

COMMITTEE REPORT

Committee: East Area
Date: 26 July 2007

Ward: Strensall
Parish: Strensall And Towthorpe
Parish Council

Reference: 07/01322/FUL
Application at: The Garth Southfields Road Strensall York YO32 5UA
For: Erection of new dwelling and detached garage. Erection of new detached garage to existing dwelling (resubmission)
By: Mr And Mrs Thompson
Application Type: Full Application
Target Date: 27 July 2007

1.0 PROPOSAL

1.1 The application is, in essence, for the erection of a single dwellinghouse in the grounds of a residential dwelling. The main proposals comprise (1) Demolition of detached double garage (2) erection of a detached, 1.5-storey, 3-bedroom dwelling with integral garage and (3) erection of detached double garage to replace the garage that would be demolished.

1.2 The application is a resubmission of an application in April 2006. It was refused due to inadequate drainage information, impact on trees along the boundary, impact on adjacent occupiers and the scale of development being out of keeping with the character of its surroundings, including the adjacent conservation area.

1.3 The previous application was determined by officers. The current application is before members at the request of a ward councillor.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Strensall Village COMPLE

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYGP1
Design

CYGP10
Subdivision of gardens and infill devt

CYH4A
Housing Windfalls

CYH5A
Residential Density

CYT4
Cycle parking standards

CYL1
Open spaces in new residential devts

CYNE1
Trees, woodlands, hedgerows

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections. Car parking and cycle storage are in accordance with council standards.

Design, Conservation and Sustainable Development (Conservation) - The location within the plot takes account of the landscape setting of the site adjacent to the conservation area. The existing trees within the site, which add to the character and amenity of the conservation area, can be retained. The design of the proposed house is generally in keeping with the style and character of the adjacent houses in Southfield Road. The location of the proposed new garage associated with The Garth is unlikely to have a negative visual impact on the character and appearance of the conservation area and is generally acceptable.

Design, Conservation and Sustainable Development (Environment) - There are no TPOs on or adjacent to the site but the southern part of it is in a conservation area. No objections subject to conditions to protect trees on the site. The applicant should seek the advice of an arboriculture consultant regarding the development and future management of the trees.

York Consultancy (Drainage) - Verbal response. There is no reason why adequate surface water drainage cannot be provided.

3.2 External

Parish Council - Objection. Cramped appearance out of character with neighbouring properties and the conservation area. Detrimental effect on the appearance of the area. Design out of keeping with the rural area. Conflict with policies GP1 and H4 of the draft local plan and the aims of PPS1. Even a modest increase in vehicular access and movement will affect safety and free flow of traffic. Drainage in the area is problematic.

Yorkshire Water - No objection subject to conditions. The situation regarding the sewerage network in the vicinity is complex due the number of unsurveyed private sewers of which Yorkshire Water has no record. The means by which the property known as "The Garth" drains to the public sewer is not known to us. The sewerage team does not believe that foul water flows from the development of a single property will lead to increased flooding from the public sewerage network. It is however essential that no surface water enters the public sewerage system and that an alternative outfall is found for its disposal via SUDS or to a watercourse.

Foss IDB - The applicant has been in touch with the Board regarding the surface water disposal from this site, which is intended to be discharged into Bone dyke. This watercourse has known capacity problems but the applicant is suggesting that the discharge can be regulated so that no greater flow into the watercourse will be discharged following the development that currently exists. The Board recommends that any approval granted is subject to conditions.

Cllr Madeleine Kirk - Objection. Any further development in the area would exacerbate existing drainage problems. Overdevelopment in a conservation area where this type of development is inappropriate. Poor access, including for emergency vehicles. Impact on trees. The mature ash tree on the site should be protected by TPO.

Public Consultation - Three objections have been received raising the following planning issues: Overdevelopment, scale out of keeping with the area, inadequate drainage, visual amenity, overlooking, overshadowing, traffic generation/highway safety, impact on trees, design out of keeping with neighbouring properties.

4.0 APPRAISAL

4.1 Key Issues

Housing provision and sustainability.

Scale and appearance.

Drainage.

Impact on the conservation area.

Impact on trees

Neighbour amenity.

Access and Parking.

Provision of open space.

4.2 The Application Site

The site lies between the fronts of the two adjacent houses (The Garth and Lawnswood) at the end of an unmade road within the development limits of Strensall village. The site is adjacent to open farmland and the green belt. The southern edge of the site is in Strensall conservation area. The area is residential in a leafy setting. There are no tree preservation orders (TPO) on or adjacent to the property.

4.3 Housing Provision and Sustainability

The site is brownfield in a sustainable, residential location close to public transport and local services. The principle of developing the site for housing is acceptable. The site area is approximately 0.037ha, giving a development density of 27dph. This is acceptable bearing in mind the character of the area and the relatively-prominent position of the site.

