

COMMITTEE REPORT

Committee: East Area
Date: 12 July 2007

Ward: Huntington/New Earswick
Parish: Huntington Parish Council

Reference: 07/00962/FULM
Application at: St Judes 281 Huntington Road York YO31 9BR
For: Erection of 10 no. two storey dwellings with associated parking and adopted access road after demolition of 279 Huntington Road on land to the rear of 277 to 285 Huntington Road (resubmission)
By: Mr C Cook
Application Type: Major Full Application (13 weeks)
Target Date: 25 July 2007

1.0 PROPOSAL

1.1 This is a full planning application to demolish 279 Huntington Road and to erect 10 two and a half storey four bed roomed houses parallel to the river. The application description is 'two- storey' dwellings, however, 'two and a half/three' would be more accurate. The development is made up of 2 separate terraces divided by a 2-metre gap at the centre. In September 2006 a similar application for the site (06/01673) was withdrawn.

1.2 The application site is comprised of 279 Huntington Road and part of the rear curtilages of 283 and 285 Huntington Lane. The site is bounded to the west by the river Foss. To the north is the Waterdale Park development and to the south is the Foss Court development. The application site borders the rear garden of 281 Huntington Road and the rear and side boundary of 277 and 279a Huntington Road. The land slopes gently towards the river. The site is rectangular in area with an access road on to Huntington Road. The overall area is approximately 0.22 hectares.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

2.2 Policies:

CYGP10

Subdivision of gardens and infill devt

CYH4A
Housing Windfalls

CYGP1
Design

CYGP4A
Sustainability

CYGP10
Subdivision of gardens and infill devt

CYGP9
Landscaping

CYNE2
Rivers and Stream Corridors, Ponds and Wetland Habitats

CYNE6
Species protected by law

CYNE7
Habitat protection and creation

CYGP15
Protection from flooding

3.0 CONSULTATIONS

3.1 Internal

Highways Network Management - Reservations in respect of the low level of car parking provision.

Countryside Officer - It would appear that there might be otters using the banks of the site. This needs further consideration. There should be provision for wildlife along the river bank.

Landscape Architect - The properties are too close to the river and have an uncomfortable relationship to existing trees. A 6m margin along the river should be protected for wildlife habitat.

Environmental Protection Unit - No objections subject to conditions regarding assessing contaminants and methods of construction.

City Archaeologist - Watching brief required.

York Consultancy (Drainage) - The site lies in medium/high risk flood zones. Object to the scheme as insufficient information has been provided in respect to flooding and drainage.

3.2 External

Parish Council - No objections to the development, however question whether 16 parking spaces are sufficient for the 10 four bed houses.

Neighbours - 4 written objection received raising the following issues:

The description should read 3 rather than 2-story development.

Huntington Road is very busy with cycle lanes, a mix of junctions and many uses, the junction would create a hazard for neighbours, occupiers, pedestrians and cyclists.

The site is overdeveloped.

It is unclear what landscaping is being proposed and retained.

Inadequate information on proposed lighting and boundaries along the new access road.

Inadequate number of parking spaces.

Works to change ground levels could cause gardens to 'slide'.

Discrepancies in respect to the width of number 279 shown on the plan and the measurement on site. The boundary and outbuildings of 277 are not shown accurately

* There should be more than 1 footpath along the access road.

* Increase in fumes and noise to neighbours from traffic to side and rear of houses will harm living conditions in neighbouring homes and gardens.

* Noise from construction.

* Overlooking - this will be exacerbated by the loss of trees.

Foss Internal Drainage Board - Further details required regarding surface water discharge and a condition should be included requiring a 9m strip adjacent to the bank to be free of all new buildings and structures.

Environment Agency - Object - No evidence that a flood risk sequential test has been carried out. Object - No technical information or flood risk assessment has been provided with the application.

4.0 APPRAISAL

4.1 The proposals are to develop the site with 10 houses. The net gain in dwellings is 9 given the demolition of 279 Huntington Road. The dwelling is being demolished to try and create an adequate access into the site. The overall density is approximately 40 units a hectare. This accords with targets for housing densities in urban areas, though given the constraints of the site it is considered that this should be applied flexibly.

4.2 Proposals to make better use of Brownfield land for residential development accords with the general thrust of local and national planning policy subject to meeting certain criteria. Policy GP1 of the City of York Draft Local Plan sets out criteria for development proposals, including: respect for the local environment: density, layout, scale, mass and design compatible with neighbouring buildings, space and character of the area and provision of adequate amenity space and wildlife habitat. Policy GP10 states that permission for new development will only be granted for the sub-division of existing gardens or infilling where this would not harm the character and amenity of the local environment. Policy H4a generally permits residential development on unallocated land in accessible locations within the urban area where amongst other things it is of an appropriate scale and density to the surrounding development.

4.3 Relevant national guidance includes PPS1: Delivering Sustainable Development and PPS3: Housing. Because the site is within Flood zone 2/3 the guidance within PPS25: Development and Flood Risk is of much significance.

