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BUSINESS SUPPORT

Planning Application for the erection of 17 dwellings on land at
Wolsey Avenue, Cawood.

DESIGN AND ACCESS STATEMENT
JOHN HOWLETT PLANNING APRIL 2015

1.0 INTRODUCTION

- 1.1 The application site is located to the north west of Wolsey Avenue, which is located approximately 95m from its junction with Sherburn Street. Sherburn Street runs in a north east/south west direction, linking Cawood with Sherburn in Elmet. It is County Classified B1222.
- 1.2 The extent of the application site, which extends to 12950 m² is shown edged in red on the plan below.



- 1.2 The only buildings of significance on the application site are 2 garages located between 11 Castle Close and 12 Bishop's Close. To the rear of this area is an enclosed play area. The remainder of the site is open and undeveloped, being given over to grass land. The view of the site from Wolsey Avenue is shown on the photograph below:

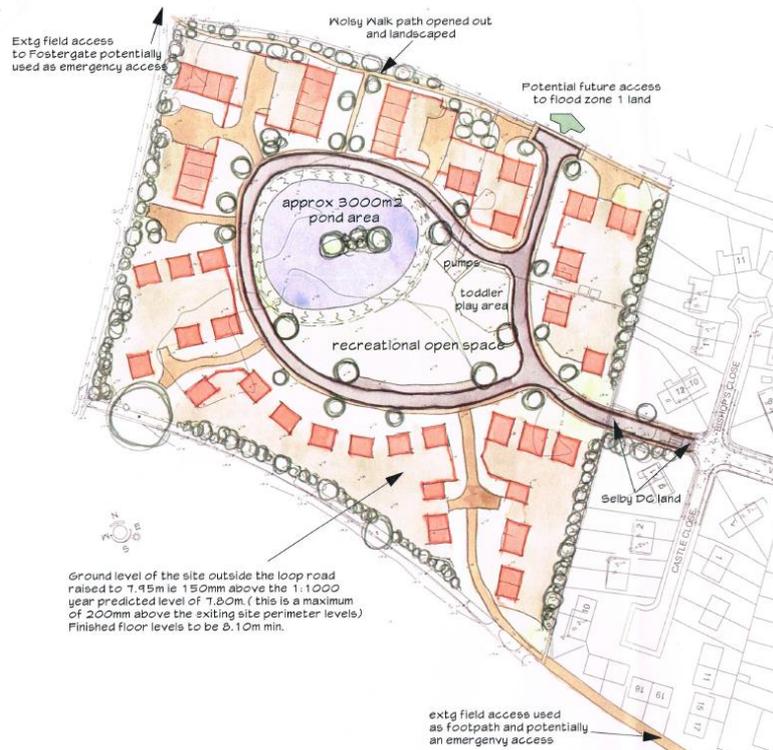


- I.3 The means of enclosure are generally defined by a post and wire fence. There are no hedges of significance. Trees are limited on the site and none are believed to be protected by a Tree Preservation Order.
- I.4 The site can be seen from the Wolsey Way to the north of the application site. The view of the site is shown on the photograph below. Here, the rear of existing residential development on Bishop's Close and Castle Close can be seen.



2.0 PLANNING HISTORY

- 2.1 Planning application 2014/1110/OUT was submitted on 27 October 2014 for the erection of residential development, creation of access road and associated public open space.
- 2.2 The illustrative drawing accompanying this application is shown on the drawing below:



- 2.3 This application was refused on 23 January 2015 for the following reasons:

1. The application site is located within flood zones 2 and 3a. The NPPF states that all proposals located in flood zones 2 and 3a requires a sequential test to determine whether there are any reasonably available sites at less risk of flooding that could accommodate the development. The Sequential Test should be undertaken at District Level. The applicant has failed to submit information at a District Wide Level to demonstrate that the Sequential Test can be met. The proposed residential development is therefore considered to be unacceptable and contrary to the NPPF.

2. The site is not designated for nature conservation, however, it is grassed by pasture/meadow land which contains trees and hedgerows whereby there could be potential for breeding birds and foraging bats and is also located within close proximity to Castle Garth ponds which are known to support Great Crested Newts in addition to other watercourses. The application is not accompanied by a Phase I Ecological Report to establish whether there are any protected species present or if they are whether the appropriate mitigation measures could be incorporated in order to make a proper assessment against Policies ENVI(5) of the Local Plan, Policy SPI8 of the Core Strategy and the NPPF with respect to nature conservation.

