

PLANNING STATEMENT



Erection of 4 Dwellings with Associated Works and Infrastructure

**Land to the Rear of 66-76 Beech Avenue
Holgate
York
YO24 4JL**

On Behalf of Beech York Limited

March 2024

**Gallagher
Planning**

A Town and Country
Planning Consultancy



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1.0 Introduction

- 1.1 Gallagher Planning is pleased to submit the planning application which this report accompanies. The application has been submitted on behalf of Beech York Limited and seeks planning permission for the erection 4 dwellings with associated works and infrastructure.
- 1.2 The site boundary is identified below in Image 1.

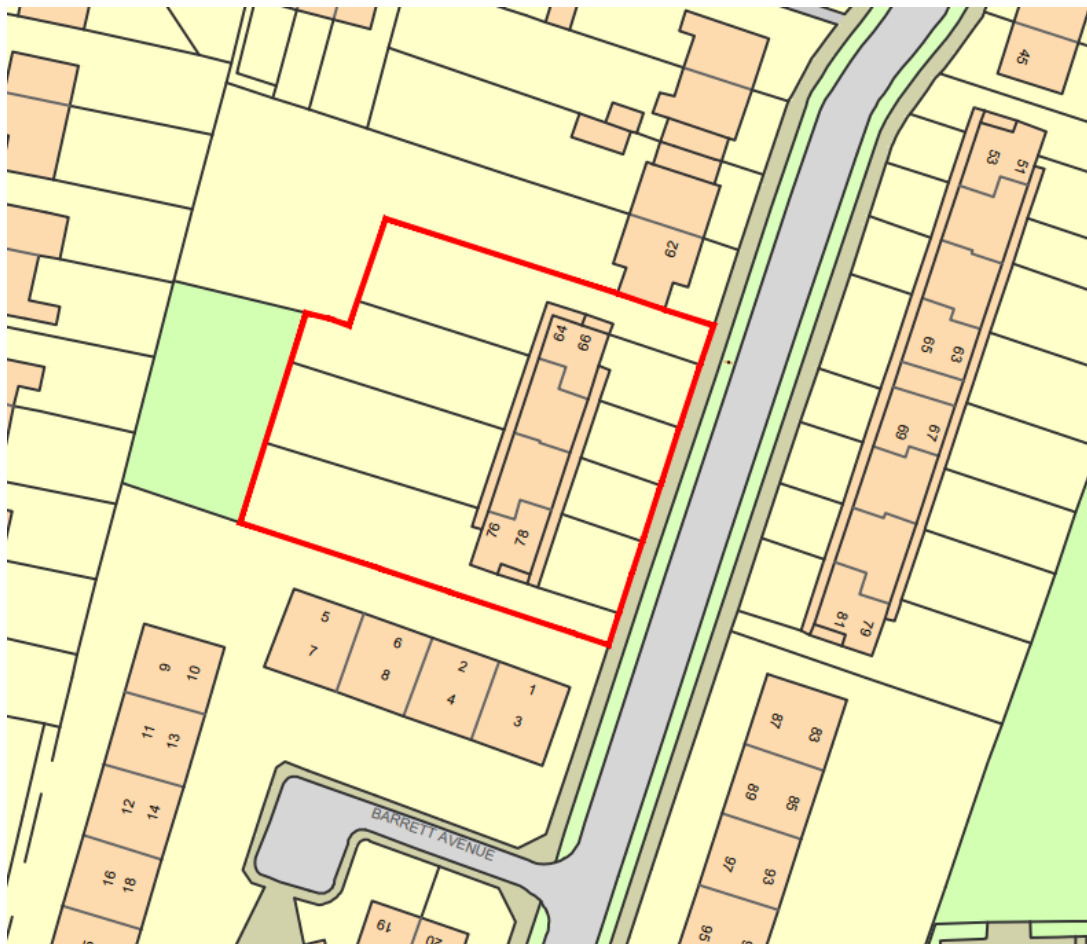


Image 1: Site location plan

- 1.3 The application is also accompanied by a set of planning drawings prepared by Brown + Company, a tree survey report and preliminary ecological appraisal prepared by Wold Ecology, an access appraisal prepared by AMA and a Flood Risk Assessment and Drainage Strategy prepared by Dudleys Consulting Engineers.