4.4 The key issues are considered below:

IMPACT ON LIVING CONDITIONS

4.5 It is considered that there is adequate separation between the development and adjoining homes and gardens to avoid unacceptable harm in respect to loss of light, outlook or privacy. Typically distances between the proposed houses and the rear of existing homes is around 35 metres. There is a distance of upwards of 14m to rear garden boundaries.

4.6 The road that is proposed to enter the site would be located between the side elevations and gardens of 277 and 279a Huntington Road. Both properties have their own narrow vehicular access between the house and proposed access road. These two properties are not part of the application site nor are they within the applicants' ownership. It is not considered that the demolition of the house and new road would be unduly harmful. The demolition of the house would be advantageous in that it would improve the outlook from side windows of the two homes. The creation of the road would create additional noise through comings and goings, however, it is the case that existing background noise levels from vehicles using Huntington Road are already relatively high and it is not considered that additional noise from the new access would be so great to merit refusal. To limit the impact on living conditions and aid security, if consent were approved a 1.8 - 2m solid boundary would need to be erected either side of the access road.

IMPACT ON VISUAL AMENITY

4.7 The proposal will have limited impact on Huntington Road given that it is a backland site. It is not considered that the demolition of 279 Huntington Road is unduly significant to the character of the area. There will be some views of the development from areas of Foss Court and Waterdale Park, however, it is not considered that the development will be unduly prominent from these directions.

4.8 It is considered that the most significant elevation is that facing the river Foss. There is a public footpath running along the opposite bank with clear views of the application site. The banks of the river Foss in the vicinity of the application site and heading north out of the city generally have a natural character with a backdrop of trees dominating the environment. It is considered that any proposed residential development should seek to preserve and enhance this. It is considered reasonable to glimpse residential development through the trees and the benefits of having some overlooking of the footpath are acknowledged. However, given the local character it is important that a naturalised environment predominates when viewed from the opposite side of the river.

4.9 The style of housing proposed is very urban in form with two 24-metre long gable ended terraces separated by a 2m gap. The properties are two and a half storeys in height with the ridge standing just in excess of 10 metres. The development is on average around 13 metres from the rivers edge, however, in the northwest corner it is only approximately 10 metres. At present approximately half of the boundary of the gardens to the river comprises a line of conifers. This is unattractive and not sympathetic to the indigenous vegetation. Along the rest of the bank there is fairly limited planting although there is a strong line of tree covering adjacent to the Waterdale Park development and a large sycamore by the river's edge.

4.10 It is considered that the proposed form of development is inappropriate in the context. The scale of development and positioning in close proximity to the river gives limited opportunity for establishing a naturalised river bank along with new planting to help screen the development. It is also the case that the development to the north-west is too close to existing trees.

4.11 The homes are large family dwellings. The garden size of 10m x 5m is adequate, however, the homes have no garages or front gardens, which will typically mean that outbuildings and other domestic structures are likely to be erected along the rivers edge. In this context a significant belt of planting is seen as even more important.

4.12 There have been several other developments in recent years that have been built on land to the west of Huntington Road. It is considered that these indicate a precedent for the broad principle of residential development, however, it is important that the details of the scheme take account of the local circumstances and current planning advice. The most recent planning permissions have been at 161-163 Huntington Road (02/1073) and 175 Huntington Road (04/01993). Both schemes were located around 18 metres from the river bank. This contrasts with the 13 metres of the current scheme. The scheme at Foss Court to the south is closer to the river with limited naturalised planting, though a reasonable belt of tree planting to

screen the development. The Waterdale Park development is less densely developed along the river edge.

In assessing the scheme it is important to consider that the scheme is backland development, whereas most other recent developments on this side of Huntington Road also included the re-development of land fronting the road. Policy H4a seeks to ensure that new housing is an appropriate scale and density to the surrounding development. The majority of the housing in the immediate area is two storeys. In this context care needs to be taken to ensure that the proposed terraces of two and a half storey development does not appear out of place - particularly if ground levels need to be raised to address flooding concerns.

LIVING CONDITIONS OF PROPOSED DWELLINGS

4.13 It is considered that the outlook, privacy and light levels of the properties are acceptable. External private amenity space is a little limited, though adequate. The front of the site is dominated by car parking and hard-surfacing. Although the layout is adequate to meet the needs of prospective occupiers it would enhance the quality of the environment and lessen the impact on the character of surrounding land if additional space were created for significant planting to be created and retained.

HIGHWAYS AND PARKING

4.14 Highways Network Management have no objections to the access, though express concerns in respect to the low level of car parking. The plans indicate 1 car parking space per 4 bed dwelling with 1 visitor space per two dwellings. It should be noted that all 4 bedrooms within each home are 'doubles'. They have suggested that a preferable scheme would be to amend the layout so that 8 of the homes have 2 parking spaces and 2 have 1 with limited visitor parking along the access road. It is considered that this could be examined if it was felt that the application should be approved, however, the impact on landscaping and neighbours' living conditions would need to be carefully considered.

