

	
	<p>Application Type: Approval of Reserved Matters</p> <p>Application Number: 14/01310/REM</p>

REPORT OF: DEVELOPMENT CONTROL MANAGER

WARD AFFECTED: PONTEFRACT SOUTH

SUBJECT: RESIDENTIAL DEVELOPMENT 22 NO DWELLING (RESERVED MATTERS PURSUANT TO OUTLINE APPROVAL 13/02705/OUT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) AT Land Off Wakefield Road Town End Pontefract West Yorkshire WF8 4HWBY MR DUFFY, MR DUFFY & MR DAVIES C/O MR MICHAEL TOWNSEND

THE SITE

The application site comprises land close to the centre of Pontefract comprising approximately 0.78 ha of land which is partially the residential curtilage of The Priory which is now vacant. There are storage containers located to the west of the site and the remainder of the site is open land. The site was previously part of a sand quarry and the levels to the southern boundary rise steeply with quarry face to the south west of the site. There are a number of trees within the site which are protected by Tree Preservation Order and Friarwood and Button Park Conservation Area is located to the east together with a number of Buildings of Local Interest.

The site is located in a mixed use area with residential development directly abutting the northern and eastern boundaries. There is an area of woodland to the south and west of the site with allotments and further residential development beyond.

THE PROPOSAL

The proposal is seeking reserved matters approval for a residential development of 22 number dwellings.

The principle of development, along with the access details have been approved under Outline application 13/02705/OUT. The current proposal is seeking approval of reserved matters of layout, appearance, landscaping and scale.

Access to the proposed dwellings is to be taken from a single point off Wakefield Road to the

west of the Townend Junction. The proposed dwellings would all be served from an internal estate road.

The proposed dwellings would comprise of 21 number 3 bedroom townhouses and 1 number 2 bedroom townhouse. Proposed plots 1-7 would have frontages onto Wakefield Road and gardens and parking spaces to the rear. Proposed plots 8-11 would be located to the eastern side of the site and would have gardens to the rear and driveways to the front and side. Proposed plots 12-19 would form two groups of four dwellings positioned within the central area of the site. These dwellings would have driveways to the front and gardens to the rear. Plots 20-22 would be positioned close to the western site boundary and would have parking spaces to the front and gardens to the rear.

Four different house types are proposed; each house type is a traditional pitched roof design. House types A, B and C, which account for plots 1-9, 12, 15 and 20-22, would be two storeys in height. House type D, which would form plots 10-11, 13-14 and 16-19 would be two and a half storeys in height, with second floor accommodation set within the roof space and served by dormer windows to the front and rear.

PLANNING HISTORY

The most relevant planning history for the site comprises of:

13/02705/OUT Outline Application for 22no. Dwellings (access only) together with demolition of existing dwelling and removal of commercial uses Application Approved 11.02.2014

REPRESENTATIONS

The application has been publicised by site notices and press advert.

Letters of Objection

Four letters of objection have been received which raise the following concerns:

- Overdevelopment
- Access and highways
- Removal of trees
- Loss of habitat
- Light and noise pollution

Letters of Support

None received

Letters of Comment

One letter of comment has been received which raises the following issues:

- Loss of privacy
- Cost of maintenance of access road
- Future requests for removal / cutting of trees
- Commercial use is most suitable for the site
- Former quarry land should be filled in and left to settle prior to any development and surveys should be completed
- Bats have been seen at the site

The development proposal has been discussed with the Chair and Deputy Chair of the Planning and Highways Committee. Authority has been given to determine the application using delegated powers.

CONSULTATIONS

Arboriculture Officer – No objections, supports the planting proposals.

Air Quality Management – No comments received

Land Drainage – Conditions have been attached to the outline application

Land Quality Officer – No comments required, noted that relevant conditions apply to the outline consent.

West Yorkshire Joint Authority (Metro) – Request a developer contribution of £10,466.50 for resident travel cards.

Highways – Initially noted that the integral garages for house type D are substandard in size and requested clarification regarding parking spaces. Following the submission of amended plans, confirmed no objections subject to a condition for surfacing.

