

COMMITTEE REPORT

Committee: East Area
Date: 11 March 2010
Ward: Strensall
Parish: Strensall With Towthorpe
Parish Council

Reference: 10/00087/FUL
Application at: 5 Northfields Strensall York YO32 5XN
For: Erection of 3no. dwellinghouses to rear of 5 and 6 Northfields (amended scheme) (resubmission)
By: Moorside Developments Ltd
Application Type: Full Application
Target Date: 18 March 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 This is a full planning application for the erection of three terraced properties on land to the rear of 5 and 6 Northfields, Strensall.

1.2 The site is an area of land that was previously part of the rear garden area of 5 and 6 Northfields. The land has a frontage to Netherwoods, a small cul-de-sac located to the south of Northfields, from which it is proposed to access the site. The site extends to an area of 0.0424 ha.

1.3 The proposal is to construct a terrace of three, two bedroomed, dwellings running east to west on the site, although referred to as two bedroomed two of the units include stair cases to the second floor which is indicated as a "work from home" space but could effectively function as a third bedroom. Access to the dwellings will be via three single access points serving parking spaces in front of each unit. Cycle storage is provided in the rear garden of each unit and bin/recycling storage is to be provided in two areas on the west and east sides of the site. Cycle storage is within three separate timber, vertically boarded, buildings each measuring 1.2 metres by 2.2 metres with a mono pitched roof with a maximum height of 2.7 metres.

1.4 The details of the terrace scheme have been amended since first submission to lower the height of the dwelling to the west of the site thus reducing the overall massing of the scheme. The proposal as amended shows a terrace with a built frontage to Netherwoods of approximately 16.5 metres and the units being approximately 8.5 metres deep. The terrace is designed with a pitched roof, so that the units are two storey with a second floor in the roof space of two of the units on the east side and centre part of the terrace, standing 5 metres high to eaves and 8.2 metres to apex. The unit on the west of the site is two storey with no room in the roof space with a height to eaves of 4.3 metres and a height to the ridge of 7.2 metres.

Planning History

1.5 Planning permission was refused for the erection of two semi detached houses in February 2006 (planning reference 05/02597/OUT). The reasons for refusal related to the density of the development being out of character with the street scene, the loss of landscape features on the site, proposed access to the site and relationship with properties on Northfields.

1.6 Planning permission was granted of a single dwelling on the site in April 2007 (planning reference 06/02710/FUL).

1.7 Planning permission was refused in August 2009 and dismissed on appeal in for the erection of a terrace of four properties. The reason for refusal on this application was the density of the development leading to an excessive area of hard surfacing to the front of the site, and the positioning of cycle and bin storage being located in a visually prominent location, would be detrimental to the visual quality of the area. The appeal supported the view that the amount of hard surfacing to the front of the site would be detrimental to visual amenity of the location.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYH4A
Housing Windfalls

CYGP1
Design

CYGP4A
Sustainability

CYGP9
Landscaping

CYGP10
Subdivision of gardens and infill devt

CYL1C
Provision of New Open Space in Development

CYNE1
Trees, woodlands, hedgerows

3.0 CONSULTATIONS

INTERNAL

3.1 Highways Network Management - Comments awaited

3.2 Life Long Learning and Leisure - A contribution is required for off- site amenity space

3.3 Landscape Architect - This latest application for three units, instead of four, presents greater scope for planting within front gardens, thereby enabling a better street frontage.

3.4 Structures and Drainage - No objections in principle further detailed information about water run off, levels and attenuation measures is however required

EXTERNAL

3.5 Strensall with Towthorpe Parish Council - A development of three terraced houses is not in keeping with the style, design and layout of other buildings in Netherwoods, the bulk and massing of the proposed development would dominate the houses opposite, the level of car parking generated by this development and visitors to these properties will obstruct the road and increase the numbers of trips arising. If approval were to be given to this application green planting as proposed should be conditioned to be retained and the hedge and edge of the road should be replanted as a permanent feature of the development.

3.6 Six letters of objection have been received covering the following points :-

- Objection submitted on the basis of a resident's wish to preserve the nature and aesthetics of the local environment.
- The original permission for one dwelling was only granted after amendments were submitted
- The objections to 4 units pertain to 3 units and the inspectors appeal decision is relevant
- Detrimental to Netherwoods by virtue of number of units and overall density
- 3 units have larger footprint than the original approval
- 50% of the frontage would remain tarmac. This is totally out of keeping with the site's surroundings. New residents will use low planting areas for parking
- The wider parking issue remains. Netherwoods Close is narrow. If properties have more than one car this will result in parking on the road

