

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Acomb
Date: 20 September 2007 **Parish:** Acomb Planning Panel

Reference: 07/01120/REMM
Application at: Lidgett Grove School Wheatlands Grove York YO26 5NH
For: Approval of reserved matters for the erection of 16no. two storey dwellings including associated detached garages and 3no. three storey dwellings with integral garages
By: CALA Management Ltd
Application Type: Major Reserved Matters Application (13w)
Target Date: 10 August 2007

1.0 PROPOSAL

1.1 The applicant seeks reserved matters approval to erect 16 no. two storey dwellings including associated detached garages and 3 no. three storey dwellings with integral garages.

1.2 Following the West and City Centre Committees deferral of this application a number of amendments have been introduced. These include:-

- * The introduction of two different house types (Dacre and Ewhurst). Those housing types originally proposed will also be retained.
- * The 2.5 storey Farlingtons have been relocated centrally, away from existing residential properties.
- * Footpath/Cycle Link has been straightened following guidance from the Police Liaison Officer.
- * Minor amendments to the original parking layouts.

1.3 The application relates to the former site of Lidgett Grove School (now demolished). The site area is 0.46 ha. Access to the site is from Wheatlands Grove along a single track road alongside the Methodist Church. There is a very narrow exit onto Lidgett Grove between residential gardens. The western part of the site is at lower ground level than the existing dwellings on Beckfield Lane and Ouseburn Avenue that back onto the site.

RELEVANT HISTORY

1.4 05/00319/GRG3- Outline Application for Residential Development - Approved 21st April 2005.

1.5 In reference to Paragraph 1.4. This application was an outline with all matters other than the means of access to be reserved for later applications. The applicant proposed to demolish the existing school buildings and develop the site with residential properties. In the opinion of the Local Planning Authority it was considered that the site would be capable of accommodating 14 to 18 dwellings which equates to a density of between 30 and 40 dwellings per hectare.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

Schools Lidgett Grove 0254

2.2 Policies:

CYT4

Cycle parking standards

CYGP1

Design

CYH4

Housing devp in existing settlements

3.0 CONSULTATIONS

INTERNAL

3.1 Environmental Protection Unit - No Objections.

3.2 York Consultancy (Drainage) - No Objections.

3.3 Lifelong Leisure and Learning - No Objections.

"No new comments as the Section 106 for this site already covers the open space payment required"

3.4 City Development - No Objections - Comments

EXTERNAL

3.5 Yorkshire Water - No Objections

3.6 Acomb Planning Panel - Objections

* 2.5 storey buildings out of character with the surrounding properties

* Emergency Access has been removed

* The access road has no passing/turning place

* Car parking and the ability to access the properties is a problem.

3.7 The applicants' proposals as originally submitted resulted in 12 letters of objection. The letters raise the following concerns:

- * Highway Safety.
- * Height Concerns.
- * Visual Impact.
- * Security Concerns.
- * Increase in Noise.
- * Overlooking (from the 3 storey properties).

CONSULTATIONS FOLLOWING REQUESTED REVISIONS

3.8 Yorkshire Water - no further comments to be made on the revised plans/information

3.9 Two letters of objection have been received in response to the revised plans. The letters raise the following concerns:-

- * Concerns about the additional three storey properties.
- * Concerns about security and accessing the footpath/cycle link.
- * Consultations with the Lidgett Grove Methodist Church should be sought.
- * Concerns about the density.
- * No provision for a wall along the boundary with Beckfield Lane.
- * Concerns about the distances between dwellings.

4.0 APPRAISAL

4.1 KEY ISSUES:-

- planning policy
- density/layout/impact on neighbours
- highway issues
- affordable housing
- Education and Open Space Contributions

4.2 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.3 Planning Policy Statement 3 'Housing' (PPS3), published in November 2006, came fully into force on 1st April 2007. This states that in deciding planning applications, Local Planning Authorities should have regard to:

- * Achieving high quality housing

- * Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people;
- * The suitability of the site for housing, including its environmental sustainability;
- * Using land effectively and efficiently;
- * Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider objectives.

4.4 Policy H4a 'Housing Development in Existing Settlements' of the City of York Draft Local Plan states that permission will be granted for new housing development on land within settlements providing it is vacant/derelict/underused or involves infilling, redevelopment or conversion; and, is of an appropriate scale and density to surrounding development and would not have a detrimental impact on existing landscape features.

PRINCIPLE OF DEVELOPMENT

4.5 The applicant proposes to create a high density courtyard development, which provides a mixture of detached and terraced homes with shared parking courts. Three town houses incorporating integral garages are also proposed. The layout has been designed to provide sufficient vehicular turning and manoeuvring space for both the future residents and any servicing/emergency vehicles.

DENSITY/LAYOUT/IMPACT ON NEIGHBOURS

4.6 As submitted the applicant proposes to erect 16 no. two storey dwellings and 3 no. 2.5 storey town houses, giving a density of 41.3 dwellings per hectare. The "dwellings per hectare" provision is compliant with Policy H5a of the Draft Local Plan, which seeks to achieve net residential densities of greater than 40 dwellings per hectare in urban areas.

4.7 The mix of house types are as follows

- * 4 No.4 bedroom detached.
- * 5 No.3 bed detached/semidetached.
- * 3 No.4 bed 2.5 storey town house (with integral garaging).
- * 7 No.2 bed detached/semi detached or terraced.