West Yorkshire Police ALO – Recommends conditions for security measures

Strategic Housing – Affordable housing should equate to up to 30% of the total number of dwellings. The specific requirements are 5 x 2bed 4 person houses and 2 x 3bed 5person houses. The properties should also meet a 70/30 tenure split for rent and intermediate rent/shared ownership.

Conservation Officer – details are acceptable; no objections.

Environmental Health – No comments received

ALLOCATION AND POLICIES

The site is located within the urban area of Pontefract in the Council's adopted Site Specific Policies Local Plan. The Friarwood and Button Park Conservation Area (CA29) abuts the site to the eastern boundary and there is a row of Locally Listed buildings (BLIs) within the Conservation Area to the east of the site. There is a Tree Preservation Order on the woodland to the rear of the site. The site is in an Air Quality Management Area, a mineral safeguarding area and a Coal Authority Standing Advice Area. The site is also located in an area where there are records of bats.

The Site Specific Policies Local Plan also includes Policy SSP1 regarding the presumption in favour of sustainable development. In this regard the plan is not out-of-date or silent with regards to this proposal and therefore the development plan must be afforded full weight.

The application site is located adjacent to a Conservation Area. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving and enhancing the character and

appearance of the Conservation Area.

The following policies and guidance are considered to be relevant to the current proposal:

Development Policies Document

- D7 Trees and Woodland
- D9 Design of New Development
- D14 Access and Highways
- D15 Safety and Security through Design
- D18 Development Affecting Historic Locations

Due regard has also been given to SPG 2 (the Residential Design Guide) and the Street Design Guide.

National Policy

National Planning Policy Framework (NPPF)

ASSESSMENT

EIA Screening Opinion

An EIA Screening Opinion has been undertaken. It is considered that the proposals do not warrant the submission of a full Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

Principle of Residential Use

The principle of development of the land for 22 no dwellings has been established with the granting of outline permission for application 13/02705/OUT. The new access details have also been approved. As such this application seeks approval for the remaining reserved matters; this application is therefore assessed on the basis of the layout appearance, landscaping and scale of the development.

Layout

Policy D9 requires proposals to respect the character of the locality and to have no significantly detrimental impact upon the amenity of neighbouring users.

The proposed dwellings would be arranged in a manner which accords with the recommendations of the adopted Residential Design Guide. It is considered that the layout of the proposed dwellings would not result in significant harm to the amenity of existing neighbouring residents by way of overlooking, oppressiveness or overshadowing. Furthermore, it is considered that the proposed dwellings would not be detrimentally impacted upon by the retained trees and changes in land levels within the site.

Letters of objection have raised concerns that the development would result in light and noise pollution. However, given the scale of the development and the layout of the proposed dwellings in relation to neighbouring properties, it is considered that there would be no significant harm to environmental amenity by way of noise, light pollution or any other associated disturbance.

The proposed dwellings would each have sufficient private outdoor amenity space and it is considered that the layout of the development would provide a good quality standard of housing amenity for future occupiers. The proposal accords with policy D9 and guidance in the RDG in

this respect.

The submitted details include boundary treatments, which would be 1.8 metre fencing and 1.8 metre screen walls. It is considered that the boundary treatment details are acceptable and would maintain amenity levels for neighbouring occupiers and provide acceptable amenity levels for future occupiers.

Policy D7 states that where development would result in the loss of trees or hedgerows it will only be permitted if it can be clearly demonstrated that development cannot reasonably be redesigned, the need for the development outweighs any harm to ecological or landscape value and harm can be reduced to acceptable limits through implementation of positive mitigation measures on site.

The principle of the removal of trees from the site was assessed at outline stage and deemed to be acceptable. The supporting information submitted with the outline application showed that the trees to be removed are low level specimens. The details now submitted would not require the removal of any additional trees to what was shown on the indicative site plan at outline stage. The Council's Arboriculture Officer has been consulted and has not raised any objections to the proposals.

Although the proposal would result in the loss of trees covered by tree preservation order, supporting information demonstrates that the trees affected are poor quality. In view of this it is considered that the redevelopment of the site for housing is acceptable. The proposal is considered to accord with policy D7.

Policy D15 requires proposals to minimise opportunities for crime. The Police ALO has recommended conditions for security measures. No specific security details have been submitted as part of this application, Subject to a relevant condition for security measures, it is considered that the proposal sufficiently accords with policy D15.

