

## COMMITTEE REPORT

**Date:** 2 December 2010                      **Ward:** Clifton  
**Team:** Major and Commercial      **Parish:** Clifton Planning Panel  
Team

**Reference:** 10/02544/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 (revised scheme)  
**By:** Adults, Children And Education  
**Application Type:** General Regulations (Reg3)  
**Target Date:** 3 January 2011  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application relates to the erection of an irregular-shaped, single-storey, pitch-roofed rear extension measuring approximately 8.5m x 12m x 4m high. The external materials mainly comprise a brick for the plinth, render for the external walls and interlocking tiles for the roof. The internal space would provide two social rooms, a lobby and a storeroom, all linked to the main building. Two additional parking spaces would be provided. Access would be from Ousecliffe Gardens, as existing. The proposals also include replacement cycle sheds and storage units and the erection of a 3.5m-high, freestanding, fabric-covered, canopy.

1.2 The application is a resubmission of 10/01628/GRG3, which was refused by members on 14 October 2010. For information, the officers' report relating to that application is attached. The application was refused for the following reasons:

(i) The proposal would, by virtue of its design, arrangement of windows and choice of materials, result in an incongruous form of development that would be out of keeping with the character and appearance of the area, contrary to national planning guidance at paragraph 34 of Planning Policy Statement 1 (Delivering Sustainable Development) and policy GP1 (Design) of the City of York Draft Local Plan.

(ii) It is considered that the proximity of the proposed extension to the northwest boundary of the site is likely to result in protected trees which make a significant contribution to the character, appearance and amenity of the area (with particular reference to trees T4, T5 and T6 shown on drawing number 2213/2 submitted with the application) being irreversibly damaged, contrary to policy NE1 (Trees, Woodlands and Hedgerows) of the City of York Local Plan Deposit Draft.

The revised proposal attempts to address these shortcomings. The main changes comprise the following:

- The size of the extension has been reduced by deleting the proposed kitchenette and external store. This has enabled the extension to be moved a further 1.5m (on average) away from the existing trees along the northwest boundary
- The corner windows at the southern end of the extension have been deleted,
- The roof would be clad in grey interlocking tiles, to simulate natural slate, rather than the previously-proposed grey membrane;
- The pitch of the roof has been increased from 15 degrees to 17.5 degrees due to the change in roof covering. This has increased the ridge height by 200mm.
- The height of the window head has been lowered to reduce the window area. This would reduce the possibility of overlooking and light spillage onto the neighbouring property.

## **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) - The changes to the footprint move the entire extension further away from the protected trees along the northwest boundary and the building remains narrower for a greater length past the Beech (T5). This keeps most of the construction outside of the root protection area of the Beech except for a corner of Social Area 1. This is acceptable provided that pile foundations are used rather than standard trench foundations, which are more invasive. Pile foundations also offer greater tolerance to any changes in soil conditions so are more compatible with trees in the longer term. Paving should be kept to a minimum maintenance width adjacent to the store. The Beech will need a small amount of crown lifting and reduction to enable the extension to be built. This

is acceptable provided it is carried out by a suitably qualified tree surgeon. Protective fencing should be erected and made a condition of planning permission.

### 3.2 External

Clifton Planning Panel - No response up to the time of writing this report.

Public Consultation - The consultation period expires on 1 December 2010. At the time of writing two objections have been received raising the following issues:

- Damage to Ousecliffe Gardens access road caused by vehicles
- Impact of traffic on the character of Ousecliffe Gardens

Whilst further responses are expected they are unlikely to raise any new issues that were not reported to the committee as part of the previous application. Any representations received after the time of writing this report will be reported at the committee meeting.

## 4.0 APPRAISAL

### 4.1 KEY ISSUES

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

### 4.2 THE APPLICATION SITE

The existing building is a part two-storey, part single-storey respite care home (The Glen) operated by City of York Council. 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 (Ousecliffe Gardens). The site backs onto school playing fields.

### 4.3 DESIGN/APPEARANCE

The design of the extension has been simplified to be more in keeping with the character of the existing building. The large areas of glazing shown on the previous application have been reduced and the proposed roof membrane has been replaced by grey interlocking tiles designed to simulate natural slate. The new roof would be in keeping with the neighbouring house at Clifton Holme and would colour-match the pitch-roofed part of the existing care home building. It is considered that the revised design of the extension would not look out of place in its surroundings. The materials could be made subject to a planning condition.