2.0 Description of Site and Proposed Development

2.1 The application site is located at Land to the rear of 66-76 Beech Avenue in York. The site is located at approximate grid reference SE 58566 51106.

2.2 Image 2 below is an aerial photograph of the site and its immediate context. The site currently houses 8 apartments which the proposed 4 dwellings are to be situated to the rear of. The surrounding context to the site is predominantly residential.



Image 2: Aerial photograph showing sites context (Source: Google Earth)

2.3 The proposed development is to erect four terraced 2-bed dwellings with generous rear gardens and associated parking. The dwellings have been designed to be in keeping with the surrounding context and will provide much needed housing within the City.

2.4 The image below shows the proposed site layout:

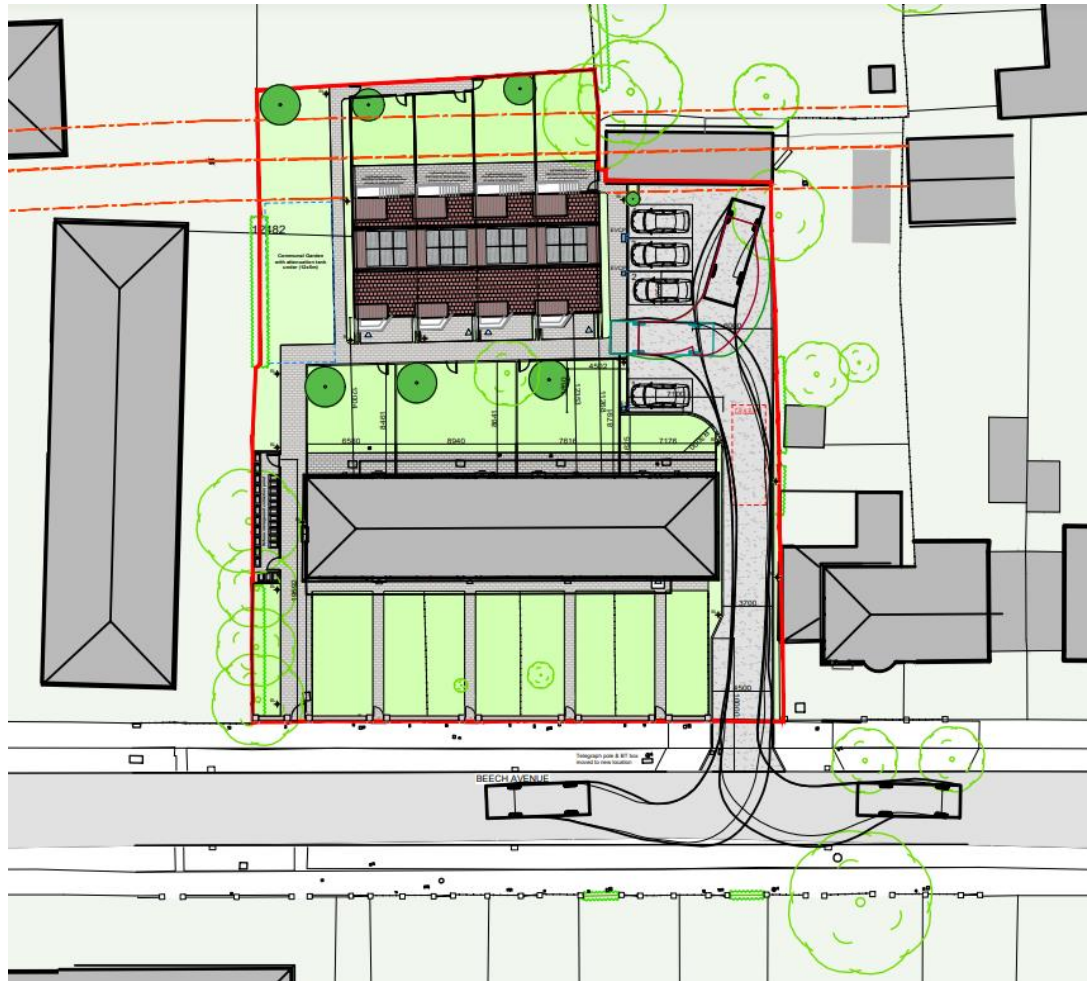


Image 3: Proposed site plan

3.0 Planning History

3.1 Based on information available on the City of York Council's website, the planning history is as follows:

- Reference: **11/03399/FUL** – Replace existing brick parapet with metal railings at 64-78 Beech Avenue – Householder Approval

4.0 Planning Policy

Local Planning Policy

4.1 Applications are to be determined in accordance with the policies in the Development Plan. In this case, the Development Plan for the area comprises the City of York Local Plan – Publication Draft February 2018.