Scale

The proposed new dwellings would be town houses with accommodation over two and three floors; the second floor accommodation of the D house types being within the roof space. It is considered that the scale of the proposed dwellings is appropriate for this location. With reference to impacts on residential amenity, the proposed dwellings meet the guidance for space about dwellings set out in the Council's Residential Design Guide and it is considered that the scale of development would not appear significantly oppressive to neighbouring occupiers. Windows and doors would be concentrated to the front and rear elevations of the proposed dwellings and would not result in the introduction of any significantly harmful overlooking. A condition controlling the addition of any windows to the gable end side elevations is recommended in order to prevent overlooking towards neighbouring occupiers in the future.

In terms of the parking standards; Highways initially noted that the integral garages for the D house types are insufficient to contribute to the parking provision for these dwellings. The driveways for these plots have been increased in length so that two spaces can be provided discounting the garages. The remainder of the proposed dwellings would each have two parking spaces per dwelling. Highways have raised no objections and the parking standards are met. It is considered that the proposed parking arrangements are acceptable in relation to the scale of the proposed development. In addition, highways have not raised any objections to the internal layout of the development. It is therefore considered that the proposal accords with policy D14 and the guidance contained in the Street Design Guide.

Appearance

The new dwellings shown on the submitted plans are of traditional appearance, and feature aesthetically acceptable proportions and a reasonable level of architectural detailing. Only plots 1-7 would have a prominent public appearance. The Conservation Officer has stated that the details of the proposed dwellings are considered to be acceptable. It is considered that the appearance of the proposed dwellings would respect the character of the locality, and would preserve the character of the nearby Conservation Area. The proposal is considered to accord with policies D9 and D18 in this respect.

A condition requiring details of the external materials to be used in the construction of the proposed dwellings is recommended.

Subject to such a condition, it is considered that the proposed dwellings and flat would not be discordant with the character of the area and would not be significantly detrimental to the visual amenity.

Landscaping

The development includes the removal of a number of protected trees. The principle of the removal of trees to facilitate the development was considered at the outline stage and was deemed to be acceptable in this instance.

The proposal includes the retention of a large number of trees to the perimeter of the developed area as well as the replanting of new trees. The Arboriculture Officer has confirmed that the replanting scheme is supportable and it is considered that this would mitigate some of the harm to amenity caused by the removal of the existing trees.

The proposed landscaping details also include communal block paved and turfed areas. The rear gardens of the proposed dwellings would have 1.8 metre screen fencing. It is considered that the landscaping arrangements would provide an acceptable standard of amenity for future occupiers and would also preserve the amenity of neighbouring occupiers and the character of

the locality.

It is therefore considered that the layout scale, appearance and landscaping of the proposed development would respect the character of the locality and would not be detrimental to amenity. The proposal is considered to accord with policies D7, D9 and D18 and guidance contained in the NPPF in respect of design.

Affordable Housing

Condition 30 of the Outline approval secures the requirement for affordable housing provision and this condition does not require replication at this stage. It is noted that Strategic Housing have requested that the on site affordable housing provision includes 5 number 2 bedroom houses. The submitted scheme includes only 1 number 2 bedroom house. This has been brought to the applicants attention but the applicant has requested that the proposal is determined as submitted and the affordable housing requirements be left to be resolved at the discharge of conditions stage.

Other Issues

The following issues have been raised which have not been addressed above:

Overdevelopment: The number of dwellings was assessed at the outline stage and was deemed to be acceptable. The scale of the proposed dwellings is considered to be suitable.

Access and highways: The access arrangements were considered at the outline stage and deemed to be acceptable. The internal layout of the site would allow for sufficient parking provision as detailed above. The cost of the maintenance of the access road carries little weight in the assessment of the application.

Loss of habitat / Bats have been seen at the site: The ecology implications of developing the site were assessed at the outline stage and deemed to be acceptable. The case officer report for the outline application stated that:

“WYE have raised some concerns regarding the impact of residential development on the woodland and the fact that the layout could change for the worse at reserved matters. Following submission of additional supporting information, they have suggested conditions that require provision of a hedgerow between the housing development and the woodland together with production and implementation of a biodiversity management plan for the woodland including the new hedgerow, to include maintaining mature and over mature native trees and restocking the woodland with both canopy and shrub layer native tree species.

