

	REPORT TO PLANNING & DEVELOPMENT COMMITTEE TO BE HELD ON THURSDAY, 3 October 2019	
APPLICATION REFERENCE NO: 19/01224/RM	TARGET DATE: 2 October 2019	GRID REF: 504625-484579

REPORT OF THE PLANNING SERVICES MANAGER – PSM/19/196

SUBJECT: Application for all matters reserved in relation to 106 dwellings (HA2 - Phase 4) approved in outline under planning permission reference 11/01914/OL at Land At Ha2 - Phase 4 Middle Deepdale Eastfield Scarborough YO11 3EY for Kebbell Homes

1.0 INTRODUCTION

1.1 The application seeks reserved matters approval for the erection of 106 no. dwellings, access roads, parking and landscaping. The development is proposed on land identified as Phase 4 of HA2 Middle Deepdale, Eastfield relating to the outline planning permission for the wider site, granted under reference 11/01914/OL in March 2013.

1.2 The north western boundary of the site would be defined by the approved link road connecting the A64 with the A615, approved as part of the outline planning permission. The primary vehicle access to the site would be from the south, via the Boulevard, which forms the central residential distributor road through the HA2 site. The application site lies to the north of the Boulevard, on the opposite side of which a primary school is proposed to be constructed. The school and its grounds have recently been granted planning permission by NYCC, as a County Matter. To east of the site is an area of public open space, as approved as part of the outline permission. Whilst the south east corner of the site would abut a development of two-storey flats that are currently under construction for Beyond Housing.

1.3 The proposal involves the erection of a range of two-storey properties, and includes 5 no. two-bed, 62 no. three-bed and 39 no. four-bed dwellings. The dwellings are proposed with traditional elevational treatments in a mix of brick types under tiled roofs.

1.4 The layout of the proposal reflects the pattern of development that has been established through the earlier phases of the development and as set out in the approved Design and Access Statement and Design Code for the wider Middle Deepdale development site. The properties are laid out so as to address the public frontages of the site, i.e. the Boulevard (to the south), the public open space (to the east) and the roundabout junction of the Link Road to the west.

2.0 SCREENING OPINION REQUIRED?

2.1 No. However, the outline application was the subject of an Environmental Impact Assessment and was accompanied by an Environmental Statement.

3.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

3.1 None was undertaken for this phase, although the outline application scheme was the subject of considerable community engagement. The applicant and their architect made a pre-application presentation of the scheme to members of the Committee.

4.0 CONSULTATIONS AND COMMENTS

The following is a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

4.1 Eastfield Town Council - No comments received.

4.2 Highway Authority (NYCC) - No objections in principle. Comments received regarding suggested minor amendments to the scheme, which have been addressed by the scheme architect. Formal comments awaited.

4.3 Environmental Health (SBC) - No objections on housing or environmental health grounds.

4.4 Drainage Engineer (SBC) - No comments received.

4.5 Lead Local Flood Authority (NYCC) - A number of conditions are recommended for imposition on any permission granted. (Officer note: These conditions are not required as they replicate conditions which were imposed upon the outline planning permission and which the developer will need to comply with and seek discharge of in due course).

4.6 Designing Out Crime Officer (NY Police) - The proposed vehicular access onto the site and movement within it are suitable as it keeps permeability at an appropriate level. Internal routes are well overlooked and will provide road users and pedestrians with a sense of safety and security. All footpath links appear to be provided with good levels of natural surveillance, which creates a feeling of safety and security and can deter criminal and anti-social behaviour.

Although this phase of the development does not include an area of Public Open Space (POS), it is worth noting that the submitted drawings show an area of POS immediately to the East of the site. This has been provided with good levels of overlooking from the dwellings on this scheme due to them being orientated to face the POS and this is to be commended.

It is pleasing to see that in general there is demarcation to clearly identify public and private areas to house frontages. However, this is lacking to some frontages. It is particularly important that physical demarcation is used on corner plots to prevent pedestrians creating "desire lines", which can cause conflict between them and residents. There is a lack of clear demarcation of private spaces to house frontages which can lead to neighbour disputes over ownership and maintenance and consideration needs to be given to these plots.

The Boundary Treatment Layout drawing shows that private rear gardens will be enclosed with walls or fences 1.8m in height and this is appropriate and will provide a good level of security. The Design Report indicates that secure garden gates will be fitted to prevent unauthorised access into the rear garden of the property and this is welcomed.

