

COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Dringhouses And Woodthorpe
Date: 21 June 2007 **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 07/01060/FUL
Application at: 25 Aldersyde York YO24 1QP
For: Erection of 2no. detached two storey dwellings after demolition of existing dwelling (resubmission)
By: Aldersyde Estates Ltd
Application Type: Full Application
Target Date: 29 June 2007

1.0 PROPOSAL

1.1 This item is referred to the West and Centre Planning Sub- Committee following an earlier request by Councillor Ann Reid that a previously withdrawn application be referred to the area planning sub- committee given the high level of local concern in relation to the proposed residential development on the site. The proposal (Ref No. 06/02799/FUL) for the erection of 2 no. five bedroom detached dwellings with integral garages was withdrawn on 9 February 2007. This revised proposal has been the subject of discussions with the local planning authority before its submission following concern that the adverse impact that the development would have in the area, and on the adjacent listed building in particular. The applicant has also indicated that a number of neighbours have been consulted with a view to demonstrating to them how the application has tried to resolve some of the issues relating to the first planning application.

1.2 This application relates to the demolition of an existing detached bungalow in a mature garden to the east of Aldersyde, a Grade II listed building. The bungalow is angled within the site and is in a poor state of repair. It is intended to demolish this property to allow for the construction of 2 No. four bedroomed properties with hardstandings. The plot occupies a prominent site fronting the mainly circular green at Aldersyde, and is adjacent to a side road that leads to 7 blocks of two and three storey flats at the rear of the site. The access road, Aldersyde, is a narrow single-track access with a wide grassed verge and pavement to the property side of the road. It is intended that a dropped kerb to Plot 2 would be formed from Aldersyde allowing both pedestrian and vehicular access from the Green. The existing vehicular access at the rear of the property that leads to the existing detached garage would be retained and would be the vehicular access to Plot 1. A pedestrian access to Plot 1 would be formed by breaking into the low wall that fronts the green and the dwelling. Both vehicular accesses would lead to one off-street car parking space for each property.

1.3 The proposed properties would be approximately 6.3 metres high, approximately 3.7m apart and separated by a 2m high close-boarded fence. The existing footprint that includes the bungalow, outbuilding and garage measures 155 squ. metres and would be replaced with two detached houses with a total footprint of 190 squ. metres. The dwellings have been reduced in height, and the proposed materials would be brick and rosemary tiles in order to complement the existing external finished in the area. The applicant has indicated that the remaining mature shrubbery on the northern boundary would be reduced to 2 metres in height. The units would be orientated towards the green and the applicant is of the view that the proposed reduced in height dwellings incorporating a gable facade would be more sympathetic to the adjacent listed building and the style of many of the buildings that face the green.

1.4 Aldersyde House is a Grade II listed building that dates from 1895-96, and is a three storey imposing building distinguished by its timber framed upper floors and tall ornate chimney stacks. It has been in flatted use for many years, providing 14 flats, and has recently been upgraded with inclusion of the basement into the living accommodation and minor external alterations. Recent alterations have also taken place at No. 1 Aldersyde with the erection of a dwelling in its garden area (LPA Ref. 03/000018/FUL) and extensions to the original dwelling (LPA Ref. 04/00159/FUL) The properties that surround the green are mainly bungalows and dormer bungalows. The eastern and southern boundaries of the site are bound by flat roofed garage blocks.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYH4
Housing devp in existing settlements

CYHE4
Listed Buildings

CYGP1
Design

CYGP10
Subdivision of gardens and infill devt

CYGP9

Landscaping

CYH5

Residential densities over 25 per ha

CYL1C

Provision of New Open Space in Development

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management- No objections subject to conditions.

3.2 Drainage- No objections

3.3 Environmental Protection Unit- No objections subject to conditions related to contaminated land. The historic mapping information indicates that prior to the development of the street, the area which is now the green was a large pond or pool in the grounds of the Aldersyde house. This area has subsequently been filled in but there is no information in the records on what material was used to fill the area. As such, should permission be granted for the development, conditions should be attached to the permission requiring a desk study and further conditions if necessary.

3.4 Lifelong Leisure and Culture- A commuted payment would be required for off-site provision of open space for amenity open space, play space, and improvement to sports pitches.

3.5 Design, Conservation and Sustainable Development- No reply at the time of writing. Members will be updated.

EXTERNAL

3.6 Dringhouses and Woodthorpe Planning Panel- No comments received and Members will be advised if comments are received.

