

COMMITTEE REPORT

Committee: West & City Centre Area
Date: 18 January 2007

Ward: Dringhouses & Woodthorpe

Reference: 06/01283/REMM
Application at: St James Vicarage 257A Thanet Road York YO24 2PE
For: Reserved matters application for erection of 26 dwellings with associated access road, garaging, parking and cycle stores (to which 04/02866/GRG4 relates)
By: Barratt Homes (York)
Application Type: Major Reserved Matters Application (13w)
Target Date: 5 February 2007

1.0 PROPOSAL

1.1 The applicant seeks reserved matters approval to erect 26 dwellings with associated access road, garaging, parking and cycle stores (to which 04/02866/GRG4 relates).

1.2 The application relates to the Deacon Church Hall and its designated curtilage. The site is bordered by a mixture of dense hedge and tree planting, which screen views from neighbouring vantage points. Flat no's 3, 4, 5, and 6, St James Place border the site to the west, with the rear gardens of no's 255 and 257, Thanet Road abutting the site to the south. The site is accessed from Thanet Road and can be exited using a traffic loop system.

RELEVANT HISTORY

04/02866/GRG4 - Outline Application for Residential Development - Approved 16th September 2004.

05/00286/OUT - Outline Application for Residential Development after Demolition of Existing Vicarage - Approved 21st April 2005.

06/02413/REM - Reserved Matters Application for Erection of 6 no. dwellings (to which 05/00286/OUT) - to be determined at the Planning (West and City Centre Area) Sub Committee on the 18th January 2007.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

2.2 Policies:

CYGP1
Design

CYGP3
Planning against crime

CYH2A
Affordable Housing

CYH4A
Housing Windfalls

CYL1C
Provision of New Open Space in Development

CYED4
Developer contributions towards Educational facilities

CYGP4A
Sustainability

CYH5A
Residential Density

3.0 CONSULTATIONS

INTERNAL

3.1 Environmental Protection Unit - No Objections (Condition and Informatives Included)

3.2 Highway Network Management - No Objections

Recommend that a three stage safety audit (as required by condition 9 of the outline) in respect of proposed works to the public highway at the junction with the site access, is submitted prior to the commencement of works on site.

3.3 Urban Design and Conservation (Landscape Architect) - Objections

5 Silver birch located centrally and the Horn beam fronting Thanet Road are worthy of retention.

3.4 Marston Moor (IDB) - Objections " The site lies within the Boards District within the catchment of Holgate Beck, a watercourse that may not be capable of accepting in flow from its' catchment".

Objections overcome by condition (condition included)

3.5 City Development - Policy Comments (No Objection)

3.6 Yorkshire Water - No Comments "The developer/agent should ensure that planning conditions relating to drainage are discharged with the Local Planning Authority prior to any application for S104 Sewer Agreement (if applicable) and/or applications for connection to the public sewerage system".

3.7 North Yorkshire Police - Comments

"The design of layouts should provide a clear definition of ownership and responsibility for every part of the development"

"Active frontages; rather than blank wall, should be encouraged"

EXTERNAL

3.8 Dringhouses/Woodthorpe Planning Panel - Objections

- * Application contrary Planning Policy GP1.
- * Impact upon neighbouring street scene.
- * Reduces the rural appearance of the area.

3.9 Four letters of objection have been received regarding the applicants' proposals. The letters raise the following concerns.

- * Concern about loss of trees/hedging.
- * Proposed buildings are excessive.
- * Visual Impact on Hobmoor Local Nature Reserve.
- * Security (some additional fencing is required).
- * Increase in Traffic.
- * Buildings could be adapted for another usage.

4.0 APPRAISAL

4.1 The proposal raises the following key issues:

- * Planning Policy
- * Impact upon Neighbouring Residents
- * Highway Issues/ Car Parking
- * Affordable Housing
- * Design, Density and Sustainability

PLANNING POLICY

4.2 PPS1 - Delivering Sustainable Development (Paragraph 1) states that good planning helps to deliver homes, jobs and better opportunities for all, whilst protecting the environment. Paragraph 19 states that planning authorities should seek to enhance the environment as part of development proposals.

4.3 Policy GP1 'Design' of the City of York Local Plan Deposit Draft 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.