4.8 Dwellings have been arranged to minimise overlooking and in the case of plots 1 and 6 set away from boundaries to reduce any overbearing impact on No's. 89 and 95, Ouseburn Avenue.

4.9 21 to 22 metres have been provided from the rear of existing dwellings on Ouseburn Avenue (located to the south) to the gable elevations of Plots 1 and 6.

4.10 Approx.35 metres has been provided between the rear elevations of properties on Beckfield Lane and Plots 6 to 14.

4.11 Approx. 28 metres has been provided between the rear elevations of properties on Lidgett Grove and the northern gable of Plot 14, with 35 metres provided to the same elevations from Plots 15 to 19.

4.12 A provision of 21 metres is generally required between facing two storey elevations, with 10 metres provided between gardens boundaries to protect privacy. Plots 1 and 5 to 19 meet the aforementioned requirements and are of a similar design to the surrounding properties (both in terms of height and external characteristics), therefore the visual and residential amenity impact is considered to be negligible in this instance.

4.13 The Farlington units (originally Plots 17 to 19) now Plots 2,3 and 4 have been relocated in a more central position with the dormer windows facing the rear of Lidgett Grove Methodist Church. These properties unlike the others contain second floor accommodation which require dormer type windows within the northern elevation giving an overall height of 10.2 metres. Condition 5 of outline application 05/00319/GRG3 restricted the building height to 8.8 metres, unless otherwise agreed in writing with the Local Planning Authority.

4.14 The wording of the condition, therefore, allowed a degree of flexibility in determining the height of the dwellings at the detailed application stage. It is considered that the overall visual and residential amenity impact from the 2.5 storey dwellings is acceptable in this instance for the following reason

4.15 The dormer windows will overlook the rear elevation of the aforementioned church only and represent little harm to the residential amenity of those properties adjoining the site.

4.16 The Ewhurst type properties proposed in Plots 1 and 5 replace the originally proposed Fulford and Cotterdale house types. The Ewhurst house type measures 8.7 metres in height, which is 0.3 metres and 0.8 metres higher than the Fulford and Cotterdale house Types respectively. Accommodation has been provided within the roof space with the inclusion of a low level dormer window. These house types are comparable with the two storey dwellings that dominate the application site in terms of height and do not replicate the 10.2 metre high Farlington house types.

HIGHWAY ISSUES

4.17 Revised Highway comments are awaited. Members will be updated at the Committee.

AFFORDABLE HOUSING

4.18 At the time of outline approval the threshold for affordable housing stood at 25 dwellings. As the applicant indicated a provision of between 14 to 18 dwellings, no conditions were included requiring affordable housing on this site.

EDUCATION AND OPEN SPACE CONTRIBUTIONS

4.19 Contributions by the applicant have been agreed by a Section 106 agreement dated 30th May 2007.

5.0 CONCLUSION

The applicants' proposals are considered to be acceptable in this instance and are therefore recommended for approval.

6.0 RECOMMENDATION: Approve

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

SK/07 - Proposed Cross Sections.
8003/10A - Topographical Survey.
SK/06 - Proposed Site Layout (Rev C)
Plans and Elevations - Dated 14th May 2007 "Cotterdale".
PD1 - Plans "Cotterdale".
PD2 - Elevations.
Plans and Elevations - Dated 14th May 2007 "Fulford".
PD1 - Plans "Fulford".
PD2 - Elevations "Fulford".
PD1 - Plans "Farlington".
PD2 - Elevations "Farlington".
WD1 - Plans and Elevations.
Dacre - Plans and Elevations
Ewhurst - Plans and Elevations

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.

2 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 Classes A to H of 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.

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| 3 | LAND1 | IN New Landscape details |
| 4 | HWAY18 | Cycle parking details to be agreed |
| 5 | HWAY20 | Residential garage use only |

6 The development shall not commence until details of the internal road layout and street lighting have been submitted to, and approved in writing, by the Local Planning Authority. No building/dwelling shall be occupied until the internal road has been provided, up to base-course level, in accordance with such approved plans. The wearing course shall be laid within two years of the base-course being laid or prior to the occupation of the penultimate house, whichever is the sooner.

Reason: In the interests of road safety.

7 The development shall not commence until details of the proposed 1.8m high lockable gate to Lidgett Grove have been submitted to and approved in writing by the local planning authority. The gate shall be erected as approved prior to the first occupation of any house on the site and maintained as approved thereafter.

Reason: In the interests of crime prevention and to ensure a satisfactory appearance.

8 The development shall not commence until details of an additional 1.8m high lockable gate to the side of plot 19 to control access to the footpath/cycleway link to Lidgett Grove have been submitted to and approved in writing by the local planning authority. The gate shall be erected as approved prior to the first occupation of any house on the site and maintained as approved thereafter.

Reason: In the interests of crime prevention and to ensure a satisfactory appearance.

9 The development shall not commence until details of gates to the side of plots 7, 11 and 14 sufficient to prevent unauthorised access to the rear have been submitted to and approved in writing by the local planning authority. The gates shall be erected as approved prior to the first occupation of any house served by the relevant rear access and maintained as approved thereafter.

Reason: In the interests of crime prevention and to ensure a satisfactory appearance.

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 visual and residential amenity. As such the proposal complies with PPG3 and Policies GP1, H4 and T4 of the City of York Development Control Draft Local Plan.

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