3.7 The application was advertised by the following methods-

Neighbour Notification Letters- consultation period expires 6.6.2007

Site Notice- consultation period expires 7.6.2007

8 representations have been received that raise the following planning issues-

- overlooking from new houses
- access road is too narrow to accommodate additional traffic and parking
- overdevelopment of the site
- pedestrian safety
- character of area would be adversely affected

- revised scheme that amends the design has not overcome
- sufficient housing in the area
- overshadowing on Nos. 15,16, 17, and 18
- loss of attractive and mature vegetation on the site
- impact on bedroom window

4.0 APPRAISAL

4.1 ADDITIONAL PLANNING POLICY

Policy E4, North Yorkshire County Structure Plan

Planning Policy Statement 1 " Delivering Sustainable Development "

Planning Policy Statement 3 " Housing "

Planning Policy Guidance Note No. 15 " Planning and the Historic Environment "

4.2 Key Issues-

- Principle of development
- Open space
- Impact on the special interest of the Listed Building
- Impact on the visual amenity and character of the area/ Design
- Highway safety/ car parking and cycle parking standards
- Impact on the living conditions of the neighbours

PRINCIPLE

4.3 The proposals involve the redevelopment of an existing residential plot within the built up area of York with good accessibility to services, as such policy H4a of the City of York Local Plan offers support in principle to the proposals subject to details of the proposals meeting other policy aims.

OPEN SPACE

4.4 In accordance with the aims of policy L1c, a contribution towards provision of open space in the area could be secured by condition if planning permission is granted.

LISTED BUILDING

4.5 One of the concerns raised in the many representations and petition that were received in relation to the previous proposal and the current proposal, is the adverse impact that two large properties would have on the character of the area and, in particular, on the adjacent listed building, Aldersyde. Aldersyde dominates this side of the green, and the low profile of the existing bungalow on the application site with its extensive mature garden, contributes to and maintains an attractive setting for this

listed building. Although its setting has been encroached on by development, most of the development is low lying i.e. bungalows, and the scale of the existing development helps to preserve a sense of openness around the property. The surrounding trees are important in maintaining the garden setting of this substantial house and the single storey garage blocks to the side and rear boundaries are not prominent and add to the low lying character of the setting of the listed building. It is considered that the revised proposal that reduces the height of the dwellings to reflect the height of surrounding developments, increases the separation distance between the dwellings, amends the design to pick up features/ materials of the buildings in the area and maintain most of the vegetation on the site would result in housing that would be compatible with others in the vicinity. In terms of their impact on the setting of the Listed Building it is considered that the houses would be far enough away not to be detrimental. The separation distance from the Listed Building would be greater than on the east side to Aldersyde Court, and there would also a garage court/ garage block in between the housing and the Listed Building. This proposal would result in less vegetation being removed as only one access from the green is now proposed. It is therefore considered that there would be no detrimental impact on the setting of the Listed Building. The proposal would therefore accord with Policy E4 of the North Yorkshire County Structure Plan; Policies HE4 and GP1 of the Local Plan; and related national guidance.

CHARACTER OF THE AREA

4.6 Policies GP1 'Design' and H5 'Residential Density' of the City of York Development Control Local Plan (Incorporating the Proposed 4th set of Changes) state that new residential developments should be compatible with the character of the area. On balance, it is now considered that the revised development respects the prevailing character of the surrounding development. The housing that fronts the green comprises bungalows and dormer bungalows, and these are characterised by the generous spaces that separate the properties, especially to the rear of the properties. This spacing is formed by the circular layout of the housing where the spacing between the buildings increases from narrower spaces at the front of the properties to wider rear gardens. The separation distance between the proposed two properties has been increased to 3.7 m and would now be similar to the majority of the housing on Aldersyde. The dominance of the properties has been greatly reduced by the lowering of the height of the dwelling from 8.4m to 6.8 metres. This would be similar to the height of the dormer bungalows that face the green. The site can accommodate the size of the properties without overdeveloping the site within this local context. The site is sylvan and the revised proposals would result in less vegetation being removed and the remaining trees and bushes would retain the green setting of Aldersyde which is a distinctive feature in the area. The revised proposals now comply with the aims of policies GP1, H5 and H4 of the Local Plan and the aims of PPS3.