The proposed parking provision is to be commended as it complies with best practice by either providing a garage, having in curtilage parking or parking in front of the property where it can be seen by the owner and avoiding the excessive use of rear parking courts. Suitable fencing should be proposed to the rear boundaries of these properties to enable residents to be able to see their vehicle from within their homes. Best practice also recommends that parking courts should be well illuminated. Lighting should be in the form of street lighting to BS5489.

Should this application be granted, the Authority may wish to consider the inclusion of an Informative stating that the applicant should take cognisance of the content of the Designing Out Crime Report and should provide written details of how the issues raised are to be addressed.

4.7 Publicity - Expired on 5 September 2019. No representations received.

5.0 RELEVANT SITE HISTORY

5.1 2013 - Outline planning permission granted for up to 1350 dwellings, associated facilities, infrastructure and open space.

5.2 2013 onwards - Various reserved matters approvals granted for roads, housing and open space for phases of HA2.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

SD 1 - Presumption in Favour of Sustainable Development

SH 1 - Settlement Hierarchy

DEC 1 - Principles of Good Design

DEC 2 - Electric Vehicle Charging Points

DEC 4 - Protection of Amenity

DEC 5 - The Historic and Built Environment

HC 3 - Affordable Housing

ENV 3 - Environmental Risk

ENV 4 - Groundwater Protection

National Planning Policy Framework

NPPF5 - Delivering a sufficient supply of homes

NPPF11 - Making effective use of land

NPPF12 - Achieving well-designed places

Scarborough Borough Supplementary Planning Documents

Affordable Housing

Local Planning Policy and Guidance

None relevant

7.0 ASSESSMENT

7.1 Only matters reserved at the outline planning application stage can be considered as part of this reserved matters application. In this case, following the grant of outline permission, the reserved matters to be considered are as follows:

- Layout, Scale and Appearance
- Access
- Landscape.

7.2 In addition to national and local planning policy, the above matters need to be viewed within the context of the parameter plans and the illustrative masterplan forming part of the approved outline planning permission. Condition 3 of the outline planning permission indicated that the reserved matters should be implemented in accordance with these plans and the design principles set out in the approved Design Code (which was itself required under Condition 47 of the outline permission).

7.3 In brief, the plans and documents approved as part of the outline permission (and its conditions) require that certain building heights, character areas and densities are adhered to in different parts of the site, in order to ensure variations in character and to give a sense of place to the overall site.

Layout, Scale and Appearance

7.4 The submitted layout is considered to align with the principles set out in the illustrative masterplan and the Design Code. Most importantly, all the streets and open spaces are addressed by the proposed dwellings to ensure a sense of place and to provide natural surveillance of the public areas, which is important from a community safety perspective. Dwellings have been orientated so as to overlook the main access road, the Boulevard, which forms the site's southern boundary, and the adjacent open space (to the east of the site). In addition, properties are sited so as to provide for general surveillance of the streets within the site itself, which is helpful in terms of reducing the likelihood of opportunistic crimes being committed.

7.5 The character area for this phase, within the Design Code include 'Boulevard', 'Streets, Courts and Mews'. The phase was considered to be one where generally development would form a background to other character areas, apart from the site's frontage to the Boulevard where taller buildings are encouraged, although two-storey dwellings are acceptable. The roundabout in the westerly corner of the site was designated as a 'gateway' where buildings should address the junction, rather than turn their backs on it, so as to create clear entrances to the residential areas from the link road. The main elevations of dwellings would be viewed on approach to the roundabout junction and views through to the streets within the phase would reinforce the fact that users of the Link Road are driving through a primarily residential area and should keep to the 30 mph speed limit.

7.6 The streets and boundary treatments accord with the details set out in the Design Code with a mix of surface treatments comprising tarmac and block paving with screen walls with infill timber panels to side boundaries where these abut the roads and metal railings to frontages where properties face onto the Boulevard.

7.7 The Highway Authority has asked for a number of amendments to the scheme to ensure compliance with its technical guide advice, but it is content with the parking provision included within the scheme, which includes a mix of parking courts, driveways and garages, visitor and resident on-street parking.

7.8 The layout is considered to be in conformity with the Outline masterplan (although this was only submitted for illustrative purposes), the approved Parameter Plans and the Design Code.

