

COMMITTEE REPORT

Committee: East Area
Date: 5 February 2009

Ward: Haxby And Wigginton
Parish: Haxby Town Council

Reference: 08/02707/FUL
Application at: 29 The Avenue Haxby York YO32 3EH
For: Erection of vehicular and pedestrian gates to front boundary (retrospective)
By: Mr Michael Proctor
Application Type: Full Application
Target Date: 16 February 2009

1.0 PROPOSAL

1.1 This application seeks retrospective planning permission for the erection of vehicular and pedestrian gates to the front of 29 The Avenue. The application site is within the built up settlement limit of York. 29 The Avenue is a newly constructed house of contemporary design which replaced a bungalow. No boundary treatment was approved as part of the consent to erect the dwelling. The proposed pedestrian gate is 1.5m wide with the vehicular gate measuring 4.5m wide. The gates are supported by three piers with all development being 1.5m in height.

1.2 This application is brought before Committee at the request of Cllr. R. Watson in order that Members can fully understand the character of the area prior to making a decision. For this reason a site visit has been recommended.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary : York City Boundary 0001

DC Area Teams : East Area (2) 0005

2.2 Policies:

CYGP1
Design

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management - No objections.

EXTERNAL

3.2 Haxby Town Council - No comments received to date. Update to be given at committee.

3.3 Neighbours - One letter of objection received from 31 The Avenue. The following comments were made:

- the plans are incorrect because the hedge between 29 and 27 The Avenue is a beech hedge not a birch hedge;
- the existing plan is inaccurate as it shows a metal vehicle gate, this has never been in place, the former boundary treatment of 29 The Avenue was a low stone wall;
- a Community Police Officer suggested avoiding planting or construction to the front of properties so that there is no hiding place, the proposal is of a height as to provide hiding opportunities;
- the gateposts have already been erected and thus have been constructed without planning permission;
- the position of the gateposts will cause a blind spot for anyone driving out of 29 The Avenue;
- there is only space for one car on the driveway and the garage is of limited size, therefore a second car is likely to be parked on the narrow road causing congestion;
- an open frontage would allow easier off road parking;
- the only hedges in the area of comparable height in The Avenue are corner properties where they are required to protect privacy;
- the design of the proposal is out of keeping within the remainder of The Avenue.

4.0 APPRAISAL

4.1 The key issues are considered to be the visual impact on the street scene and highway safety.

4.2 The Avenue is a road of predominantly detached houses of varied scale and design. 29 The Avenue is a house of contemporary design which was granted planning permission in 2007 (Ref. No. 07/00633/FUL). The two storey house was built after the demolition of a bungalow. The approved plans for the house did not include any detail regarding the front boundary treatment. The boundary treatment for the former bungalow was a dwarf stone wall. This is reflective of the character of The Avenue. The Avenue has a semi-rural feel which is partially created by the front boundaries. Many dwellings along The Avenue have no front boundary treatment with the majority of others having either a dwarf wall or hedge.

4.3 The frontage of 29 The Avenue is approximately 11m wide. The proposed boundary treatment consists of approximately 4.5m of hedge and 6.5m of piers and gates. The proposed access gates are of solid timber construction and are 1.5m in height. The gates are supported by three rendered piers of equal height. The materials to be used on the gate and piers are proposed to match those used in the construction of the house.

4.4 The Local Planning Authority has no specific design guidelines relating to front boundary treatments. However, Policy GP1 of the Draft Local Plan states that development proposals should respect or enhance the local environment and they

should be of a mass and design that is compatible with spaces and the character of the area. This policy reflects sound planning principles. National planning guidance contained within Planning Policy Statement 1 ("Delivering Sustainable Development") encourages a high standard of design for all development. It states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. The character of The Avenue is clearly defined by open and green frontages. It is considered that the proposed 6.5m wide, 1.5m high, solid boundary treatment will be a visual intrusion on the street scene. In the vicinity of the site, 31 The Avenue has an entirely open frontage, 27 The Avenue has a dwarf wall, and 14 The Avenue opposite is also open. The addition of a solid man made boundary treatment of the scale proposed is not considered compatible with the character of the area.

4.5 The applicants case for the development is that they wish to make a bold architectural statement in both the design of the house and the boundary frontage. They state that there are some significant boundary treatments in the wider area, particularly along York Road. The new house at 29 The Avenue is of contemporary design and is clearly of different style to other houses in The Avenue. However, it is officer opinion that the house reflects the layout of The Avenue in that it is set back from the road with space around it. Given its position and scale, the proposed boundary treatment would remove the sense of space within the street scene. The applicants also state that they could build a boundary treatment of any design up to one metre high without planning permission. However, it is considered that the 0.5m increase above this is harmful to the open character and appearance of the area and therefore this does not justify the granting of planning permission.

4.6 No highway objections have been raised to the proposal on safety grounds. The Avenue is a quiet street which only serves the dwellings of The Avenue. It is not considered that the proposed vehicular gates would harm highway safety. Concerns were raised from a neighbour regarding occupiers of the house having to park one of two cars on The Avenue itself. However, the proposal allows for one car to be comfortably accommodated within the driveway with the option of a second car parking space within the existing garage. This level of provision complies with local parking standards and both local and national planning policy do not encourage the creation of additional car parking areas over and above the perceived requirement of the applicants.

5.0 CONCLUSION

5.1 It is considered that the proposed development is harmful to the character and appearance of the street scene.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 It is considered that the proposed development would appear as an intrusive and incongruous feature within the street scene. The height, scale and design of the proposed boundary gates and piers do not respect or enhance the local environment

and are not considered compatible with the open semi-rural character of the area. Therefore the proposal is considered contrary to The City of York Draft Local Plan Policy GP1 parts (a) and (b) and national planning guidance on design contained within Planning Policy Statement 1 "Delivering Sustainable Development".

Contact details:

Author: Michael Jones Development Control Officer

Tel No: 01904 551325