HIGHWAY SAFETY/ CAR PARKING/ CYCLE STORAGE

4.7 Many of the previous concerns expressed in the letters of objection relate to the impact of additional traffic and parking on the existing narrow access road as a result from the development itself and during any construction phase. The development would result in a small increase in traffic with the resulting traffic and parking

requirements of an additional dwelling. This would be unlikely to harm driver and pedestrian safety over and above the existing situation. It is a narrow, almost single-track access road that reduces car speed and would not easily allow on-street parking. The proposal would meet the Council's car parking and cycle storage standards and the highway authority has no objections to the proposed dropped kerb to Plot 2.

RESIDENTIAL AMENITY

4.8 The proposed new dwellings would be over 40 metres away from the flats at the rear and would not impact on the reasonable level of residential amenity of the occupiers of flats. The adjacent Listed Building, Aldersyde, would be over 30 metres away from the proposed dwellings. There would be no harmful overlooking, overshadowing or adverse massing impact and the proposals would not affect the living conditions of the occupiers of these premises. The nearest affect properties would be 16, 17 and 18 Aldersyde that would be 19-23 metres from the proposed dwellings. The occupiers of No. 17 Aldersyde have raised the issue that the blank side elevation that would front their property contains a secondary bedroom window that would overlook their front bedroom window. These two windows would be separated by approximately 20 metres, just under the separation distance of 21 metres guideline that the Council considers to be reasonable in most instances. If Members are minded to approve the application but have concerns about the overlooking from the side window, it could be reasonably be deleted by a planning condition as the bedroom would retain a front window that would allow sufficient light to the room. It is therefore concluded that the impact on the nearest housing on Aldersyde would not be detrimental to the occupiers of these properties.

5.0 CONCLUSION

5.1 It is concluded that the proposed development would have an impact on the character of the area. However it is considered, on balance, that the revised proposal is more sympathetic to the character of the area and the features of the site, would not be harmful to traffic and pedestrian safety, and not have a harmful effect on the setting of the Listed Building. Subject to appropriate conditions, it is considered that planning permission should be granted.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing No. ARK-207r-01, received 4.5.2007

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.

- 3 S106- Open Space Contribution
- 4 HWAY9- Vehicular Areas Surfaced
- 5 HWAY19- Car and Cycle Parking Laid Out
- 6 HWAY31- No Mud on Highway During Construction
- 7 A desk study shall be undertaken in order to identify any potentially contaminative uses which have or are currently occurring the site. This shall include a site description and a site walkover and shall be submitted to and approved by the local planning authority prior to development of the site.

Informative: This should, where possible date back to 1800

Reason: To protect human health and the wider environment.

- 8 A site investigation shall be undertaken based upon the findings of the desk study. The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on the site.

Reason: To protect human health and the wider environment.

- 9 A risk-based remedial strategy shall be developed based on the findings of the site investigation. The remedial strategy shall be submitted to and approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing on site.

Informative: The remedial strategy shall have due regard for UK adopted policy on risk assessment and shall be developed in full consultation with the appropriate regulator(s).

Reason: To protect human health and the wider environment

- 10 A validation report shall be submitted to and approved by the local planning authority, detailing sample locations and contaminant concentrations prior to any development commencing on site.

Reason: To protect human health and the wider environment.

- 11 Any contamination detected during site works that has not been considered within the remedial strategy shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect human health and the wider environment.

- 12 A timetable of proposed remedial works shall be submitted to the local planning authority prior to any works being undertaken on the site.

Reason: To protect human health and the wider environment.

- 13 Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 14 HT1- Approved Height

7.0 INFORMATIVES:

Notes to Applicant

1. VEHICLE CROSSING INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Vehicle Crossing - Section 184 - Stuart Partington
(01904) 551361

2. Demolition and Construction Informative:

The following guidance should be followed, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

1. All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00
Saturday 09.00 to 13.00
Not at all on Sundays and Bank Holidays.

2. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

3. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

4. The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

5. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

6. There shall be no bonfires on the site."

3. 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 the visual amenity and character of the adjacent listed building and the street scene, highway safety and the amenity of the neighbours. As such, the proposal complies with Policy E4 of the North Yorkshire County Structure Plan; Policies H4, H5, HE4, L1c, GP4, GP10, GP9 and GP1 of the City of York Development Control Local Plan- Incorporating the Proposed 4th Set of Changes; and national planning guidance contained in Planning Policy Statement 1 " Delivering Sustainable Development, " Planning Policy Statement 3 " Housing " and Planning Policy Guidance Note No. 15 " Planning and the Historic Environment."

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