3. The applicant has failed to comply with the requirements of the NPPF in so far as the application is not accompanied by a Heritage Statement or Archaeological Evaluation in order to identify and describe the nature and significance of any surviving archaeological remains and thus establish the impacts on non-designated heritage assets. The site lies within an area of archaeological interest as the site sits within a landscape of Roman activity and insufficient information has been received to allow a full assessment to be undertaken in respect of Policy ENVI of the Local Plan and SPI9 of the Core Strategy and paragraph 128 of the NPPF.

2.4 Subsequent to the refusal of the above planning application, Brian Scott Designs LLP has continued a dialogue with Officers at the Council. This has informed the resubmission of this application. Advice received principally relates to the need to steer development within the site to those areas which are within Flood Zone 1 and away from those areas in Flood Zones 2 and 3a. It has been acknowledged that garden areas of dwellings and means of access can fall outside of flood zone 1. It was also confirmed that a Sequential Test would not be required if the form of development kept the footprint of the dwellings inside flood zone 1, leaving the means of access, gardens and play area in flood zones 2 and 3. Further to this Brian Scott Designs LLP undertook a discussion with the Highways Authority who advised the use of private drives to serve the whole development was acceptable.

3.0 THE PROPOSAL

- 3.1 The proposal is an application for the residential development of the site. It is submitted in outline, with means of access and layout unreserved for determination at this stage.
- 3.2 The application planning application comprises this statement together with the following:

Application forms and ownership certificate.

Drawings by Brian Scott Designs LLP

Location Plan at 1:1250 Drawing No: 1518 Location/b

Site Plan at 1:500 scale Drawing No: 1518 siteplan 500/b

Site Plan at 1:1250 scale Drawing No: 1518 siteplan 1250/b

Topographical Survey Drawing No: 1576/001

Drainage proposals are by Stevenson Associates and comprise drawing SE20/D/1 with the supporting calculations on an unnumbered drawing.

MM Planning have provided the contaminated land assessment and associated flood risk assessment.

Archaeological Evaluation by Past Search.

Great Crested Newt Assessment by Wold Ecology

- 3.3 The Town and Country Planning Development Management procedure order sets out the requirement to submit a Design and Access Statement with applications. It also advises as to their content.

The Design.

- 3.4 The site comprises an area of land to the north west of Wolesey Avenue. Save for the presence of existing garages and play area, it is grassed, open and undeveloped. The site levels generally fall from north west to the south of the application site. The change in level and need to keep the footprints of proposed dwellings outside flood zones 2 and 3 represents a significant constraint in delivering housing on this site. The layout response is set out below, with flood zone 2 shown edged in blue:



- 3.5 The layout shows the means of access as per the previous application from Wolesey Avenue, with the provision of an open space immediately located to the side of the access road. The main principle adopted in developing the layout has been to provide an immediate sense of openness upon arrival in the site using the play space to achieve this aim. The play space is overlooked by proposed dwellings to provide security for its users and also to give the effect of a small green. The layout is more organic in its nature than the regimented development of Bishop's Close and Wolesey Avenue and this has been done to provide a distinct and clear difference in the evolution of this part of the village.

- 3.6 The Village Design Statement notes there is a marked change in the style and layout of buildings along Bishopdyke Road. The properties on the northern side of Bishopdyke Road range from modern properties built on the site of the former Bay Horse public house. There is a large estate of 1950s Council built semi-detached houses forming the outer section of the village, all brick built with pan tiled roofs, and set in large plots. Some of these properties have been sympathetically extended and developments such as garages and conservatories have been included. There are also a small number of bungalows built with the same brick & pan tiles.

Means of Access

- 3.7 Consistent with the discussions which have taken place between Brian Scott Designs LLP and the Highways Authority prior to the submission of this application, the use of private roads to serve the development is considered acceptable. There is a simple hierarchy extending from the main access point through to the small informal cul de sac arrangements which serve the remainder. The road widths have been kept to a minimum width to provide an informal shared surface arrangement.
- 3.8 Regular bus services run through the village to York and Selby. Limited services elsewhere are also available. Pedestrian access to services within the village can be accessed along Sherburn Road.

4.0 Planning Policies

- 4.1 Relevant to the determination of this application is the National Planning Policy Framework (NPPF). This together with the Development Plan form the basis of decisions on planning applications in the area.
- 4.2 The following policies from the Selby Core Strategy Local Plan are considered pertinent:
- SPI Presumption in favour of sustainable development
 - SP2 Spatial development strategy
 - SP5 Scale and distribution of housing
 - SP8 Housing Mix
 - SP9 Affordable Housing

SPI2 Access to services, community facilities and infrastructure.