4.2 The policies most relevant to this proposal are:

- Policy SS1 – Delivering Sustainable Growth for York
- Policy DP2 – Sustainable Development
- Policy DP3 – Sustainable Communities
- Policy H3 – Balancing the Housing Market
- Policy D1 – Placemaking
- Policy ENV4 – Flood Risk

National Planning Policy

4.3 The National Planning Policy Framework (NPPF) (December 2023) is a material consideration and is the Government’s overarching framework for planning policy.

4.4 The NPPF identifies those applications that should be considered in the context in favour of sustainable development (paragraph 10).

4.5 Proposals that accord with the development plan should be approved without delay and where it is silent or relevant policies are out of date, permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or specific policies within the NPPF indicate that development should be restricted (Paragraph 11).

4.6 Paragraph 70 states the importance of small and medium sized sites on meeting the housing requirements of an area.

4.7 Section 11 of the NPPF relates to making effective use of land. Planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses. While safeguarding and improving the environment and ensuring safe and healthy living conditions. This includes encouraging multiple benefits from both urban and rural land and taking opportunities to achieve net environmental gains – such as development that would enable new habitat creation or improve public access to the countryside and the development of under-utilised land and buildings.

4.8 Paragraph 124 states that planning policies and decisions should:

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)

4.9 The Government also seeks to secure high-quality design and a good standard of amenity for all existing and future occupants of buildings. Paragraph 131 places great importance on the design of the built environment, stating:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

4.10 Paragraph 135 states that:

“Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

4.11 Paragraphs 168-171 cover the sequential and exceptions test in terms of flood risk and state:

168. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

169. If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

170. The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

171. Both elements of the exception test should be satisfied for development to be allocated or permitted.

5.0 Planning Considerations

Principle of Development

- 5.1 The proposed development lies on Beech Avenue, just to the west of York City Centre. The proposed development lies on a good-sized plot to the rear of a block of apartments.
- 5.2 The proposal will provide four high-quality, 2-bedroom dwellings which is a form of housing that is required in the city of York as per policy H3 – Balancing the Housing Market.
- 5.3 The plot is currently an underused communal garden for the block of apartments. The communal garden will be retained, albeit smaller in size.
- 5.4 This proposal represents high quality sustainable development (as referenced in policies DP2 & DP3) due to its sustainable location. With York City Centre circa 1-1.5km to the east, it can be easily reached via walking or cycling.
- 5.5 Moreover, Beech Avenue leads onto the A59 (Holgate Road) which is a major route into the city centre. This allows the development to benefit from extensive public transport links both into the city centre and across the rest of the city.
- 5.6 In addition to the sustainable location, the area is also predominantly residential in nature. As a result, due to this and its sustainable location the principle of the development should be deemed acceptable.

Design & Access

- 5.7 One of the core planning principles of the NPPF is that planning should seek to secure high-quality design and a good standard of amenity for existing and future occupants of land and buildings. National planning policy recognises the role that high-quality design plays in creating sustainable places. Good design is a key aspect of sustainable development and should contribute positively to making places better for

people. The NPPF advises that in the assessment of design, consideration where appropriate should be given to layout, form, scale, detailing and materials.

5.8 Paragraph 135 seeks to ensure that developments function well and add to the overall quality of the area: are visually attractive; are sympathetic to local character and history; establish or maintain a strong sense of place: optimise the potential of the site; and create places that are safe, inclusive and accessible.

5.9 The proposal has been designed by Brown + Company. The dwellings have been designed to complement the existing context of the surrounding area whilst being contemporary in feel.

5.10 Image 4 below shows the proposed front elevation of the proposal:



Image 4: Proposed front elevation

5.11 The dwellings have been designed with regard to their location in flood zone 3. This is achieved by designing the dwellings around a split-level arrangement which ensures habitable rooms are raised above the flood level.

5.12 The entrance level provides an area for bike and bin stores – again, designed to ensure a minimal impact given the flood zone.

