

## COMMITTEE REPORT

**Date:** 14 October 2010                      **Ward:** Clifton  
**Team:** Major and Commercial      **Parish:** Clifton Planning Panel  
Team

**Reference:** 10/01628/GRG3  
**Application at:** The Glen Nursery Ousecliffe Gardens York YO30 6LX  
**For:** Single storey rear extension, 2 no. additional car parking spaces  
and replacement cycle shelter and storage units  
**By:** Adults, Children And Education  
**Application Type:** General Regulations (Reg3)  
**Target Date:** 21 September 2010  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application relates to the erection of a single-storey, pitch-roofed rear extension measuring approximately 9m x 12m at the rear of an existing care home. The materials mainly comprise rendered walls above a brick plinth grey membrane roof. The internal space will provide two social rooms, a small kitchen area and associated storage all linked to the main building. Two additional parking spaces would be provide with direct access from Ousecliffe Gardens. Access would remain as existing.

1.2 The application is before members at the request of Cllr King and because it is a council application to which objections have been made.

### 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:

CYGP1  
Design

CYC1  
Criteria for community facilities

CYNE1  
Trees, woodlands, hedgerows

CYHE2

Development in historic locations

### 3.0 CONSULTATIONS

#### 3.1 Internal

Highway Network Management - No objections.

Environment, Conservation, Sustainable Development (Trees)

No objection to the loss of the broad-spreading Cherry (T7). It is not subject to a TPO, is not of high quality and is not significantly visible from anywhere other than within the site. By far the best tree within the grounds and the one with the highest public amenity value is the Sweet Chestnut (T11). This should not be affected by the development proposals. Some protected trees affected by the development are those along the northern boundary immediately adjacent to the proposed building (G2 - T6). These trees are subject to tree preservation order TPO 47 served in 1992. The value of the trees lies in their grouping, resulting in a reasonably substantial block of tree cover, but individually they are not of high value. Nonetheless the Beech (T5) is a reasonable specimen that makes the best contribution to the amenity of the site. However it cannot be readily seen either from Ousecliffe Gardens (private road) or the river Ouse walkway.

The loss of one or two trees within this group would not have a substantial affect on the general public amenity since the trees are only clearly visible at close quarters. Nonetheless, given that the trees are subject to a TPO and contribute to the general sylvan character of the vicinity, they should be protected if at all possible. All these trees are shown to be retained within the proposed site plans. Trees G2 and T3 could definitely be retained without harm thereby retaining the greenery closest to Ousecliffe gardens; but the building is located well within the root protection areas (RPA) of the Ash, Beech and Poplar (T4, T5 and T6) and therefore is likely to cause significant root damage. Personally I think the Ash and the Poplar will be problematic trees in the future so I am not concerned about these, but the Beech should be retained if at all possible.

Therefore if there is a practicable alternative to the extension location/layout that avoids the RPA of at least the Beech tree, then this should be sought. However having inspected the ground floor plans an obvious alternative does not immediately present itself. If this is the case then one must weigh up the benefit and need of the proposed facility against the value of the trees. The trees do provide screening between properties, but the proposal is only single storey and there are opportunities for replacement planting if need be. The loss of the Plum (T19) and planting at the front is regrettable but not so consequential as to warrant refusal. A new small tree could be planted within the reduced planting bed. In summary, the proposal should be revised in order to adequately protect Beech tree T5 if at all possible.

Environment, Conservation, Sustainable Development (Conservation) - The Glen lies within the setting of St. Hilda's Garth, Ousecliffe Gardens (known as Clifton Holme), a Grade II Listed Building. The proposed extension is unlikely to cause

significant harm to the setting of the Listed Building. The setting has been the subject of alteration in the past, following the erection of a number of modern buildings to the south east in Ousecliffe Gardens, including The Glen. The proposed rear extension is partially concealed from view by mature trees at the boundary of the site and is likely to read as part of the existing group of modern buildings that comprise The Glen.

### 3.2 External

Clifton Planning Panel - Does not object but wishes to raise the following issues: The access road is unsuitable for construction vehicles and any increase in traffic. The parking layout should be amended to avoid the loss of a tree.

