposed to be 3 storey with the top floor contained partly within the roofspace. The homes are orientated with the gable to the front and rear.

1.3 Amendments have been made to the scheme since it was originally submitted. These include moving the footprint of development to the west, reducing slightly the height of the dwellings located on either end of the development and introducing obscure glazing to the windows in the top floor of the front elevation of three of the dwellings.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYGP1

Design

CYH4A
Housing Windfalls

CYC1
Criteria for community facilities

CYGP7
Open Space

CYNE1
Trees, woodlands, hedgerows

CYNE6
Species protected by law

CYED4
Developer contributions towards Educational facilities

CYT4
Cycle parking standards

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - the vehicle access to plot 4 would necessitate multi-shunting, however, this would have little or no impact on the public highway - no objections subject to conditions.

Countryside Officer - Evidence of bats has been found. It is not considered that this should stop re-development, however, conditions will be required relating to demolition and the provision for bats in the new development.

York Consultancy - The site is in a low flood risk area and should not suffer river flooding. No objections subject to conditions relating to drainage and the raising of levels.

Environmental Protection - No objections

3.2 External

Planning Panel - No comments received.

Neighbours

Letters of objection have been received from the occupiers of 8 residential properties. These included properties in Stray Garth, Meadow Way and Elmfield Terrace. The following issues have been raised:

- the density is too high and the development too tall relative to surrounding two-storey houses.
- the development is forward of the building line.
- loss of light to surrounding homes and gardens.
- overlooking from the balconies and noise will travel across the pond.
- loss of trees unacceptable
- the windows are too large
- inadequate car parking for visitors.
- increased traffic noise and damage to walls through vehicles turning.
- poor vehicle access.
- the site should incorporate a turning area.
- inconvenience during construction.
- drainage has not been addressed.

4.0 APPRAISAL

Application Number: 07/02504/FUL

Officer Report:

4.1 The principle of the proposal to re-develop this urban brownfield site for housing is in line with the general thrust of local and national planning policies. However, in assessing the acceptability of the proposal in detail it is important that the development does not conflict with issues of planning importance.

4.2 The key issues in assessing the proposal are considered to be:

The impact on the streetscene
The impact on neighbours' living conditions
Parking and access
Amenity of proposed dwellings
Tree issues and wildlife
Loss of community facility

Impact on streetscene

4.3 Policy H4a of the Draft Local Plan requires development to be of an appropriate scale and density to surrounding development. Although the front elevation of the most westerly house will be located around 2 metres forward of the adjoining property on Stray Garth and the ridge would be around 1.4m higher it is not considered that the development would appear incongruous. This is because the street does not have a tightly defined building line and the development site appears slightly separate to the street due to the turning head of the cul-de-sac being outside the site and there being no houses facing the development site. There is a mix of roof heights and styles on Stray Garth.

4.4 The proposed properties can also be viewed from Meadow Way to the south. Although taller than the homes within this cul-de-sac, the scale of development is not considered unreasonable. The gap between the 4 proposed properties will reduce their bulk and allow views through to the vegetation behind. Their gable-fronted design relates to the projecting forward gables of the homes within the cul-de-sac.

4.5 The existing care home can be viewed from across the adjacent pond. The partial screen of trees will remain and it is considered that the form of development will be harmonious with the existing character of the pond edge which contains a mix of built development and landscaping.

4.6 The proposed density of the development is approximately 40 units to a hectare. Policy H5a of the Local Plan seeks densities of at least 40 units a hectare within the urban area of York. Given that the homes contain 4 bedrooms it is considered that the scheme makes efficient use of land. For the reasons stated above it is not considered that the development would appear unacceptable in the local context. It is the case that the density is significantly higher than Meadow Way which adjoins the site to the south and east. However, it is not considered that this development should form a precedent for local development densities - the former sports field was developed in the early 1990's and has a density of around 11 dwellings a hectare.

Impact on Neighbours' living conditions

4.7 Policy GP1 seeks to ensure that neighbours living conditions are not unduly affected by development. There are three key neighbours affected by the proposal:

15 Meadow Way

This is a large detached property. There is a double garage on the part of the house adjacent to the new dwelling. This property has a very open aspect in that the rear garden overlooks the pond. Initially there were concerns that the side elevation of the property would be too oppressive given that unlike the existing care home it would adjoin the garden boundary. In response the applicant has moved the development away from the boundary and reduced the height of the roof. It is not considered that the amended scheme would cause unacceptable harm to living conditions of number 15. The nearest opening is approximately 9 m from the boundary. This is dual aspect and as such has a good outlook and level of light. The next nearest habitable room window apart from this is approximately 18 metres from the side boundary of the garden. The garden is very broad and open and the quality of the external space would still be high in terms of light, outlook and openness. The new development incorporates balconies to the rear. Conditions will be included to limit overlooking of the garden.