- 5.13 The dwellings benefit from generously sized living and kitchen accommodation, along with utility and wc, located at the ground floor. Garden access is provided from the living room. The upper floors have two reasonably sized double bedrooms (one per floor), a family bathroom, ensuite (master bedroom) and study as well as ample storage.
- 5.14 Each plot has a generous garden to the rear and a parking space with EV charging point situated to the east of the dwellings.
- 5.15 The parking area is to be accessed via an access road from Beech Avenue. The parking area has adequate turning space for a large vehicle.
- 5.16 The parking provision provided ensures that the proposal does not adversely affect the parking provision on Beech Avenue. This is of particular importance as many dwellings on Beech Avenue do not have a parking space, therefore, many residents are required to park on the street.
- 5.17 More information on the design and its rationale can be found in the accompanying Design and Access statement prepared by Brown + Company.

Impact on Amenity

- 5.18 The proposed development is located on a good-sized plot and is of sufficient size to comfortably accommodate this development.
- 5.19 The dwellings have been positioned to minimise their impact on the existing surrounding dwellings, ensuring a minimum of 12m from the rear of Barrett Avenue.
- 5.20 The accompanying Design and Access statement includes a typical floor plan for one of the apartments. This shows that the primary habitable rooms (Lounge & Main Bedroom) overlook Beech Avenue, not the application site.
- 5.21 As mentioned above in this report, the under-used communal garden of the apartment block is to be retained – albeit reduced in size.

- 5.22 In addition, due to the parking provision provided on site, this will mean that the development will not adversely affect parking provision on Beech Avenue.
- 5.23 Overall, the proposal has been designed to ensure that there is an adequate standard of residential amenity for existing and future residents.
- 5.24 More information and how the proposal has been designed to address residential amenity can be found in the accompanying Design & Access statement.

Highways

- 5.25 This application is accompanied by Access Appraisal prepared by AMA.
- 5.26 The report states that there have been no collisions on Beech Avenue from the last 5 years of available data.
- 5.27 As such, it is considered that there are no existing road safety issues that would be exacerbated by the development proposals.
- 5.28 It also states:

The site is considered to be located in a sustainable and easily accessible location on foot or by bicycle and benefits from the existing pedestrian, cycling and public transport infrastructure.

Bus stops are available on Hamilton Drive within 230m walking distance of the proposed development. Both stops are provided with a flag, pole and hardcopy timetable information and are served by the number 16 bus. This is operated by Connexions Buses and provides an hourly service between Acomb and York city centre.

- 5.29 The report adds that the proposed access is considered suitable for the nature of Beech Avenue and has been designed in accordance with relevant highway and residential design standards for a private drive.

5.30 As discussed earlier in this report, the parking has been designed in line with CoYC standards and visitor parking can be accommodated by on street parking on Beech Avenue when required.

5.31 The report concludes by stating:

In conclusion, the proposals would not result in any detrimental highways impact on capacity or road safety and therefore there are no traffic or transportation reasons preventing granting of planning permission for the development proposals.

