

CYGP1
Design

CYGP10
Subdivision of gardens and infill devt

CYGP4A
Sustainability

CYH4A
Housing Windfalls

CYL1C
Provision of New Open Space in Development

3.0 CONSULTATIONS

INTERNAL

3.1 Environmental Protection Unit - No objections.

3.2 Leisure - No on-site open space is to be provided and therefore a commuted sum payment for off-site provision is sought.

3.3 Drainage - The application site is within Flood Zone 1 and therefore is at low risk of river flooding. However, insufficient information has been submitted to determine the potential impact the proposals may have on existing drainage systems.

3.4 Highway Network Management - There are no objections to the position of the proposed access. However, the proposed width of 2.75m is too narrow to provide sole access to a separate residential dwelling for vehicles and pedestrians. Therefore, a condition should be attached to any approval whereby full details of the access should be approved prior to the commencement of development.

EXTERNAL

3.5 Skelton Parish Council - No comments received at the time of writing the report, verbal update to be given at committee.

3.6 Neighbours - One letter has been received expressing concerns about the vehicle access onto what is already a fairly busy road. Concerns are also raised regarding the extra waste going into an already overloaded sewer system, the sewer has been blocked recently.

4.0 APPRAISAL

4.1 The key issues are considered to be:

- Principle of Development

- Visual Impact of the Proposed Development
- Highway Safety
- Neighbouring Amenity
- Drainage

PRINCIPLE OF DEVELOPMENT

4.2 The proposed development consists of the erection of a bungalow within the curtilage of 1 The Meadows which is a two storey detached house. The City of York Draft Local Plan Policy H4a permits residential development on windfall sites as long as: the site is within an urban area and involves infilling; the site has good accessibility to jobs, shops and services by non-car modes; and is of an appropriate scale and density to surrounding development. The application site is within the settlement limit of Skelton which is served by a frequent bus service. It is therefore considered that the principle of development is acceptable.

VISUAL IMPACT OF THE PROPOSED DEVELOPMENT

4.3 Local Plan Policy GP10 "Subdivision of Gardens and Infill Development" permits new development within garden areas where this would not be detrimental to the character and amenity of the local environment. The application under consideration is for siting and access only. Other matters, namely landscaping, appearance, and scale will be reserved for a future application, although an indication of scale has been given through the proposed description of the development, i.e. erection of a single storey dwelling.

4.4 Number 1 The Meadows is a house of significant proportions, with a frontage of approximately 15m, and benefits from space around it which is characteristic of a number of similar sized dwellings in Skelton. However, also characteristic of Skelton is a variety of house styles and sizes located within close proximity to each other. The Meadows itself contains dwellings with a variety of styles and size. This is encouraged in the Skelton Village Design Statement (October 2008) which states as one of its design principles that 'Any new development should observe the present pattern where dwellings of various sizes are grouped together.' It is therefore considered that the siting of a smaller single storey dwelling next to a larger two storey dwelling would not harm the character and appearance of the area.

4.5 The precise appearance and scale of the proposed dwelling will be considered as part of a future reserved matters application. The appearance of the dwelling would be approved at a later stage within the constraints of the layout under consideration. The proposed house continues the building line of 1 The Meadows and would sit approximately 0.7m to the north east of the host house. The proposed dwelling would be no closer than 2.4m to the boundary with St Giles Road. St Giles Road is raised above the application site and established green landscaping together with a 2m high solid fence divide the house curtilage from the road and would partially screen the proposed development and soften its visual impact. For this reason it is not considered that the proposed development would have a significant impact on the character or appearance of the conservation area, the boundary of which runs along the east side of St Giles Road. The majority of the landscaping is likely to remain and could be supplemented by further planting close to the boundary. The Village Design Statement encourages 'mature boundaries of

hedges, walls, trees and appropriate fencing...' to be retained and supplemented where possible.

HIGHWAY SAFETY

4.6 Access to the site is under consideration as part of this outline planning consent. A separate vehicular access would be created off The Meadows to serve the proposed bungalow. This access point is the same as was approved as part of application 05/01257/OUT. Highways officers do not object to the proposed access. The only concern relates to the width of the access into the new dwelling. It is considered that the finer details of the access can be controlled by condition, this approach being consistent with the previous outline planning consent.