7.9 In terms of scale, the housing fronting the Boulevard is proposed to be a mix of storey heights, the Building Heights parameter plan approved at outline stage allowing for a minimum of two-storey heights, with three storey properties preferred. Given the nature of the housing development that has been permitted and built so far, the majority of housing to either side of the Boulevard is two-storeys in height, with a small number of bungalows, with the sizeable three-storey Jazz Court Extra Care development acting as a focal point. The properties facing onto the Boulevard would generally be terraced dwellings served by access drives to rear parking courts, given the need to refrain from direct private drive access to the Boulevard which is to be used as the bus route through the housing development.

7.10 The housing within the body of the site comprises two-storey properties, with a mix of detached and semi-detached properties proposed. Interest in the streetscene would be provided by the changing levels across the site - there is a 9m fall north to

south - which means that property heights will vary despite them all being proposed at two-storeys.

7.11 In density terms, the relevant Parameter Plan confirms that this phase of HA2 was proposed as mid to high density (c. 35 - 37.5 dph). The proposed scheme equates to a density of 33 dwellings per hectare (dph) is considered appropriate, despite being slightly below the approved parameter plan. The density of the site frontage with the Boulevard is higher at around 40 dph, in line with the parameter plan. Whilst generally the housing development each side of the Boulevard should give a good sense of enclosure to the street and provide for a good level of natural surveillance, on the opposite side of the Boulevard from the application site the construction of a primary school has been approved (as a relocation of Overdale Primary). The playing fields associated with the school will lend visual relief to the otherwise built up frontage of the street.

7.12 With regard to appearance, the housing would be constructed in walling and roofing materials that match the existing development on the site, and these very much take a steer from the locality in general, i.e. red and buff bricks and red and grey roof coverings. The elevational treatments of the housing is traditional in appearance, and is similar to other development already constructed within the Middle Deepdale site. The approach is considered to accord with the Design Code.

7.13 Boundary treatments include painted metal railings to frontages facing onto the Boulevard with brick boundary walls to side boundaries that abut the streets. Within the main body of the development, the front gardens are open plan, with 1.8m high fencing enclosing rear gardens.

7.14 Overall the design approach is considered to be appropriate for the site and should result in a phase of development that has its own character, principally derived from the mix of detached and semi-detached housing types proposed, with good levels of permeability through the site for pedestrians and cyclists in particular. The layout, scale and appearance of the proposal is considered to comply with Policies DEC1 and DEC4 of the Local Plan and NPPF12.

Access

7.15 The development would be accessed by a single entry road that would connect to the Boulevard, the main estate road through the HA2 site. As the Boulevard is designated as the bus route through the site no direct driveway access is permitted from it. A second access is proposed direct from the link road, although this would be gated and would only be used in the event of an emergency where access is blocked via the main entry road into the phase.

7.16 In terms of car parking, the dwellings are proposed to be served by 226 no. off-street parking spaces (including driveways, on-plot spaces and communal parking courts and garages). 58 of these spaces are proposed to be within garages. The layout allows for an appropriate level of informal on-street parking (around 32 spaces) to supplement the off-street provision.

7.17 With regard to pedestrian and cycle access to the site, various options would be available. The site can be accessed by pedestrian and cyclists from the Boulevard from

the south and west, and from the open space to the east via connecting paths. Cycle storage can be accommodated within the curtilages of all the dwellings either through the use of garages or by sheds etc in rear gardens.

7.18 A condition relating to the provision of electric vehicles charging points is recommended to comply with Policy DEC2 of the Local Plan.

Landscaping

7.19 The scheme includes the landscaping proposals for the site, which includes lawns, shrubs and hedge and tree planting to front gardens. Trees are proposed to be planted along the southern and western boundaries of the site to add visual amenity to the Boulevard, with tree planting in front gardens of plots to add interests to the street scenes.

7.20 In terms of the estate roads a mix of tarmac and block paving is proposed to add visual interest, with a number of shared surfaces proposed in block paving. The Highway Authority has confirmed it finds the proposals acceptable.

Other Matters

7.21 This scheme has been the subject of a viability assessment that has been scrutinised by Officers. Your Officers consider the viability assessment is acceptable and demonstrates that the scheme cannot support affordable housing.