Flood Risk & Sequential and Exception Test

5.32 The site is located in flood zone 3, as seen in image 5 below:

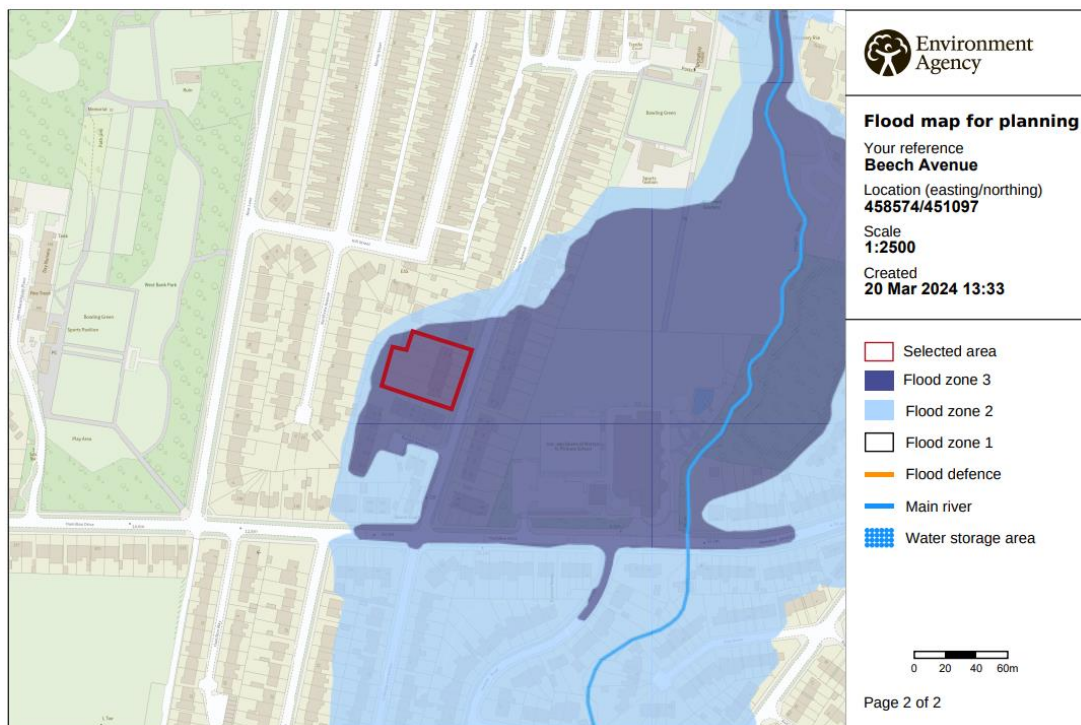


Image 5: Flood Map for planning (Source: Environment Agency)

5.33 As a result, a Flood Risk Assessment and Drainage Strategy has been submitted alongside this application.

- 5.34 The conclusions and recommendations from this are shown below. More detailed information on how the development mitigates flood risk can be found in the accompanying report.

The site is in Flood Zone 3 but the benefit that the site will bring to the community in terms of providing affordable high-quality homes on an in-fill development will outweigh the impact on flooding. The proposed development will have a negligible change on the flooding impact at this location.

The site is a high risk of flooding from rivers and the sea and a medium risk from pluvial sources.

The site is at medium risk of reservoir flooding.

It is expected that the sewers servicing the site, being in the flood zone 3 area, are at risk of flooding, but this will be considered in the design and be suitably mitigated in the building.

The site will utilise a sustainable drainage system to reduce runoff from the site and direct it to the combined sewer at a minimum practicable rate, 2l/s.

The buildings are designed with flooding in mind and the ground floor is designed to be flood resistant and no overnight habitable space is on the ground floor or first floor. The ground floor is an entrance hall with stairs to the first floor, which is at a level exceeding the 1:100 flood level + 600mm, 10.74mAOD. The level of this floor is 11.35mAOD. Overnight habitable floors are at a level of 12.7m.

The buildings are designed to be porous to flood water and voids are designed within its structure to allow this.

While the site is Flood Zone 3, the above measures mean that this development will provide a benefit to the area and have a negligible impact on flooding.

5.35 Due to the sites location in Flood Zone 3, the risk-based sequential test approach as set out in the NPPF must be applied.

5.36 The table below assesses sites within the catchment area (City of York) based on their location, size, flood risk and availability. It will use these factors to determine whether the sites are suitable.

5.37 The sites have been identified using websites such as Rightmove and local knowledge.

5.38 A map of the considered sites is shown below the table.

Site	Location	Size	Flood Risk	Availability	Suitable
Holgate Road	Less than a mile from the application site	Not large enough – has permission to build a 1-bedroom dwelling so 4 would be an overdevelopment of the site	Flood Zone 1	Available	Not Suitable – due to size
Dane Avenue	Approximately 2 miles away from the application site	Not large enough – plot has permission for 2 houses so 4 would be an overdevelopment of the site	Flood Zone 1	Available	Not suitable – due to size
Malton Road	Approximately 4 miles from the application site	Not large enough. Plot has planning for 2 dormer bungalows. Therefore, not suitable for 4 terraced dwellings with accommodation over 3 floors	Flood Zone 1	Available	Not suitable due to size
Fulford Road	Approximately 2.7 miles from the application site	Is a conversion opportunity so not suitable for 4 new build dwellings, nor is it large enough	Flood Zone 1	Available	Not suitable due to being a conversion opportunity

Lamel Beeches	Approximately 2.5 miles from the application site	Is a conversion opportunity so not suitable for 4 new build dwellings	Flood Zone 1	Available	Not suitable due to conversion opportunity
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Table 1: Sequential Test