4.4 H4a - Housing Windfalls: which suggests that a proposals for residential development on land within the urban area would be a acceptable, where "the site is within the urban area and is vacant, derelict or underused or it involves infilling, redevelopment or conversion of existing buildings." However, any development must be of an appropriate design and must be sustainable e.g. good links to jobs, shops and services.

4.5 L1C - Provision of New Open Spaces in Development: the council considers that all residents should have access to safe, attractive and useable public open space and the Local Plan Strategy aims to promote accessible open space in new residential and leisure developments.

4.6 H5a - Residential Density: states that outside that outside of the urban area of York, new residential developments should aim to achieve net densities of greater than 30 dwellings per hectare.

4.7 GP4a - Sustainability: requires that proposals for development should have regard to the principles of sustainable development including accessibility of the development site by means other than the private car, contributing to the social needs of the community (including housing), high quality design, enhancing local character and making adequate provision for storage and collection of refuse.

4.8 H2a - Affordable Housing: seeks to secure an affordable housing element in line with the Councils Second Housing Needs Survey (April 2002) within new housing schemes of 2 dwellings.0.3ha or more in villages of less than 5,000 population. The policy sets a target of 50% affordable housing (45% for affordable rent, 5% for discounted sale) for new residential developments.

4.9 GP9 - Landscaping: where appropriate development proposals will be required to incorporate a suitable landscaping scheme, and this must:

- a) be planned as an integral part of the proposals; and
- b) include an appropriate range of indigenous species; and
- c) reflect the character of the locality and surrounding development; and
- d) form a long term edge to developments adjoining or in open countryside.

IMPACT UPON NEIGHBOURING RESIDENTS

4.10 0.5 metres has been provided to the shared boundary with No.257, Thanet Road, with a further 8.5 metres provided to the gable elevation of the

aforementioned property. The gable of Plot 1 contains only secondary windows and is therefore not considered to harm the existing amenity of the neighbouring property. The front and rear elevations of Plots 1 to 4 overlook Thanet Road and proposed parking areas respectively.

4.11 Plots 15 to 18 (Palmerston; 2 storey) and Plots 19 to 27 (Troydale; 2.5/3 storey) dominate the northern corner and north eastern boundary of the site respectively. Both properties afford views over Hob Moor, however their orientation and location represent little harm to those properties already surrounding the site.

4.12 The close proximity of Plots 5 to 14 (Troydale; 2.5/3 storey), requires more detailed consideration. The south western projection of this particular unit has a blank gable, eliminating any overlooking into the rear garden of No.257 Thanet Road, the orientation also mitigates any detrimental overshadowing/loss of light. 23 metres has been provided between the south western gable of the development and the rear elevation of No.257, Thanet Road, this provision is considered sufficient enough to not appear overbearing.

4.13 The south western elevation of the north western projecting unit contains 4 bedroom windows and 2 dormer windows (1 bedroom/1 bathroom). These windows orientate over the rear garden of No.257, Thanet Road, however the 30.5 metres provided between facing elevations is considered significant to mitigate any overlooking. The rear garden of the aforementioned property is also considered to be of a size which still affords the occupiers an acceptable level of privacy.

HIGHWAY ISSUES

4.14 The site will be accessed from Thanet Road using an adopted highway, via a modified junction. Highway Network Management have no objections to the applicants' proposals subject to compliance with conditions; one of which requires the submission of "full stage 3 road safety audit".

4.15 One off street parking spaces have been provided per dwelling; meeting the guidance set out in Appendix 1 of the City of York Development Control Draft Local Plan, which requires 2 bedroom properties to have one parking spaces (can include garage).

4.16 Plots 5 to 14, 15 to 18 and 19 to 27 share two detached cycle and bin stores.

AFFORDABLE HOUSING

4.17 The outline application was granted approval in 2004, with the site falling below the threshold of 0.5ha (now 0.3 ha) for affordable housing set out in policy H2a, However, City of York Council has agreed with the diocese on a previous application that a requirement for 25% of the housing to be affordable housing for rent will be built into the sale agreement. A similar agreement has been reached on this site, although as the site is below the threshold this cannot be imposed by a 106 on this outline consent and will instead be agreed upon sale of the site.

RESIDENTIAL DENSITY

4.18 Policy H5a "Residential Density" require developments in urban area to achieve a net residential density of greater than 40 dwellings per hectare. The applicant has provided 26 dwellings on a 0.313 hectare site, therefore the residential density is 83.6 dwellings per hectare, (the density is so great by virtue of the buildings being flats), meeting the requirements of the aforementioned policy.