- The developer has no altruistic 'starter home' motive for pursuing this development, it is purely financial. An application that is to minimise loss and which states may not go ahead demeans the planning process.
- Waiting for the housing upturn, which it is considered, has already started to allow the approved and started scheme to be completed seems the most reasonable course of action.
- The development is not considered to comply with policy GP1 of the local plan
- Does not comply with requirements of PPS1
- These houses would not fall in to the low cost housing category
- Majority of houses on Netherwoods have two cars. These houses have the potential to generate 6 or more cars. The development as proposed could not take the parking of vehicles adequately and vehicles would park on the road. Netherwoods is not designed to take this type of parking on the road and such parking would be a hazard to road users.
- The developer should proceed with his permission for one dwelling.
- If approved a condition should ensure hedges are planted and can not be removed at a future date, if removed should be replaced immediately
- The amended plan does not address that a total of eight bedrooms will require more than three car parking spaces
- The development will result in on-road parking, which cannot be accommodated with the design of the road into Netherwoods.
- On street parking will prevent normal services and emergency fire cover along Netherwoods.

Any further comments received as a result of the amended scheme will be reported direct to committee.

Publicity

3.7 The application has been advertised by means of a site notice posted on the 1st February 2010 and via neighbour notification. Further objector notifications were undertaken following the receipt of an amended plan. This further notification expires on the 9th March 2010.

4.0 APPRAISAL

4.1 Key Issues

- Principle of residential development on the site
- Design and Landscaping
- Highways, access and parking
- Impact on surrounding properties
- Sustainability
- Open Space
- Drainage

Policy Background

4.2 This planning application is for the erection of a terrace of three no. 2 bedroomed dwellings. Two of the dwellings have a "work from home" room within the roof space.

4.3 Planning Policy Statement 1 ("Delivering Sustainable Development") (PPS1) states that a number of key principles should be applied to ensure that decisions taken on planning applications contribute to the delivery of sustainable development. In particular, PPS1 promotes high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but also over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted. High quality and inclusive design should create well-mixed and integrated developments, which avoid segregation and have well planned public spaces that bring people together and provide opportunities for physical activity and recreation. PPS1 also states that planning authorities should ensure the provision of sufficient, good quality new homes (including an appropriate mix of housing and adequate levels of affordable housing) in suitable locations, whether through new development or the conversion of existing buildings.

4.4 Planning Policy Statement 3 - 'Housing' (PPS3) sets out Government policy on housing development and encourages more sustainable patterns of development through the reuse of previously developed land, more efficient use of land, reducing dependency on the private car and provision of affordable housing. PPS3 also advises that car parking standards that require more than 1.5 spaces per dwelling are unlikely to secure sustainable development. In terms of design PPS3 states that careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However when well designed and built in the right location it can enhance the character and quality of an area. Paragraphs 12 to 19 sets out further criteria for achieving high quality design.

4.5 Policy SP6 of the Draft Local Plan, 'locational strategy', requires development to be concentrated on brownfield land within the built up urban area of the city and urban extensions

4.6 Policy H4a of the Draft Local Plan states that proposals for residential development on land not already allocated on the Proposal Map will be granted planning permission where the site is within the urban area and is vacant, derelict or underused or it involves infilling, redevelopment or conversion of existing buildings, and the site has good accessibility to jobs, shops and services by non-car modes. The policy requires new developments to be of an appropriate scale and density to surrounding development, and not to have a detrimental impact on existing landscape features. Policy H3c seeks to achieve a mix of house types, sizes and tenures on all residential development sites where appropriate to the location and nature of the development. Policy H5a requires the scale and design of proposed residential developments to be compatible with the surrounding area and not to harm local amenity. Within the city centre, new residential developments should seek to achieve a net residential density of greater than 40 dwellings per hectare.

4.7 Other Local plan policies relevant to the consideration of the detail of this application are:-

- Policy GP1 'Design' 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.

- Policy GP3 'Planning Against Crime' requires new development where deemed appropriate to incorporate crime prevention measures

- Policy GP4a 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development. Development should: provide details setting out the accessibility of the site by means other than the car and, where the type and size of development requires, be within 400 metres walk of a frequent public transport route and easily accessible for pedestrians and cyclists; contribute towards meeting the social needs of communities within the City of York and to safe and socially inclusive environments; maintain and increase the economic prosperity and diversity of the City of York and maximize employment opportunities; be of a high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City; minimize the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during construction and throughout the use of development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of the materials should be considered; minimize pollution, including that relating to air, water, land, light and noise; conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife area and room for trees to reach full growth; maximize the use of renewable resources on development sites and seek to make use of renewable energy sources; and make adequate provision for the storage and collection of refuse and recycling.