Public Consultation - The consultation period expired on 30 August 2010. Five objections have been received raising the following issues:

- Access is inadequate
- Additional Traffic
- Design/appearance
- Noise
- Overlooking
- Overshadowing
- Drainage
- Impact on the adjacent listed building
- Construction nuisance

Some local residents are also dissatisfied with the degree of consultation carried out by the council

## 4.0 APPRAISAL

### 4.1 KEY ISSUES

- Design/Appearance
- Highway issues
- Impact on trees
- Impact on the adjacent listed building
- Neighbour amenity

### 4.2 THE APPLICATION SITE

The site comprises a part 2-storey, part single-storey respite care home (The Glen) operated by CYC. It provides short breaks for disabled/special needs children and young people. The proposal would provide much needed additional space for the occupiers. The site is in a predominantly residential area, accessed from a narrow private road. The site backs onto school playing fields.

### 4.3 DESIGN/APPEARANCE

The extension would have a simple, modern design in keeping with the character of the existing building. It would have large areas of glazing to give the building a 'lightweight' external appearance and provide a pleasant environment for the occupiers. It would be low in height (4m to the ridge) to minimise the impact on the

surrounding area and would not be easily visible from any public viewpoint. The buildings in the area have no predominant style or materials. The proposed extension would therefore not look out of place in its surroundings.

#### 4.4 NEIGHBOUR AMENITY

The adjacent occupiers are concerned that the extension would cause noise nuisance due to increased activity at the site, particularly as the building would have patio doors opening onto a terrace. The purpose of the extension is to improve the quality and quantity of the facilities at the home, not to increase the number of residents - which will remain as existing. The patio doors would face into the site not towards adjacent houses. The extension would partially enclose the patio area to the rear of the existing building, thereby helping to contain noise caused by residents using the rear garden. The low height of the proposed extension and existing trees would prevent any material overshadowing of the adjacent dwellings/gardens. The 1.8m fence along the boundary would prevent loss of privacy.

#### 4.5 HIGHWAY ISSUES

By far the main concern of local residents is the effect of construction vehicles on the road surface of Ousecliffe Gardens, a private road. This is not a planning issue. Nevertheless the applicant has confirmed that a schedule of dilapidations will be carried out on the access road prior to the works commencing. In addition to monitoring the condition during the course of the works a final inspection will be undertaken on completion. Any damage caused by the contractors' vehicles will be made good at their expense. The restricted width of the private access road will ensure only smaller construction vehicles will be utilised to minimise any damage. It is also intended to make two of the existing parking spaces available to the contractor to allow off road parking and manoeuvring/turning.

As the number of people occupying the premises would remain as existing the extension, when in operation, is unlikely to cause any additional traffic movements along Ousecliffe Gardens.

The number of parking spaces at the care home would increase from five to seven, one of which would be for disabled users. The increase is to help reduce the need to park on the private road.

#### 4.6 IMPACT ON TREES

The most important trees on the site will be retained and would not be affected by the proposals. However the works would encroach upon the root protection area of one reasonable specimen, a Beech (T5) Whilst it is not of high value it lies in a group, which, together, add to the amenity of the site. Avoiding any impact on this tree, whilst still providing the quantity and quantity of space that the care home seeks would not be feasible. However the extension would be constructed using piled foundations thereby minimising the impact on the root protection area of this tree. The tree that would be lost due to the creation of an extra parking space is small and has low amenity value.

#### 4.8 IMPACT ON THE ADJACENT LISTED BUILDING

The care home lies within the setting of a listed building at Clifton Holme. Nevertheless the extension is unlikely to cause significant harm to the setting, which

has been the subject of alteration in the past, following the erection of a number of modern buildings in Ousecliffe Gardens, including The Glen. The extension would be partially concealed from view by mature trees at the boundary of the site and is likely to read as part of the existing group of modern buildings that comprise The Glen.

## 5.0 CONCLUSION

5.1 The proposal accords with relevant policies of the City of York Local Plan Deposit Draft and is acceptable.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 VISQ8 Samples of exterior materials to be app

3 Before the commencement of development, including felling operations, the importing of materials, or any excavations, a method statement regarding protection measures for the existing trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include a schedule of tree works; details and locations of protective fencing to be shown on a plan; phasing of works; site access during development operations; arrangements for loading/off-loading; parking arrangements for site vehicles; locations for stored materials; location of site cabin. The protective fencing line shall be adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles et al.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

4 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 4 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: To establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

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

Drawing nos 0986/101, /102, /103, /104 and /003 received 26/07/2010

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

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

1. 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:

Provision of community facilities  
Design/Appearance  
Highway issues  
Impact on trees  
Impact on the adjacent listed building  
Neighbour amenity

As such the proposal complies with policies C1, GP1, NE1 and HE2 of the City of York Local Plan Deposit Draft.

### **Contact details:**

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