LANDSCAPING

4.19 The application site is dominated predominantly by rough grassland and self seeded vegetative features. Five Silver Birch trees and a White beam have been identified by the Local Planning Authorities Landscape Officer as being worthy of retention. The Silver Birches are located along the application boundary with 06/02413/REMM, with the Hornbeam fronting Thanet Road.

4.20 The applicant intends to remove the aforementioned tree species and replace them with sporadic tree planting both within and around the application site. Existing hedging along the south western, north eastern and north western boundaries will be retained, with their future protection secured by condition. The retention of existing hedging mitigates significantly the developments impact upon Hob Moor and the amenity of neighbouring properties.

SUSTAINABILITY

4.21 An overarching aim of the City of York Development Control Local Plan (2005), is to achieve sustainable design and construction. Policy GP4a requires all developments to regard the principles of sustainable development. The environmental performance of both new and existing buildings is assessed using the Building Research Establishment's Environmental Assessment Method (BREEAM).

4.22 In this instance, requiring the applicant to submit a BREEAM assessment would not be lawful as no relevant conditions were attached as part of the outline approval. The outline application for St James Vicarage was submitted in and granted approval in 2005, pre dating any policy requirements for the submission of BREEAM related documents.

4.23 GP4 "Sustainability" is however still relevant. Paragraphs D, E, G and I are all relevant in this instance and should be considered by the applicant, as part of the application.

d) be of high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City;

e) minimise the use of non renewable resources, re-use materials already on the 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;

g) conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife areas and room for trees to reach full growth;

l) make adequate provisions for the storage and collection of refuse and recycling.

4.24 The applicants' have submitted a "Sustainability Appraisal" which demonstrates how the development seeks to promote sustainable development and construction methods.

5.0 CONCLUSION

5.1 Cumulatively, the overall layout and design of this reserved matters application is considered to be appropriate in this instance, contributing to the character/appearance and workability of this diverse locality. Providing the applicant can demonstrate, a consideration for and a willingness to adopt sustainable practices as part of the development then the application is considered to meet PPS1, PPG3 and Policies , GP1, H4a, GP4A, L1c, GP9, H5a and Appendix E "Car and Cycle Parking Standards" of the City of York Development Control Draft Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

2005-sf1 - Boundary treatments.
2005-sf5 - Boundary Treatments.
2005-R1 - Boundary Treatments.
PO6:3596:10 - Bin Store Details.
PO6:3596:15 - Street Scene.
2005-SW2 - Boundary Treatments.
PO6:3596:02 - A - Location Plan.
PO6:3596:01- H -Planning Layout.
06/107/100/001 - rev a - Proposed Junction Arrangement.
PO6:3596:05 - Plans and Elevations.
PO6:3596:06 - Plans and Elevations.
PO6:3596:07 - Plans and Elevations.
PO6:3596:09 - Plans and Elevations.
PO6:3596:11 - Plans and Elevations Detached Unit.

or any plans or details subsequently agreed in writing by the Local Planning Authority as an 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 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, hedges 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.

- 3 None of the existing trees or hedges shown to be retained on the approved plans shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased before the end of that period shall be replaced with trees of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: The Local Planning Authority considers it important to safeguard the trees and hedges in a positive manner so as to secure their continued well being.

- 4 HT1 – Troydale – 12.3, Washington – 7.3, Madison – 7.3

- 5 The design of all dwellings shall be carried out in accordance with the contents of the design statement dated 05/01/2007 submitted by the applicants' agent and titled "Sustainability Appraisal" which will satisfy the requirements of Policy GP4a.

Reason: In the interests of sustainable development

7.0 INFORMATIVES: Notes to Applicant

1. The developer/agent should ensure that planning conditions relating to drainage are discharged with the Local Planning Authority prior to any application for S104 Sewer Agreement (if applicable) and/or applications for the connection to the public sewerage system.

2. 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 visual/residential amenity and the character/appearance of the surrounding street scene. As such the proposal complies with PPS1, PPG3 and Policies , GP1, H4a, GP4A, L1c, GP9, H5a and Appendix E "Car and Cycle Parking Standards" of the City of York Development Control Draft Local Plan.

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