

COMMITTEE REPORT

Date: 7 August 2014 **Ward:** Dringhouses and Woodthorpe
Team: Major and Commercial Team **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 14/00790/GRG3
Application at: Acomb Wood Acomb Wood Drive York
For: Construction of additional footpath from Ashbourne Way to Quaker Wood Pub and extension of existing path from Girvan Close to Lomond Ginnel
By: City of York Council
Application Type: General Regulations (Reg3)
Target Date: 29 May 2014
Recommendation: Approve under General Regs 3 Council Dev

1.0 PROPOSAL

1.1 The application seeks permission to form a new pedestrian footpath through Acomb Wood to link Ashbourne Way and The Quaker Wood PH entrance and to extend the existing path from the Given Close entrance to Lomond Ginnel.

1.2 The application is reported to Sub-Committee because it has been submitted by the City Council and an objection has been received.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175
Schools GMS Constraints: Woodthorpe Primary 0239

2.2 Policies:

CYGP1 Design
CYT2 Cycle pedestrian network
CYNE1 Trees, woodlands, hedgerows
CYGP15 Protection from flooding

3.0 CONSULTATIONS

INTERNAL

Flood Risk Management Team

3.1 The development is in low risk Flood Zone 1 on the basis the footpath is constructed of porous materials no objections are raised.

Design, Conservation and Sustainability

3.2 No objections but request a construction detail condition

EXTERNAL

Dringhouses/Woodthorpe Planning Panel

3.3 No objections

Neighbour Notification/Publicity

3.4 One letter of objection on the grounds that the path is not of a natural material and would disfigure the wood. It would also lead to drunken revellers returning from the Quaker Wood and cyclists and motorcyclists using it as a race track. It will also give better access to fly tippers.

4.0 APPRAISAL

4.1 Key issues:

- Visual impact
- Neighbouring amenity
- Trees
- Drainage

4.2 The National Planning Policy Framework (NPPF) (March 2012) sets out the Government's overarching planning policies. It sets out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take the opportunities available for improving an area should not be accepted. High quality and inclusive design should create well-mixed and integrated developments which avoid segregation and have well planned public spaces that bring people together and provide opportunities for physical activity and recreation.

4.3 The York Development Control draft Local Plan was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications although it is considered that their weight is limited except when they are in accordance with the NPPF.

4.4 The relevant City of York Council Policies are GP1, T2, NE1 and GP15a. Policy GP1 states that development proposals will be expected to (i) respect or enhance the local environment; (ii) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.5 Policy T2B states that consistent well connected cycle routes and dedicated pedestrian and cycle route networks are supported in accordance with both the City Of York Highway Design Guide and the Intuition of Highways and Transportation, "Providing for Journeys on Foot".

4.6 Policy NE1 seeks to protect trees, woodlands and hedgerows which are of landscape, amenity, nature conservation or historical value by refusing development proposals which will result in their loss or damage.

4.7 Policy GP15a amongst other criteria states that all applications in the low to medium risk(2) or high risk(3) areas should submit a Flood Risk Assessment (FRA) providing an assessment of additional risk arising from the proposal and the measures proposed to deal with these effects. Developers must satisfy the Local Planning Authority that any flood risk will be successfully managed with the minimum environmental effect and ensure that the site can be developed, serviced and occupied safely.

SCHEME

4.8 The application seeks permission to create a new pedestrian footpath through Acomb Wood and extend an existing one. The new path would follow an existing desire line which has been created by pedestrians using the wood as a cut through from Ashbourne Way and the Quaker Wood Public House. The path would measure approximately 370m in length. It would run under the canopy of the existing trees but would only run in close proximity to the rear boundary of approximately 6 dwellings.

4.9 The extension to the existing footpath would only run for approximately 45m and again would follow the route of an existing desire line which is clearly visible on site and runs through an open grass area.

4.10 The footpath would be formed of a geotextile membrane which will be laid on top of the existing ground level. Up to 150mm of porous crushed recycled building material will be laid on top and held in place by timber edging. The edging will be held in place by metal or wooden stakes. The surrounding ground level would be re-profiled to the timber edging to prevent a trip hazard.

4.11 At present, whilst the path is established, it is very damp and muddy under foot. The area is extensively used as a cut through and by dog walkers. The raising of the path and the formation of a hard surface would enable the route to be more accessible and easier to negotiate when the weather is inclement.

TREES

4.12 The proposed footpath will follow the route of the existing desire line through the wood. As the route is already well trodden the land is relatively well compacted and follows a natural route avoiding low branches and low lying foliage. As a result there will be no requirement to lop any branches or remove any of the trees from site in order to facilitate the footpath.

4.13 The construction method of the footpath also means that there will be no impact upon the rootzone of the existing trees on site and there would be no excavation works involved.

DRAINAGE

4.14 The proposed development is in a low risk of flood Zone 1. The site is relatively flat in nature and is served by a number of field drains which run through the site. As the proposed surface is to be porous there would be no surface run off and as such no issues are raised.

RESIDENTIAL AMENITY

4.15 In terms of residential amenity the proposed foot path would be separated from the rear boundaries of the dwellings at a distance of approximately 8m. High timber fences and retained vegetation are present to these rear boundaries. It is considered that there would be little impact upon residential amenity particularly bearing in mind that the route where the footpath would be located is already heavily used as a cut through by pedestrians and the surfacing of the path would be unlikely to attract additional visitors.

4.16 Concerns have been expressed that the path would encourage motorcyclists to use the woods as an amenity area.

However, it is considered that as the route is already present and well established and the land is already compacted, making riding easy, the laying of a loose gravel path would be unlikely to attract users to the area.

In addition the access to the path close to Ashbouorne Way, closest to the residential properties, is not sufficiently wide enough to allow for a motorcycle to access the site.

5.0 CONCLUSION

5.1 It is considered that the proposed path would not have any detrimental impact upon the amenities of nearby residential properties and the surfacing would not have any detrimental impact upon the character of the area.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve under General Regs 3 Council Dev

1 TIME2 Development start within three years -

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

Drawing 'Proposed Path Acomb Wood, Method Statement for Acomb Wood Footpath and Flood Risk Assessment

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

3 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a construction detail for the no-dig footpath with special regard to the protection of the existing trees.

Reason: To ensure protection of existing trees during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

7.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH
In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application.

In order to achieve a positive outcome The Local Planning Authority attached appropriate conditions to the planning permission.

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