Given that the retained trees are at a higher level than the housing development (on the top of the quarry face) it is considered that the hedgerow may not provide a significant biodiversity enhancement. In view of the fact that the detailed layout and design of the site, including boundaries, would be a reserved matter it is considered that this should be fully assessed during any application for the detailed design. However, it is considered to be appropriate to attach a condition for production and implementation of a biodiversity management plan at this stage to protect the ecological value of the site. “

The layout has not significantly changed from the indicative scheme submitted at reserved matters stage. It is considered that the biodiversity management plan, which has already been secured by condition, is sufficient to protect the ecological value of the site.

Commercial use is most suitable for the site: The principle of residential development has already been accepted.

Former quarry land should be filled in and left to settle prior to any development and surveys should be completed: Matters of land quality and stability were considered at the Outline stage and the development was considered to be acceptable in this respect, subject to the relevant conditions of the outline application for on-site investigations.

CONCLUSION

It is concluded that the layout, appearance, scale and landscaping details of the proposed development are acceptable and would respect the character of the locality and provide acceptable standards of amenity for existing and future residents. The proposal is considered to accord with relevant policy and guidance and approval is therefore recommended.

RECOMMENDATION

Approve subject to the following condition(s) and reason(s):-

1. The following reserved matters are hereby approved: (i) The layout of the site (ii) The appearance of the buildings and/or structures; (iii) The scale of the buildings and/or structures; and (iv) The landscaping of the site.

Reason: In accordance with condition 3 of approved outline application 13/02705/OUT, dated 11.02.2014

2. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking or re-enacting that Order) no further doors, windows or any other openings shall be created in the side elevation(s) of the dwellings hereby approved.

Reason : In the interests of the amenity of the occupiers of neighbouring properties in accordance with policy D9.

3. Standard Condition 05301A: Details of external materials

4. The development hereby permitted shall incorporate measures to minimise the risk of crime and meet the specific security needs of the application site and the development. Details of the measures to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing and shall be implemented before the development is first occupied and retained thereafter.

Reason: In pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998; in accordance with Policy D15 of the Local Development Framework DPD; and the interest of personal safety and crime prevention.

5. The development shall not be brought into use until all areas indicated to be used for

vehicles and pedestrians on the approved plan have been laid out with a hardened, sealed and drained surface. Provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. Such areas shall be retained as such for the lifetime of the development.

Reason: In the interest of amenity and traffic safety. To ensure adequate space within the site for vehicle movements and parking in accordance with Policy D14 of the Local Development Framework.

This recommendation is based on the following plans(s):-

Plan Type	Reference	Version	Date Received
Site Plans	PLANNING LAYOUT	PL/001 rev A	07.10.2014
Application Form			13.06.2014
Site Plans	LANDSCAPE PROPASALS	WRP/381/01	13.06.2014
Location Plan		OS A	13.06.2014
Proposed Elevations	TYPE A	A/01	13.06.2014
Proposed Floor Plans	TYPE A	A/02	13.06.2014
Proposed Plans	TYPE B	B/01	13.06.2014
Proposed Elevations	TYPE C	C/01	13.06.2014
Proposed Elevations	TYPE D	D/01	13.06.2014
Proposed Floor Plans	TYPE D	D/02	13.06.2014
Proposed Floor Plans	TYPE C	C/02	13.06.2014
Applicant/Agent Letter	COVERING LETTER		13.06.2014

Note(s)

1. Standard Informative COAL1: Coal Authority Standing Advice

REPRESENTATIONS

E Parker - 4 Mill Hill Road Pontefract WF8 4HR	Object
Mr John O E Holmes - 5 Mill Hill Lane Pontefract WF8 4JA	
Ms Victoria Smith - 108 Hertford Road London N9 7HL	Object
mrs paula smith - 29 wakefield road pontefract wf8 4hw	Object

Mrs Rosamund Smith - 53 Wakefield Road Pontefract WF8 4HW

Object

Case Officer: Tom Shiels 01924 30 6593