7.22 Whilst this is unfortunate, Members will be aware there has been a considerable amount of affordable housing already provided within the early phases of HA2, with some 90 units already built on site. In addition, 20 bungalows and 24 flats from the recently permitted schemes for Yorkshire Coast Homes and Sanctuary Housing, are under construction and will all be affordable. This means that to date 134 affordable units have been provided or are under construction. As a result of this, of the 561 dwellings already permitted on HA2, which are either built/occupied or currently under construction, some 23.8% of these are affordable. If the 106 dwellings proposed in this application are added to the total (making 667), the affordable housing percentage reduces to 20%, which is still well above the 10% required by the LPA's Affordable Housing SPD for this area. This has been achieved through the main developer, Kebbell Development Ltd, working in partnership with other developers, registered providers and the HCA. Members have previously welcomed the partnership approach that has been adopted on the wider HA2 site as without this it is likely that the outturn of affordable housing would have been well below 10% overall given the substantial infrastructure costs that the scheme has to bear (in particular the link road and bridge).

7.23 The Police Designing Out Crime Officer (DOCO) raised a couple of issues regarding the layout, as well as confirming the scheme included a number of positive features. The main issue noted by the Designing Out Crime Officer is the lack of demarcation between public and private areas to some house frontages and also demarcation between adjacent frontage parking areas. Amendments to resolve these concerns are considered to be appropriately dealt with via a condition of reserved matters approval, enabling input from the Police DOCO.

7.24 There are planning issues which fall outside the remit of this reserved matters application, but these are covered by the overarching outline planning permission, its conditions and planning obligations. Thus, contributions towards off site infrastructure are largely governed by the S.106 Agreement, whilst conditions of the outline planning permission relate to management of construction, ecology and detailed highways matters. Certain of these matters will need to be discharged as part of this phase of the development. The same largely applies to surface water and foul drainage, as well as groundwater protection. The application site would not contain major drainage infrastructure itself as it would be served by the large underground attenuation facilities proposed to be installed to the west of the site, that will supplement the sizeable underground attenuation tank installed to serve the earlier phases of the HA2 site.

8.0 PRE-COMMENCEMENT CONDITIONS

8.1 No pre-commencement conditions are proposed.

POSITIVE AND PROACTIVE STATEMENT

The proposed development as submitted is in principle acceptable, but there are certain aspects where additional details need to be agreed and implemented and/or specific safeguards need to be put into place. The Local Planning Authority acted proactively by attaching planning conditions which can adequately address such matters.

RECOMMENDATION

PERMISSION BE GRANTED, subject to the following condition(s)

- 1 The development shall be carried out in accordance with the following approved plans:

List of plans to insert

unless any variation is first approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

- 2 Each new residential property which has a dedicated marked out residential parking space within its curtilage shall include an electrical socket suitable for charging electric vehicles.

Note: The minimum requirement would be a single phase 13 amp socket with an exemption for residential apartments with communal parking areas.

Reason: To comply with Policy DEC2 of the Scarborough Borough Local Plan.

- 3 In addition to the lighting details required by virtue of conditions 43 and 44 of Outline planning permission ref: 11/01914/OL details shall be submitted providing details of lighting for parking courts and footways not forming part of the public highway. These shall be submitted and approved in writing by the Local Planning Authority prior to the occupation of any dwelling in the development and shall be implemented in full.

Reason: To ensure these areas are suitably lit to discourage crime and create a safe residential environment.

- 4 Prior to the occupation of any dwelling hereby approved details of the future management and maintenance of all areas falling outside the proposed private residential curtilages or public highway, (including the proposed parking courts and pedestrian routes) shall be submitted to and approved in writing by the Local Planning Authority. The management and maintenance of these areas shall be carried out in accordance with the approved details at all times thereafter unless revised arrangements are agreed in writing with the Local Planning Authority.

Reason: To ensure the long term maintenance of a high quality and safe residential environment.

- 5 Before any works of construction above foundation level of the properties hereby permitted details of the features to be included within the development to ensure demarcation between public and private areas to plot frontages and also between neighbouring frontages is clear shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the amenity of residents of the development and to avoid disputes regarding areas of land ownership in accordance with Policies DEC1 and DEC4 of the Scarborough Borough Local Plan.

David Walker

Background Papers:

Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT MR M P WHITMORE ON 01723 232475 email Marcus.Whitmore@scarborough.gov.uk



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