The freestanding, fabric-covered, canopy would be located in the rear garden of the care home. The applicant has confirmed that, whilst the canopy would be retractable like an umbrella, it would be a permanent feature. It would not be easily visible from adjacent properties and its visual impact would be minor.

The impact of the replacement cycle sheds and storage units would be minor and not materially different from that of the existing structures.

#### 4.4 NEIGHBOUR AMENITY

The boundary with the adjacent house at Clifton Holme comprises 1.8m-high, hit-and-miss boarding. Whilst the impact on the adjacent occupiers is unlikely to be significant the reduction in glazed area would further reduce the likelihood of light spillage and overlooking from the extension.

#### 4.5 HIGHWAY ISSUES

The main concern of local residents remains the effect of construction vehicles on the road surface of Ousecliffe Gardens, a private road. This is not considered to be a planning issue. Nevertheless the applicant has confirmed that a dilapidation survey on the access road would be carried out prior to the works commencing. In addition to monitoring the state of the road during construction a final inspection would be undertaken on completion. Any damage caused by the contractor's vehicles would be made good at their expense. Objectors have requested that the contract between the council and the builder limits the size of construction vehicles. In response the narrow width of the access road would ensure that only smaller construction vehicles would be used and this would minimise any damage. Prior to the works commencing the council would discuss the restricted vehicle access with the contractor and agree appropriate restrictions on vehicle numbers, size, frequency etc. together with on-site parking provision. Once agreed, those restrictions would be closely monitored to ensure compliance by the main contractor and all subcontractors at the site.

Objectors have also requested that after construction the council takes an appropriate share of responsibility for maintaining the road surface due to the increased traffic generated by the enlarged care home. The number of people occupying the enlarged care home would remain as existing so is unlikely to cause any additional traffic movements along Ousecliffe Gardens. It should be noted that one third of staff at the Glen use a bicycle and the provision of a new secure cycle shelter would encourage more staff and visitors to cycle, potentially reducing the number of car journeys to and from the Glen.

#### 4.6 IMPACT ON TREES

The most important trees on the site would be retained and would not be affected. Nevertheless, the previous proposal would have encroached upon a large part of the root protection area of one reasonable specimen, a Beech (tree T5). Whilst the tree is not of high value it lies in a group which, together, contribute to the amenity of the area. The smaller extension now proposed would avoid most of the root protection area of T5 except for at the corner of Social Area 1. This is acceptable on the basis that it is proposed to utilise mini-pile foundations for this part of the extension, these being less invasive than standard trench foundations. Use of mini-piles could be made a condition of approval.

#### 4.7 IMPACT ON THE ADJACENT LISTED BUILDING

As with the previous application, the revised proposal is unlikely to cause any significant harm to the setting of the adjacent listed building at Clifton Holme due to the intervening separation distance, which is in excess of 25 metres.

## **5.0 CONCLUSION**

5.1 The revised proposal complies with relevant policies in the City of York Local Plan Deposit Draft and is considered to be acceptable.

## **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:- 0986/101B, /102B, /103B and /104B.

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

3 The external materials used on the extension shall comprise off-white coloured render, Sandtoft Britlock Slate interlocking roof tiles and brickwork to match the existing building unless previously agreed in writing with the local planning authority.

Reason: In the interests of visual amenity.

4 Trees shown to be retained and/or subject to a tree preservation order (TPO) shall be protected during the development of the site by the following measures. Prior to commencement on site protective fencing to BS5837: 2005 shall be erected around all existing trees shown to be retained. Before commencement on site the protective fencing line shall be shown on a plan and agreed with the local authority and subsequently 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, mechanical cultivation. Within the exclusion zone there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches and pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process including the implementation of landscape works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To protect trees that are subject to a tree preservation order and contribute to the amenity of the development and/or area.

5 Unless otherwise agreed in writing by the Local Planning Authority, the method of construction for the north-west wall of the extension shall utilise mini-pile foundations.

Reason: To minimize the impact on the roots of protected trees.

6 Notwithstanding the information contained on the approved plans, the height of the extension 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.

## **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:

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

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

### **Contact details:**

**Author:** Kevin O'Connell Development Management Officer  
**Tel No:** 01904 552830