- Policy GP9 requires where appropriate developments to incorporate a suitable landscaping scheme

- Policy GP10 states that the subdivision of gardens and infilling will only be granted to provide new development, where this would not be detrimental to the character and amenity of the local environment.

- Policy SP3 'safeguarding the historic character and setting of York' of the City of York Council Development Control Local Plan (CYCDCLP) gives a high priority to the protection of the historic character and setting of York. The policy requires the protection of the environmental assets and landscape features which enhance the historic character and setting of the City as well as the protection of the main gateway transport corridors into York from development which, cumulatively, could have an adverse impact on the character and setting of the corridor and the surrounding environment.

- Policy L1c requires that all housing sites make provision for the open space needs of future occupiers. For sites of less than 10 dwellings a commuted payment will be required towards off site provision.

Principle of residential development on the site

4.8 The key aim of local and national policy is to locate new housing on brownfield land in sustainable locations. Policy H4a deals with housing developments within existing settlements and states that permission will be granted within defined settlement limits for new housing developments on land not already allocated on the proposals map, where the site is vacant, derelict or underused land where it involves infilling, redevelopment or conversion of existing buildings. The scheme must be of an appropriate scale and density to surrounding development and should not have a detrimental impact on landscape features. GP10 says that permission will only be granted for subdivision of existing garden areas where this would not be detrimental to the character and amenity of the local environment. In officers opinion the principle of new residential development on the site conforms with local and national policies.

Design and Landscaping

4.9 The previous application for the four dwellings consisted of a similar footprint to the original approval for one dwelling. The development was also lower in height and had a smaller volume. The scheme now submitted has a slightly bigger footprint than the original house but has a lower height and, according to the applicant's Design and Access statement, is overall the same volume. In design terms the structure proposed and that approved as a single plot are still considered to be visually similar, particularly since the submission of an amended plan which reduces the height of the eastern part of the block.

4.10 The decision on the application for the four units which was refused and dismissed on appeal, in addressing the totality of the scheme, concluded that the hardsurfacing for parking access and storage areas for bicycles and refuse was detrimental to the character and quality of the area, which in the Council and the Inspectors view, failed to respect the existing character and appearance of Netherwoods. The character of Netherwoods is to a significant extent defined by the quality of the landscape settings of the dwellings. The current proposal, by virtue of the reduced number of dwellings to three compared with the previous scheme for four dwellings, incorporates a reduced level of hardstanding to the street frontage, which allows for the inclusion of additional landscaping. The plans show that there will be a vehicular access for each property of approximately 3 metres in width, giving a total hard surface of 9 metres along the frontage with approximately 11metres of hedged boundary, behind which will be landscaped areas. Although this would still result in the ratio of planting to hardsurfaced area being less than that of the surrounding properties, officers consider that the level of planting will be sufficient to maintain the character of the area, and as a result the scheme could no longer be said to detract from the character and amenity of the area. The Landscape Architect indicates that the amended scheme enables a better street frontage to be provided.

Highways, Access and Parking

4.10 Highways Network Management comments are awaited on this scheme. The concerns raised by local residents and the Parish Council regarding this development from a highways perspective are considerable. The main concerns focus on the lack of parking within the site leading to additional hazards for on street parking on a road that is narrow and located at the entrance to a cul-de -sac. The previous application for four properties on this site, which included four parking spaces for four houses, was considered to be acceptable on highway grounds. It is not anticipated that a different view will be advanced in respect of this revised application.

It will, however, be of importance that Highways Network Management consider whether the size of the parking space shown for each property (which measure 3 metres by 5.5 metres and which would extend right up to the front of the houses) is sufficient to accommodate a vehicle. If the parking spaces are of insufficient size (particularly width), it could result in future residents wishing to extend the parking areas into the areas of landscaping. The comments of Highways Network Management and their view on the size of parking spaces will be reported direct to Committee. Conditions are recommended to ensure that hardsurfacing is not extended without permission by both requiring full details to be submitted and agreed prior to the commencement of the development and by removing permitted development rights for future hardsurfacing areas.

Impact on surrounding properties

4.11 The depth of the building is increased on this application meaning that the overall footprint is slightly larger. The depth on the western side will increase from 6.8 metres to 8.4 metres when compared with the original scheme for one house. One metre of the new depth is at single storey only, the remaining part of the end elevation facing the west boundary has been reduced in height to 4.3 metres at the eaves and 7.2 metres to the ridge, reflecting the original height of the permission for the single dwelling. Officers consider that the impact of the proposed development on the adjacent property to the west of the site, 12 Netherwoods, will remain similar to the approved scheme. On the eastern side of the site the building is again slightly deeper at 8 metres compared with 7.5 metres for the original dwelling, with one metre of the proposed structure at single storey only. The structure on the east side has also been moved back into the site by 1.5 metres. The end elevation on this side will be the same height to eaves as the single dwelling approved (5 metres) and about 0.5 of a metre lower at the ridge. Officers are satisfied that the changes in terms of impact of this scheme when compared with the approved dwelling are minimal and would not justify refusal of this proposal. The impact on properties to the north and south of the site would also be broadly the same as the approved single dwelling.