4.15 The plans do not indicate provision for cycle parking or refuse storage. The properties have no garages or front gardens and the plans do not indicate the means of access to rear gardens for the three properties at the centre of each terrace. Typically a shed would meet cycle storage needs, however, the access would further shorten the length of useable gardens and the provision of sheds would need further consideration given the impact on the setting of the river and the Foss Internal Drainage Board's reservation regarding obstructions to the bank.

FLOODING AND DRAINAGE

4.16 The site is within flood zone 2/3. Flood zone 3 is classified as high probability of flooding from the river or sea, ignoring the presence of defences. The application did not include flood risk sequential test or flood risk assessment. This is a requirement of PPS25. This has been requested from the applicants but has not been received at the time of writing this report.

WILDLIFE AND LANDSCAPING

4.17 The Council's countryside officer considers that a greater area of undeveloped bank should be retained to provide suitable provision for wildlife. Concerns in respect to the possible impact on the wellbeing of Otters is raised given that part of

the site is ideal habitat for the species and there is evidence that they are found along the Foss. This is very significant given that they are a European protected species. The Council's landscape architect expresses concerns in respect to the wellbeing of some of the existing trees on the site and the lack of space for suitable new planting along the river edge.

4.18 It would seem that the applicant is seeking to accommodate too great an amount of development on the site and that the short garden length proposed and the proximity to trees is unsatisfactory if the scheme is going to sit comfortably within the surroundings and take account of the wildlife interest. Currently the land is comprised of maintained garden and overgrown garden containing brambles and young self-seeded trees. PPS 9 (Biodiversity and Geological Conservation) states (paragraph 13) that where previously developed sites have significant biodiversity or geological interest of recognised local importance, local planning authorities, together with developers, should aim to retain this interest or incorporate it into any development of the site. Paragraphs 16 and 17 give significant weight to protecting the habitats of individual wildlife species that receive statutory protection. These requirements are mirrored in Local Plan policies relating to rivers, habitat protection and creation and sustainability.

SECTION 106 CONTRIBUTIONS

4.19 Play/Open space

The development will lead to a net gain in 9 dwellings. On sites of less than 10 dwellings a commuted sum will be required towards off site provision. Given the constraints of the site and its backland nature it is not considered a good location for public amenity/play space. Using the Council's guidance on commuted sums for open space that was approved in April 2007 a total contribution of £27,054 would be required for increasing access and provision for children's equipped play space, informal amenity space and outdoor sports facilities.

4.20 Education

A sum of £32,540 would be required to provide for 2 spaces at Huntington Secondary School. There is no requirement for a primary school contribution.

4.21 Affordable Housing

The site area and number of homes is below the number at which affordable housing is sought.

5.0 CONCLUSION

5.1 Providing aspects relating to flood risk can be met it is considered that the general principle of the use of the land for residential purposes accords with planning policies on housing.

5.2 However, it is considered that the specifics of the scheme are unsatisfactory. This largely relates to the large amount of development and the impact development it would have on the opportunity to take account of wildlife and landscaping and the need to sensitively deal with parking and external storage. Such aspects are crucial

given the location next to the Foss and would also to help ensure that any backland development sits comfortably within the local environment.

6.0 RECOMMENDATION: Refuse

- 1 Because of its scale and footprint the proposed residential development would be very dominant. The scheme fails to retain adequate space around existing vegetation or incorporate significant areas of vegetation. It is also located in such close proximity to the bank of the river Foss that it makes it impractical to create a suitable landscaped backdrop to the river. As such the proposal is inappropriate in its context and fails to take the opportunity to improve the character of the riverside. It therefore conflicts with policies GP1 (criterion a,b,c and d), GP4a (criterion g), GP9, GP10 and H4a of the City of York Draft Local Plan (fourth set of changes) 2005 and advice contained within paragraph 34 of PPS1 (Delivering Sustainable Developments).
- 2 The development fails to retain sufficient undeveloped land adjacent to the river capable of being managed for the encouragement of bio-diversity and fails to assess the impact on a protected species (Otter). As such the proposal conflicts with policies GP4a (criterion g), NE2, NE6 and NE7 of the City of York Draft Local Plan (fourth set of changes) 2005 and advice contained within paragraph 13 of PPS9 (Biodiversity and Geological Conservation).
- 3 The provision of car parking at 1 space per dwelling (with 0.5 visitor spaces) is very low for 4 bedroom dwellings located away from the city centre and no details are included indicating convenient suitable storage and access provision for cycles or bins. This raises concerns regarding the functionality and sustainability of the development. As such the proposal conflicts with policies GP4a (criterion i) and advice contained in Appendix E (car and cycle parking standards) of the City of York Draft Local Plan (fourth set of changes) 2005.
- 4 The application fails to include a satisfactory Flood Risk Assessment and does not provide suitable evidence indicating that the requirements of the flood risk sequential test have been met. As such the proposal conflicts with policies GP15a of the City of York Draft Local Plan (fourth set of changes) 2005 and advice contained within PPG25 (Development and Flood Risk).

7.0 INFORMATIVES:

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