

## COMMITTEE REPORT

**Date:** 11 June 2015                      **Ward:** Holgate  
**Team:** Major and                      **Parish:** Holgate Planning Panel  
                    Commercial Team

**Reference:** 15/00311/FUL  
**Application at:** 14 Livingstone Street York YO26 4YJ  
**For:** Conversion of dwelling into 2no. self contained flats  
**By:** Mrs Angela Hunter  
**Application Type:** Full Application  
**Target Date:** 30 June 2015  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application property is a two storey semi-detached three bedroom dwellinghouse located in the Leeman Road area of the city. It has a smallish front garden (7m x 7m) with a rear garden that is 12m long and 7m wide. There is a small single storey rear extension, currently used as a cloakroom, circa 2.5m wide by 2.5m long, attached to which is a timber shed 2.5m wide by 2m long.

1.2 The area is predominantly residential. The application property is located on the west side of the street in a row of semi-detached houses and there are two storey terraced houses on the east side of the street.

### PROPOSAL

1.3 This application seeks permission to convert the property into two 1 bed flats.

### SITE HISTORY

1.4 There is no planning site history relevant to the consideration of this application.

1.5 This application has been called in by Councillor Crisp on the grounds that the proposal is in conflict with the Council's Subdivision of Dwellings SPD (4th December 2012) in terms of protection of small family housing stock and not meeting minimum internal space and layout standards.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001  
DC Area Teams GMS Constraints: West Area 0004

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Schools GMS Constraints: St. Barnabas' CE Primary 0224

York North West Boundary GMS Constraints: York North West Boundary CONF

2.2 Policies:

CYH8 Conversion to flats/HMO/student accomm

### **3.0 CONSULTATIONS**

INTERNAL

#### Highway Network Management

3.1 No objections. The proposal is for a conversion of a 3 bed dwelling into a pair of 1 bed apartments with secure cycle parking. The levels of car parking would not materially change from that assumed for the existing dwelling. No off street parking is proposed. Parking is available in the area. Parking restrictions in the vicinity of the site will prevent indiscriminate parking that would otherwise impede traffic. The development is served by a regular bus service and is close to local facilities, and good cycle links in to the city centre. Please apply the following condition: HWAY 18

EXTERNAL

#### Holgate Planning Panel

3.2 The application is supported

#### Publicity and Neighbour Notifications

3.3 No comments have been received.

### **4.0 APPRAISAL**

KEY ISSUES

4.1 The key issues in assessing the proposal are:

- Whether the change would lead to an unacceptable impact on the City's small housing stock
- Whether the accommodation is of an appropriate standard

## POLICY BACKGROUND

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the overarching roles for the planning system. In Paragraph 14 it advises that there is a presumption in favour of sustainable development at the heart of the Framework, which should be seen as a golden thread running through both plan-making and decision-taking.

4.3 Paragraph 7 advises that there are three dimensions to sustainable development, which gives rise to the need for the planning system to perform the following roles:

- economic - contributing to building a strong, responsive and competitive economy
- social - supporting strong, vibrant and healthy communities
- environmental - contributing to protecting and enhancing the natural, built and historic environment

4.4 Paragraphs 186 and 187 advise of the need for Local Planning Authorities to adopt a positive approach towards sustainable development in their decision-taking and to look for solutions in order to approve applications where possible.

4.5 Paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 50 states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities the local planning authority should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

4.6 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations, however, their weight is limited except where they are in accordance with the NPPF. Policy H8 states that planning permission will only be granted for the conversion of a dwelling to flats where the dwelling is of a sufficient size (i.e. minimum 4 bedrooms) and the internal layout is shown to be suitable for the proposed number of households or occupants. The Policy also states that external alterations should not cause harm to the character or appearance of the building or area, adequate off and on street parking and cycle parking and storage and collection of refuse and recycling should be incorporated and there should be no adverse impact on neighbouring residential amenity.