NEIGHBOURING AMENITY

4.7 The only dwelling located close enough to the proposed bungalow to be potentially affected is the host house, no. 1 The Meadows. This property has only one small secondary window in its side elevation. The proposed bungalow has been sited approximately 1.5m from no. 1 The Meadows at the rear and it only protrudes beyond its main rear elevation by 2m. Both dwellings would have a reasonable curtilage size in relation to the main house and it is considered that both dwellings could occupy the site without a significant potential for conflict. The design of the bungalow has not been submitted for consideration, it is considered that the proposed siting will allow a bungalow to be designed and erected which would not significantly harm the living conditions of neighbours.

DRAINAGE

4.8 The Council's drainage team requested full drainage details submitting as part of this outline planning permission. However, as this application only includes siting and access, it is considered that drainage details could be assessed at a later stage when full details have been submitted for consideration. The site is within Flood Zone 1 and is therefore at low risk of river flooding. A condition is recommended to be included with any approval that requires drainage details to be submitted and approved by the Local Planning Authority prior to the commencement of development.

SUSTAINABILITY

4.9 No sustainability statement was submitted with the application. It is recognised that the site is within a sustainable location as it is within the settlement limit of Skelton. Although the application is in outline, officers are seeking a commitment from the applicant that the principles of sustainable design and construction will be observed at the detailed application or "reserved matters" stage, together with an indication of the measures that might be incorporated. A condition is recommended which requires the developer to design and construct a dwelling which achieves Code for Sustainable Homes Level 3, as required by the Council's Interim Planning statement on Sustainable Design and Construction (November 2007).

5.0 CONCLUSION

5.1 It is considered that the proposed development would not harm the visual amenity of the area or the living conditions of neighbours. There has been no

material change in site circumstances or planning policies which justifies a different conclusion from the 2005 outline planning application which was granted consent.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 Application for approval of all reserved matters shall be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission and the development hereby permitted shall be begun before the expiration of two years for the date of approval of the last of the reserved matters to be approved.

Reason: To ensure compliance with Section 92 and 93 of the Town and Country Planning Act 1990 as amended.

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

Drawing Number BWN:01/110 received by The CoYC on 07/08/08

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.

3 Fully detailed drawings illustrating all of the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works, and the development shall be carried out in accordance with such details:

Details to be submitted: appearance, landscaping, and scale of the proposed development to be carried out, including a schedule of all external materials to be used.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development and to comply with the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006.

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| 4 | VISQ8 | Samples of exterior materials to be app |
| 5 | HWAY10 | Vehicular areas surfaced, details reqd |
| 6 | HWAY23 | Vehicular sight lines protected |
| 7 | HWAY31 | No mud on highway during construction |

8 HWAY40 Dilapidation survey

9 The development hereby permitted shall not commence until full details of the proposed vehicular access, parking and turning arrangements, and cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. These details shall include any such replacement facilities currently enjoyed by 1 The Meadows that would be lost, curtailed or otherwise amended by virtue of the development. These facilities shall be constructed in accordance with the approved details prior to the new dwelling first being occupied and thereafter shall be maintained.

Reason: To ensure appropriate on-site vehicle parking facilities, access and manoeuvring areas are provided in the interest of highway safety and general amenity of the development.

10 DRAIN1 Drainage details to be agreed

11 Prior to the commencement of development the developer shall submit a "Sustainable Design and Construction" statement for the development. This statement shall include the measures to be incorporated at the design and construction stage in order for the dwelling to achieve Code for Sustainable Homes level 3. Prior to first occupation of the dwelling, a further statement shall be submitted which confirms that the dwelling has achieved this standard. If the dwelling has not achieved the required sustainability standard, details of the changes to be made to the development to bring the dwelling up to the standard required and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

12 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The Open space shall thereafter be provided in accordance with the approved scheme or the alternatives arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1c of the City of York Draft Local Plan.

Open Space - Informative

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £1242.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

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:

- Principle of the Proposal
- Visual Impact of the Proposed Development
- Highway Safety
- Neighbouring Amenity
- Drainage

As such the proposal complies with Policies GP1, GP4a, GP10, H4a, and L1c of the City of York Draft Local Plan.

2. Demolition and Construction - Informative

The developer's attention should be 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 noted and acted upon:

- (i) 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".
- (ii) 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.
- (iii) 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.
- (iv) 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.
- (v) Any asbestos containing materials shall be removed by licensed contractors to a licensed disposal site.
- (vi) There shall be no bonfires on the site.

3. HIGHWAYS - INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

Contact details:

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