Sustainability

4.12 The application is supported by a sustainability statement, which indicates that the development will achieve Code for Sustainable Homes level 3. The scheme also

includes photovoltaic panels to the roof and rainwater harvesting system for the units. The submitted information is considered to meet the requirements of GP4a and the Interim Planning Statement on Sustainable Design and Construction.

Open Space

4.13 Under Policy L1c there is an open space provision requirement for this site. The provision of open space could be addressed by condition, unilateral undertaking or a section 106 agreement.

Drainage

4.14 The development is in low risk flood zone 1 and should not suffer river flooding. The application is supported by drainage strategy however further information is sought about drainage details. It is considered that a suitable drainage scheme could be achieved for the site and appropriate conditions could secure the information required.

5.0 CONCLUSION

5.1 In officers opinion the principle of new residential development on the site conforms with local and national policies.

5.2 The particular design of the scheme for three dwelling units in terms of the bulk of the building and its relationship to adjacent properties is considered to reflect the approved single dwelling and is considered to be acceptable.

5.3 In terms of landscaping the plans show that there will be vehicle opening of approximately 3 metres wide giving a total hard surface of 9 metres and approximately 11metres of hedged boundary behind which will be landscaped areas. This still means that the ratio of planting to hardsurface area will be less than that of the surrounding properties, however in officers view the level of planting will be sufficient to reflect the character of the area such that the scheme no longer could be said to detract from the character and amenity of the area in this respect. The Council's Landscape Architect indicates that the amended scheme enables a better street frontage to be provided.

5.4 The comments of Highways Network Management are awaited, however, it is not anticipated that there will be any objections to the principle of the development given their comments on the previous proposals for this site. Officers do wish to be clear, however, that the hardsurfacing provided within each unit is satisfactory for the parking of a vehicle. Subject to clarification on this point it is considered that the current proposal can be supported in planning terms.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

NS21 January 2010

NS22 January 2010

NS23 January 2010

NS24 January 2010

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 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.

4 VISQ8 Samples of exterior materials to be app

5 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 L1 of the City of York Draft Local Plan.

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 £3726

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.

6 The development hereby approved shall be constructed to at least Level 3*** of CSH standard. A formal Post Construction stage assessment, by a licensed CSH assessor, shall be carried out and a formal Post Construction stage certificate shall be submitted to the Local Planning Authority (LPA) prior to occupation of the building. Should the development fail to achieve level 3*** of the Code a report shall be submitted for the written approval of the LPA demonstrating what remedial measures shall be undertaken to achieve Level 3 of the code. The remedial measures shall then be undertaken within a timescale to be approved in writing by the LPA.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of GP4a of the City of York Development Control Local plan and the Interim Planning Statement 'Sustainable Design and Construction'

7 Unless otherwise agreed in writing by the Local Planning Authority, a minimum of 5% of the expected energy demand for the development hereby approved shall be provided through on site renewable generation for heat and/or electricity. Prior to the commencement of development a statement outlining how this is achieved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development and a written letter from the installer of the technology, post build, verifying the installation has been installed should also be submitted to the Local Planning Authority. The site thereafter must be maintained to the required level of generation'.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of GP4a of the City of York Development Control Local plan and the Interim Planning Statement 'Sustainable Design and Construction'

8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, B, C, D, E and F of Schedule 2 Part 1 of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: The proposal provides for a substantial amount of accommodation within a small site and the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

9 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and thereafter the development shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site to comply with guidance contained within Planning Policy Statement 25 (Development and Flood Risk) and that provision has been

made to maintain the proposed drainage system.

10 Prior to the commencement of the development details of all hard surfacing proposed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the hard surfacing shall be carried out in accordance with the approved details and shall be thus maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the site and surrounding area.

Note: condition 8 removes permitted development rights for any additional hard surfacing at this site.

11 Before development commences details of existing ground levels and finished floor, eaves and ridge heights shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual and residential amenity

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 residential development on the site
- Design and Landscaping
- Highways, access and parking
- Impact on surrounding properties
- Sustainability
- Open Space
- Drainage.

As such the proposal complies with Policies H4a, H5a, GP1, GP10, GP4a, of the City of York Development Control Local Plan.

Contact details:

Author: Diane Cragg Development Control Officer (Mon/Tues)

Tel No: 01904 551657