4.7 The Council's Subdivision of Dwellings SPD was approved on 4th December 2012. In Paragraph 1.8 it advises that the SPD aims to ensure that where the subdivision of dwellings are proposed, they:

- provide adequate internal space;
- are of a suitable layout;
- have acceptable amounts of internal and external storage space;
- have acceptable levels of facilities;
- do not have an adverse impact on the amenity of neighbouring residents;
- are designed and built to a high standard of sustainability

4.8 In respect of this current application the following paragraphs within the SPD are considered to be relevant.

4.9 In Paragraph 3.2 it advises that in order to protect the existing small family housing stock and to allow for adequate residential space standards, the subdivision of properties with less than 4 bedrooms will not be permitted.

4.10 In terms of space standards, Paragraph 3.11 advises that 1 bedroom flats should have a minimum floor space of 51sqm with 72sqm being the minimum for a 2 bedroom flat.

4.11 Paragraph 3.13 advises that the standards are intended to help ensure that subdivided homes are comfortable, convenient and able to accommodate the appropriate amount and level of furniture and fittings in line with the number of people resident in the property. Paragraph 3.14 advises that the 'habitable' floor area is the 'useable' floor area of a bedroom, living room or kitchen; it excludes the bathroom, staircase, landing, passageway and access lobby. Where additional soundproofing is required, any reduction in space to facilitate this must be deducted from the calculation of habitable area.

4.12 Paragraph 3.15 advises that all rooms should be accessed from a corridor and rooms should not be entered from one another. Paragraph 3.16 advises that all bathroom/shower rooms should be of an adequate size to incorporate a bath, even if a shower only is initially installed.

4.13 Paragraph 3.21 advises that provision should be made for general storage, particularly for bulky items which aren't used regularly - for example, suitcases or sports gear. This would be within the minimum net unit area. Paragraph 3.22 advises that general storage should be additional to kitchen units and bedroom furniture but it is accepted that some items may be stored in these rooms.

## ASSESSMENT

### Proposals

4.14 The proposals involve providing a 1 bedroom flat with lounge/kitchen and bathroom on the ground floor and another 1 bedroom flat with lounge/kitchen and bathroom on the first floor.

The flats would have separate entrances; the ground floor flat gains access from a side door towards the rear of the property and the first floor gains access from the front door. The proposed plans show that the existing shed would be used to store bicycles.

4.15 Using the criteria in Paragraph 3.14 of the SPD re 'habitable' floor area, the ground floor flat is approximately 28sqm and the first floor flat is 30sqm.

## **Evaluation**

### **Protection of Housing Stock**

4.16 The background to consideration of this application is the need to provide for the wide range of residential accommodation needs within the City and ensure that the accommodation provided is of an acceptable standard. In addition to the SPD this needs to be assessed in the light of Government advice in Paragraph 50 of the NPPF, which emphasises the need to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

4.17 In this respect the most up to date information on the housing market in the City (i.e. the North Yorkshire Strategic Housing Market Assessment 2011 - Appendix 7: York Specific SHMA) advises that there is a demand for all property sizes and a high level demand for smaller properties. Although there is also a healthy demand for three bed properties there is no indication of a particular need to resist the loss of three bed houses to conversion.

4.18 In addition, although in the early to mid 2000's concerns were raised that there was an excess of flatted developments in the City and not enough family housing, there is recent evidence to suggest that the balance is changing in terms of supply. Recent figures for unimplemented and part implemented permissions for the City (the bulk dating from between 2011 and 2014) indicate that there is now a broader supply of housing types across the market, with fairly similar numbers for the provision of one and two bed flats (1340) and two and three bed houses (1220).

4.19 In addition, it should be noted that 650 of the 1340 approved flats are actually within purpose built student accommodation schemes. The increased provision of purpose built student accommodation combined with the Council's 'Controlling the Concentration of Houses in Multiple Occupation' Supplementary Planning Document (amended 2014)', which seeks to avoid an overconcentration of HMO's aims to ease pressure on three bed housing stock in the City.

4.20 For these reasons it is not considered that the evidence exists to support refusal of the application on the grounds of the need to protect small family housing stock.