4.4 Scale and Visual Appearance

The scale and appearance of the proposed dwelling have changed significantly from the previous application. The height has been reduced by over 2m to 6.9m and, unlike the previous application, the garage to the proposed dwelling is integral rather than detached. The replacement garage for the occupiers of The Garth would be located to the side of the existing house rather than being in front of it. The scale,

character and appearance of the new dwelling are now in keeping with the street scene.

4.5 Drainage

The area suffers from longstanding drainage problems. The situation regarding the sewerage network in the vicinity is complex due the number of unsurveyed private sewers.

The main public sewer is in The Village, ie the public highway to the north of the site. The sewer carries combined (foul and surface water) flows. There have been a few incidents of flooding reported by local residents. These generally appear to relate to one-off sewer blockages and occasional high water levels in the public sewer both during and after rainfall. It is very likely that some of the flooding described by objectors is related to problems on the private sewer and land drainage networks. Yorkshire Water's records (which only refer to incidents at the sewers under Yorkshire Water's control) do not indicate widespread sewerage problems or recurring sewer problem hotspots. Yorkshire Water does not believe that foul-only flows from the development of a single property will lead to increased flooding from the public sewerage network. It is however essential that no surface water enters the public sewerage system and that an alternative outfall is found for its disposal via SUDS or to watercourse. This can be ensured by conditions.

4.6 Impact on Trees and the Conservation Area

The proposed house and replacement garage are unlikely to have a negative visual impact on the character and appearance of the conservation area. The existing trees within the site add to the character and amenity of the conservation area and would be retained. The revisions move the house further from the southern boundary thereby reducing the impact on the mature boundary hedge. Whilst the trees on the site have amenity value they would not be suitable for a TPO as they are not visible from a public area. Nevertheless the trees are worthy of protection during construction. Conditions should be attached to this effect.

4.7 Neighbour Amenity

The only materially affected property is the existing house at The Garth. This is the home of the applicant. The impact on the occupiers of the proposed house (existing and future) is insufficient to justify refusal. Nevertheless, permitted development rights should be removed due to the prominent location of the site and its proximity to adjacent occupiers.

4.8 Access and Parking

The additional traffic generated by the development is unlikely to have any material impact on highway safety. Off-street car parking for the new dwelling would be in accordance with council standards and adequate cycle storage would be provided.

4.9 Public Open Space

An open space contribution of £1,483 would be required. This can be made the subject of a planning condition and a s.106 agreement.

5.0 CONCLUSION

5.1 The proposal is acceptable in terms of housing provision, sustainability, drainage, impact on trees, neighbour amenity, impact on the conservation area, scale and appearance, open space and highway issues. The application complies with policies GP1, GP4a, GP10, H4a, H5a, T4, NE1 and L1 of the City of York Local Plan Deposit Draft. An open space contribution of £1,483 would be required if planning permission were granted.

6.0 RECOMMENDATION: Approve

1 TIME2

- 2 The development hereby permitted shall be carried out only in accordance with the approved plans received 1 June 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 All construction shall adhere to British Standards 5837 (2005) 'Trees in relation to construction'. Trees shown to be retained shall be protected by the following measures:-

(i) Prior to commencement on site of demolition, site preparation, building or other development operations, including the importing of materials and any excavations, protective fencing to BS5837 shall be erected around all existing trees shown to be retained and neighbouring trees where they may also be affected. 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.

(ii) None of the following activities shall take place within the protective fencing: excavation, raising of levels, storage of any materials or top soil, burning, parking or manoeuvring of vehicles, no site hits, no mixing of cement, no disposing of washings, no stored fuel, no new service runs. The fencing shall remain secured in position throughout the construction process including the demolition works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

(iv) No trenches, pipe runs for services or drains shall be routed under the crown spread of any tree without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard existing trees on the site in the interests of visual amenity.

- 4 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

- 5 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

- 6 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority, in consultation with the internal drainage board.

Reason: To ensure that the development can be properly drained.

- 7 Unless otherwise approved in writing by the local planning authority no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul discharges take place until proper provision has been made for their disposal.

- 8 HWAY19

- 9 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the local planning authority. The open space shall thereafter be provided in accordance with the approved scheme or the alternative arrangements agreed in writing by the local planning authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1 of the City of York Draft Local Plan.

INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £1,483.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

10 VISQ8

11 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 6.9 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.

12 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Schedule 2 Part 1 of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the adjoining residents the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

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 housing provision, sustainability, drainage, impact on trees, neighbour amenity, impact on the conservation area, scale and appearance, open space and highway issues. The application complies with policies GP1, GP4a, GP10, H4a, H5a, T4, NE1 and L1 of the City of York Local Plan Deposit Draft.

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