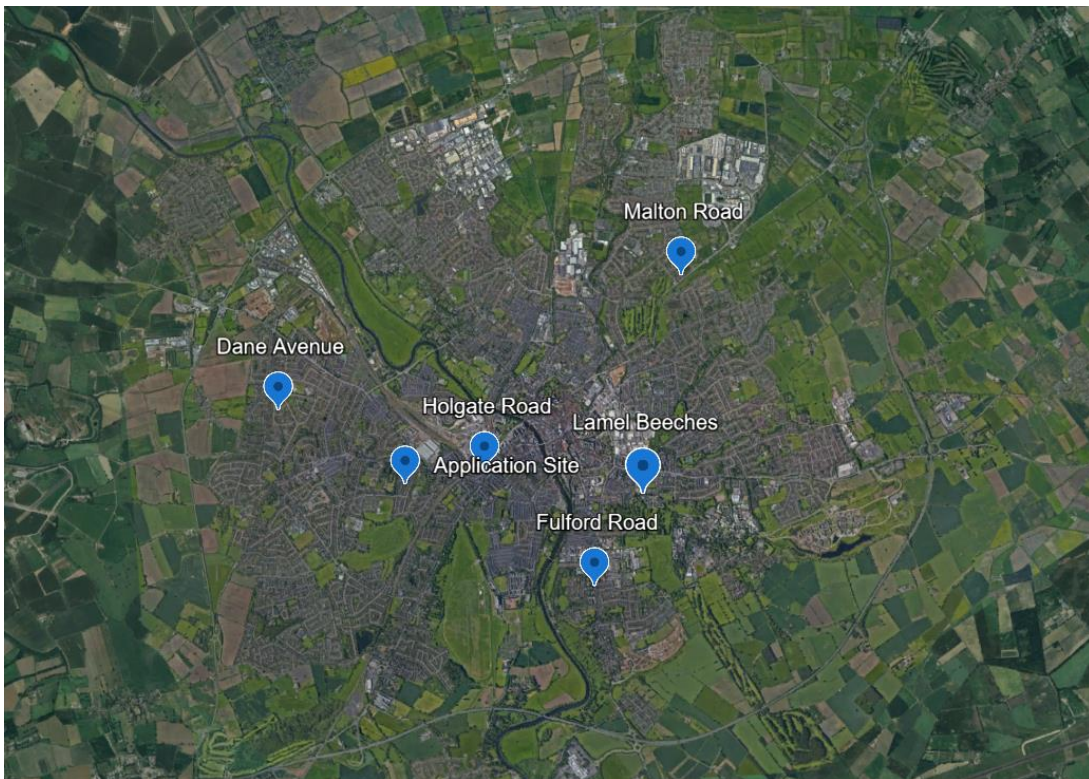


Image 6: Map to show considered sites
(Source: Google Earth)

5.39 The table above demonstrates that there are no other suitable and sequentially preferable sites within the City of York that could accommodate the proposed development.

5.40 Therefore, it is our view that the proposal passes the sequential test.

5.41 As the proposed development has passed the sequential test, the exception test must now be applied.

5.42 Paragraphs 169-171 of the NPPF state:

169. If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

170. The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*

171. Both elements of the exception test should be satisfied for development to be allocated or permitted.

5.43 We are of the view that the proposal also passes the exception test as it is a underutilised site in a sustainable location that provides efficient use of the land and delivers much needed smaller housing units that the City of York needs.

5.44 Part B of the exceptions test is satisfied within the Flood Risk Assessment that accompanies this application.

6.0 Conclusion

- 6.1 The principle of the proposed development is considered acceptable as the proposal is a form of sustainable development.
- 6.2 The design of this proposed development is of high quality and has respect for the character and setting of the surrounding area.
- 6.3 The proposal will not have any detrimental impact on the residential amenity of neighbouring dwellings.
- 6.4 The accompanying flood risk assessment and design and access statement demonstrate that the proposal has been designed to an acceptable standard that it will not be adversely affected by its Flood Zone 3 location – nor will it have any adverse impact on the surrounding area in terms of flood risk.
- 6.5 In summary, it has been demonstrated that there are no policies or other material considerations which would suggest that planning permission should not be granted.
- 6.6 We confirm that we represent the applicant with respect to this planning application. We will be in touch with the appointed planning officer in the coming weeks to discuss the proposed development.