### **Standard of Accommodation**

4.21 Space Standards - With regard to the size of accommodation being provided, the following outlines the size of habitable rooms proposed (nb. where the room is not a regular shape the dimensions outlined below are the longest):

- ground floor flat total habitable floor area 28sqm - (lounge/kitchen 5.8m x 4.1m, bedroom 3.6m x 2.6, bathroom 2.1m x 1.8m)
- first floor flat total habitable floor area 30sqm - (lounge/kitchen 5.8m x 3.5m, bedroom 3.6m x 2.6m, bathroom 2.1m x 1.4m)

4.22 The habitable floorspace of each flat is below the standard outlined in the SPD, however, the property has been inspected internally and it is considered that the proposed layout will be reasonable and useable and will provide an acceptable level of amenity for occupants. In particular, the bedrooms are exactly the same size as existing bedrooms in the property and it is also considered that the lounge/kitchen areas would provide a comfortable living space.

4.23 Although the SPD was produced as guidance for residential sub-division schemes rather than conversion of commercial to residential or new build housing developments, recent decisions by the Planning Committee (outlined below) in relation to these latter types of development indicate an acceptance by the Authority that one and two bed flats with floor areas considerably below the 51sqm and 72sqm thresholds can provide acceptable levels of accommodation.

- Conversion of hotel to 11no. flats at Blue Bridge Hotel, 39 Fishergate, York - this scheme included 5 one bed flats all below 34sqm - approved June 2014 (CYC ref: 14/00169/FULM)
- New build scheme at the Pack of Cards PH in Lyndsey Avenue - this scheme included 4 one bed flats below 39sqm and 6 two bed flats below 46sqm (CYC ref: 14/00763/FUL)
- Additional floor to accommodate 6 no. roof top apartments at 1 - 12 Kensal Rise, York - this scheme included 2 one bed flats below 29sqm and 4 two bed flats below 34sqm (CYC ref: 14/01857/FUL)

4.24 SPD requirements in relation to corridor access, provision of a bath and general storage can be addressed as follows.

4.25 Corridor Access - In respect of the first floor flat all rooms can be accessed from a corridor. This is not the case for the ground floor flat. The side entrance door

gives access to a small lobby area which has a door into the bathroom but is open into the kitchen/lounge area. There is an archway on the opposite side of the kitchen/lounge which gives access to another small open lobby area in which there is a door to the bedroom. However, it is not considered that this would mean that the level of amenity in the flat would be unacceptable nor is it considered that it would justify refusal of the application.

4.26 Provision of Bath - The size of a standard bath is 1.68m x 0.68m and the first floor bathroom could accommodate a bath together with a toilet and wash basin. The ground floor bathroom would only be able to accommodate a shower along with a toilet and wash basin, however, for some people a bath is not essential, some prefer a shower and again it is not considered that the lack of ability to provide a bath in one of the flats would justify refusal of the application.

4.27 General Storage - The ground floor flat has a small cupboard in the open lobby area next to the bedroom; this area also provides access to an understairs storage area. The first floor flat has a fairly large cupboard near to the entrance in the ground floor lobby area. Overall it is considered that there is adequate provision for storage within the scheme.

### **External Amenity Space, Bin/Cycle Storage and Parking**

4.28 There is adequate external amenity space around the property and it is considered that it will provide a pleasant environment for occupants. A lean-to timber rear extension will provide for storage of cycles and there is adequate space for storage of refuse bins at the rear. No off-street car parking is provided but it is not envisaged that either an increase in parking or a material increase in traffic generation would result if the development goes ahead. In addition, the flats will be attractive to tenants who do not possess their own car as it has space to park cycles and has good access to local facilities and frequent local bus services.

## **5.0 CONCLUSION**

5.1 The proposal will provide flats with an internal layout that is both reasonable and useable, sufficient external space for storage purposes and an acceptable level of amenity for occupants. It is considered that the application is acceptable, complies with national guidance in the NPPF and will provide two small residential units for which the North Yorkshire Strategic Housing Market Assessment 2011 indicates there is a high demand in the City.

## **6.0 RECOMMENDATION: Approve**

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plan:

Drawing no. 02-615-02A

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

## **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. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Certain inaccuracies on the submitted proposed layout plan were pointed out to the applicant's agent and concerns over the proposed level of internal storage were also discussed. A revised drawing was secured in which the layout inaccuracies were rectified and the level of internal storage improved.

Account has been taken of all relevant national guidance and local policies and with the attachment of conditions the proposal is considered to be satisfactory.

#### **Contact details:**

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