SPI5 Sustainable development and climate change

SPI6 Improving resource efficiency

SPI8 Protecting and enhancing the environment

SPI9 Design Quality

4.3 Selby District Local Plan contains the following policies of relevance:

ENVI Control of Development

ENV2 Environmental Pollution and Contaminated Land

ENV28 Archaeology

T1 Development in relation to highways

T2 Access to roads

T7 Provision for cyclists

RT1 Recreational open space

RT2 Additional recreational open space

CS6 Developer contributions to infrastructure and community facilities.

4.4 Other Guidance of relevance is listed below:

Selby District Council: Affordable Housing Supplementary Planning Guidance 2013

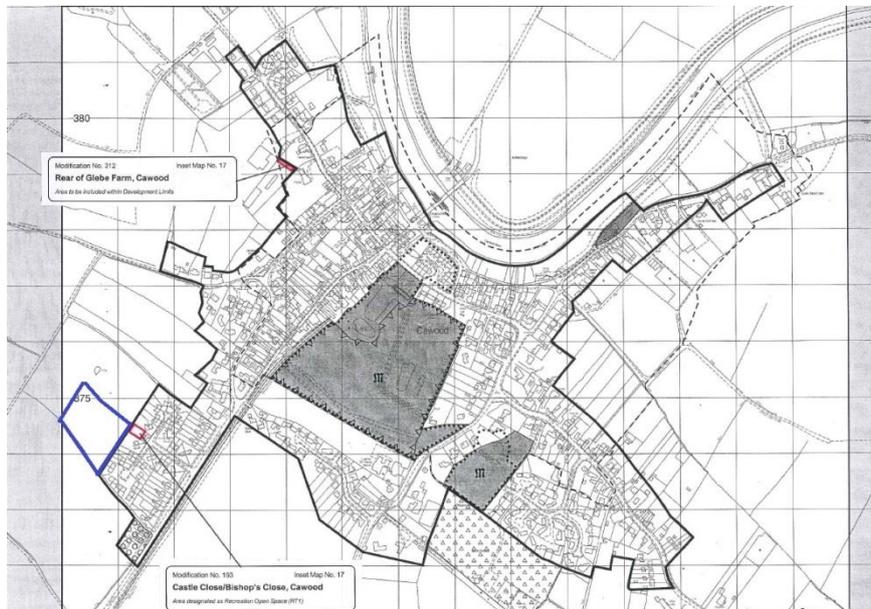
Selby District Council: Developer Contributions Supplementary Planning Guidance 2007

Cawood Village Design Statement 2012

5.0 Analysis

Principle of Development

- 5.1 Policy SPI of the Core Strategy confirms that when considering applications for planning permission, the Council will take a positive approach which echoes the presumption in favour of sustainable development contained in the NPPF.
- 5.2 The development limit for Cawood is defined in the Selby District Local Plan Map and is set out below. For ease of reference, the sites location is shown edged in blue.



- 5.3 The site therefore, falls outside of the current development limits for the settlement. Policy SP2 relates to the Spatial Development Strategy. It sets out a hierarchy of settlements where development will be directed. Selby is defined as the principal town, with Sherburn in Elmet and Tadcaster filling roles as local service centres. Cawood is one of a number of settlements who sit in the third hierarchy and are known as Designated Service Villages.
- 5.4 Policy SP2 advises that development in the countryside will be limited to the replacement or extension of existing buildings, the re use of buildings preferably for employment purposes and well-designed new buildings of an appropriate scale,

which would contribute to and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with policy SPI3 or meet a rural affordable housing need.

- 5.5 It is clear the proposal would not accord with the aims of this policy. However by virtue of paragraph 47 of the NPPF Local Planning Authorities are required to identify a supply of land for housing purposes which should extend to 5 years supply and make provision for a buffer of 5%. It was recognised when dealing with the earlier planning application, the Council has a record of under delivery of housing. The NPPF at paragraph 14 becomes relevant to the determination of this proposal as it advises that at the heart of the framework is a presumption in favour of sustainable development. For making decisions on planning applications this means that unless material considerations indicate otherwise;

approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

-any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

-specific policies in this Framework indicate development should be restricted.

- 5.6 With respect to the latter point, the site is not protected under the Birds and Habitats Directives, or designated as Sites of Special Scientific Interest; or land designated as Green Belt; or Local Green Space; or an Area of Outstanding Natural Beauty; or Heritage Coast; or within a National Park (or the Broads Authority). Neither is the site constrained by being a designated heritage assets. In encompassing land which is in flood zones 2 and 3 it is in a location which could be at risk of flooding.