14 Meadow Way

The nearest elevation to the new development is a blank side gable. The property has a conservatory to the rear. There is already a degree of overlooking of the garden from the first floor of the existing care home. The development will be located slightly further to the south and west with the nearest house around 10 metres from the side boundary of the garden. Following negotiations the applicant has agreed to obscure glaze the second floor windows that overlook the rear garden and incorporate roof lights. This will reduce the degree of overlooking and allow the

existing planting within the garden and along the along the boundary to provide privacy for significant parts of the garden.

There would be some additional overlooking of the conservatory, however, if screening were required for this small space it would be relatively easy to achieve. The development is to the north of the house and as such will have little impact on sunlight. It is also so oblique to the main windows of the house that it will have limited impact in respect to the privacy or outlook levels. Although the development is taller than the existing care home the gaps between the houses will help to reduce the bulk of the development and avoid it being unduly oppressive in terms of its impact on the relatively large garden.

5 Stray Garth

This is a two storey semi-detached house with a garage to the side adjacent to the proposed development. The house has no principal windows on the side elevation, although the side of the square bay rear window will look towards the application site.

There was some concern in respect to harm from overlooking of the garden from the adjoining proposed house. This has been reduced through the reduction in scale of the adjoining balcony and the removal of the Juliette balcony to the second floor. It is considered that through the use of an appropriate balcony screen the development would not cause undue harm in respect to privacy. In considering this, regard is given to the fact that much of the garden of number 5 can already be overlooked from the rear first floor windows of 3 Stray Garth.

Parking and Access

4.8 The site is within an established residential area. Although located at the end of a long vehicular cul-de-sac there are pedestrian links to the south via a short section of illuminated footpath adjacent to the Stray.

4.9 Each house has a garage with a car parking space to the front. It is considered that this level of car parking and cycle parking provision meets appropriate standards. The manoeuvring for cars is relatively tight, however, it is not considered that this has any significant bearing on highway safety or neighbour amenity. It will be conditioned that the garages are not converted to living accommodation.

4.10 It is understood from neighbours that larger vehicles including refuse lorries exit the site by reversing along the cul-de-sac. It is not considered reasonable to introduce a large turning head within the site given that the site previously contained a use that had the potential to generate a similar level of movement of large vehicles and had a similar footprint. However, a condition will be included requiring the developer to submit a statement showing how construction will be managed.

Amenity of proposed houses

4.11 The proposed houses are of a generous size and levels of light and outlook are reasonable. The rear gardens at around 80 sq m are relatively small for a four-bedroom property, however, they are considered capable of meeting the basic needs of the properties. It is the case that the overall development site is not deep and the

approach taken is in line with the thrust of government guidance in that it helps to make more efficient use of the land.

4.12 The houses incorporate relatively large balconies on the first floor, this would seem a sensible approach given that it increases external space and creates an area that will be less impacted upon by the trees to the rear. The main outlook is across the lake, however, care will be taken to condition the provision and retention of privacy screens to avoid undue overlooking of gardens to the sides. It is the case that some other homes that back on to the pond have balconies at first floor level.

Trees

4.13 The development is not appreciably closer to trees along the rear boundary than the existing building. The development will lead to the loss of some small trees within the site, however, these would not be worthy of protection and do not serve a key function in the wider area. It will be conditioned that protective fencing is erected during construction to protect the mature trees on the bank of the pond which fringe the site.

Loss of community facility

4.14 Policy C3 of the Local Plan states that proposals for care homes will only be allowed where the proposal is appropriate to the scale and character of the locality and it can be demonstrated that the buildings are surplus to requirements. Issues regarding scale have been considered earlier. Correspondence has been received from the Primary Care Trust outlining that the increase in community based support has reduced the need for residential care for people with mental illness and that where appropriate patients have been transferred to accommodation at Acomb Garth. The building was placed on the Register of Surplus Public Sector Land and no other government bodies expressed an interest in acquiring the land and building.

S106 Contributions

4.15 In line with the Council's guidance on Open Space a contribution of £11,720 is required for providing children's equipped play space and outdoor sports facilities. Given the previous use as a care home with 15 bed spaces it is not considered that the proposal will put additional pressure on local areas of informal amenity open space and as such a contribution for this element should not be sought.

4.16 No education contribution is required. The site is below the threshold requiring an affordable housing contribution.

5.0 CONCLUSION

5.1 The principle of re-using the site for residential development accords with planning policies on development contained in Planning Policy Statement 1.

5.2 The key issue of contention is considered to be the height and density of development. It is considered that issues relating to neighbour amenity have been satisfactorily addressed and can be adequately controlled by condition. The density level accords with the Council's targets - it is not considered that site specific circumstances, or the development history of the site justify a lower density. The proposed scheme is on average around 1 - 1.5 m taller than surrounding housing.

This additional height is caused by the creation within each home of two bedrooms partly within the roof. It is not considered that the difference in building heights that results from this form of development is inappropriate within its context. This is because the surrounding area contains a mix of roof heights and styles and the relatively minor development would, from most locations, be viewed as a backdrop to existing housing. Government guidance in Planning Policy Statement 3 emphasises the importance of making efficient and effective use of land.

5.3 For the reasons outlined in this report it is recommended that the application be approved.

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