- 5.7 In this case, and unlike the preceding planning application, the application site only promotes dwellings located in flood zone 1, with gardens being located in flood zones 2 and 3a. Therefore given the site is without any other constraint identified above, there are no specific policies which would otherwise frustrate the clear delivery of the site for residential development.

- 5.8 In terms of foul water drainage this application is supported by a drainage scheme which demonstrates how the site can be drained and surface water managed, along

with supporting calculations. Critical Storm analysis / general storage requirements and a 1 in 30-year plus climate change Simulation. The maximum outflow is 3 l/s using a 75mm Hydro-brake flow control. The existing sewers are deep enough so as not to need to pump. Therefore it can be concluded the drainage of the site can be the subject of an appropriately worded planning condition to secure its implementation.

- 5.9 With respect to Energy Efficiency the applicant has confirmed the use of renewables energy on site to provide 10% of the developments energy requirements. Again this can be secured by conditions. It can be concluded therefore the proposal meet the policy aspirations of policies SPI5 and SPI6 of the Core Strategy.

Layout, Appearance, Scale and Landscaping

- 5.10 Layout is unreserved for determination at this stage. As acknowledged above the scheme is more organic in its layout than development on Wolsey Avenue. This as confirmed above is due to the constraint of development outside flood zones 2 and 3. The development of the site in the manner proposed will challenge the established and regimented layout of Wolsey Avenue, but will not harm the character of the area. It will read as a natural extension to Wolsey Avenue and the open view achieved through to the open countryside beyond will offer a more pleasing view than that of the current garages.
- 5.11 Provision is made within the layout for structural landscaping which is proposed along the northern side of the access road; the western boundary with the open countryside and to the frontage of most plots. This will go some way to assist in the integration of the proposed development into the surrounding area.
- 5.12 The scale of the development proposed relates to the erection of 2 storey dwellings. It is anticipated the only single storey form of development will be detached garages.
- 5.13 Appearance is left for determination at a later stage. There is no reason why the appearance of the dwellings could not have regard to the design characteristics of the settlement as identified in the Cawood Village Design Statement.

- 5.14 In respect of the mix of house types, Policy SP8 seeks to achieve a mix of house types in any development which reflects the demand and profile of households as evidenced in the Strategic Housing Market Assessment. No detail of housing mix is known, however there is a commitment to the delivery of 6 affordable housing units. Final details of housing mix can be resolved through the submission of a future reserved matters application.

Impact on amenity

- 5.15 The proposal could impact on adjacent residents amenity by virtue of traffic generation and also because the proximity of development to a site boundary could lead to overlooking to an extent that would cause a loss of privacy. Safeguards to prevent this occurrence exist via the application of Policy ENVI (1) of the Local Plan and through paragraph 200 of the NPPF.
- 5.16 The proposal seeks outline planning permission for the erection of 17 houses. In examining traffic generation, reference to traffic generation of proposals in similar locations shows peak hour traffic generation of 0.8 vehicles movements per hour (source TRICS). Therefore the development will give rise to 13 vehicle movements per hour at peak times. This level is not considered to adversely affect the amenities of No 11 Castle Close and 12 Bishop's Close, where the side elevations of these properties face the proposed access road, as their gardens are protected by 2m fences.
- 5.17 In terms of overlooking the closest dwellings to the south eastern boundary are on plots 3 and 7. These dwellings will present side elevations to existing houses on Bishop's Close. An appropriately worded planning condition could be used to ensure that no openings are inserted into these elevations, or where they are, that they are glazed with obscure glass.
- 5.18 Having regard to the above it is considered that the proposal will not give rise to a loss of amenity to adjacent residents.

Nature Conservation and Protected Species

- 5.19 The previous application was refused, in part, as the impact of any development on nature conservation interests could not be established. Notwithstanding the sites use as grass pasture/meadow land it was recognised by the Local Planning Authority

that the site was in proximity to Castle Garth, which is suspected to contain Great Crested Newts.

- 5.20 The applicant commissioned a Great Crested Newt Survey which has been undertaken by Wold Ecology and forms part of this application submission. The site survey and assessment revealed no evidence of Great Crested Newts on the application site. However it recognises that there is a population of Great Crested Newts within 500m of the site. The quality of these habitats has been examined and found to be significantly higher than that of the application site. In any event, whilst Great Crested Newts can travel upto 500m, there are significant barriers between the known sites and the application site, which preclude to a large extent, their existence on the site.
- 5.21 Wold Ecology have examined the impact of the development and provide recommendations in respect of mitigation both in the short and long term, to minimise of the impact of the development on the Great Crested Newt population. Against this background, it is considered that the proposal accords with the aims and objectives of policies ENVI (5) of the Local Plan, Policy SPI8 of the Core Strategy and the NPPF with respect to nature conservation.

Public Open Space

- 5.22 Whilst Policy RT1 of the Local Plan seeks to resist the loss of public open space. The proposed scheme involves the replacement of this recreational space, so there is no net loss of recreational space.
- 5.23 In accordance with policy RT2 the layout provides 1320sqm of play area, which accords with policy RT2 of the local plan and includes provision for that area lost in forming the means of access to the site.

Archaeology.

- 5.24 The lack of an archaeological evaluation submitted with the previous application was reflected in a reason for refusal. This submission is accompanied by a geophysical survey commissioned by Past Search. Figure 4 from the Past Search report is shown below:

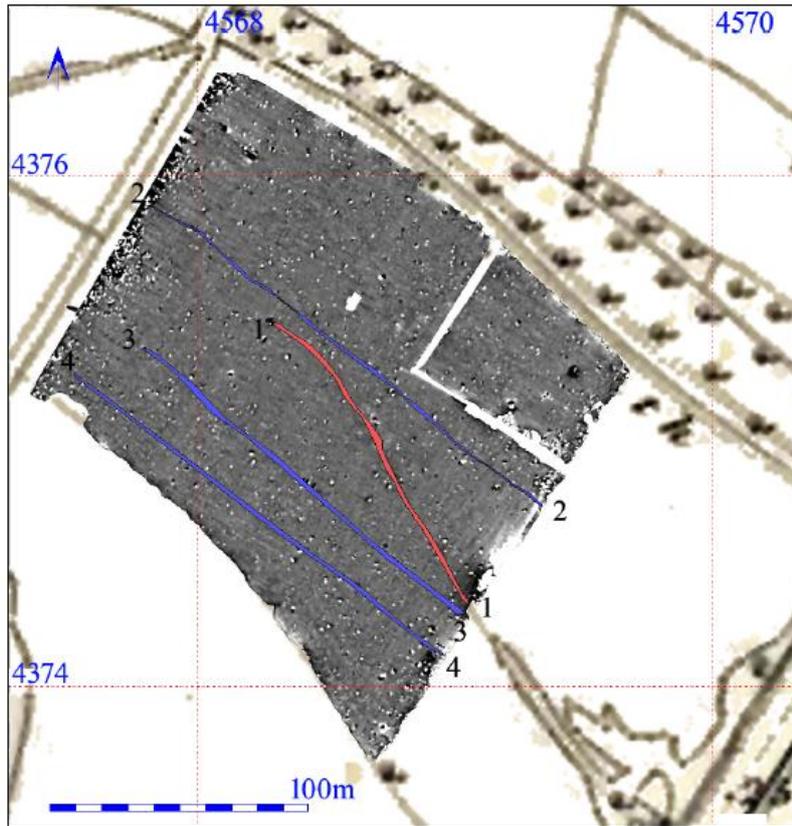


Figure 4 All interpreted anomalies

- 5.25 All of the anomalies in area I were linear, although they were two different characters. Anomaly 1 is a positive, slightly curving anomaly, which appears to stop in the central part of the field. A quick perusal of the 1st Edition Ordnance Survey map (published 1852) shows that the anomaly is caused by the remains of a now removed field boundary (see Figure 1 and Figure 4). The western part of anomaly 2 seems to follow this field boundary, although in the east anomaly 2 is located to the north of the old field edge.
- 5.26 Anomalies 2, 3 and 4 are all similar in magnetic character, all being very weakly positive. Anomaly 4 is slightly different, and exhibits some of the characteristics of a clay field drain, although not along its entire length. It seems most likely that all three of these anomalies relate to the presence of some form of drainage.

6.0 CONCLUSION

- 6.1 This application is in outline, for the development of the site for up 17 dwellings. All matters are reserved save for access and layout. In addressing the concerns identified during the determination of the previous submission, this application promotes a lesser amount of development and limits the location of development to that part of the site inside flood zone 1.
- 6.2 The impact of any development on an archaeological asset has been investigated and nothing of significance noted.
- 6.3 Whilst the impact of the proposal on local ecology has been assessed and appropriate mitigation measures proposed.
- 6.4 The proposal makes best use of land inside of flood zone 1 without compromising the character of the locality or harming interests of acknowledged importance. In approving this application for planning permission, the Council will make a contribution toward meeting the shortfall of housing in the District in a location which is considered acceptable.