

Education - No contribution required.

EPU -

The Environmental Protection Unit have concerns with this application but have not objected in favour of conditioning the required remediation. Concerns are over the loss of amenity for the residents of the proposed development through noise. This application incorporates another 4 dwellings into a house which although large was initially designed as an individual property. If this application were to be successful we would see 8 individuals living within close proximity of one another.

The amount of noise generated in this scenario cannot be predicted, different people have different lifestyles. An average person however would watch TV, listen to music have occasional gatherings with friends. If internal adjoining walls, floors / ceilings are left in their original state, these were not designed to attenuate noise from individual properties, only to separate rooms within one household, we can foresee that noise even at a reasonable level will impact on amenity of surrounding properties. This coupled with the fact that the development is for studio apartments, where one room is used for all activities will only escalate the problem as cooking, eating, sleeping and socialising will be conducted in the same area of each property rather than different rooms.

As a result of these concerns we recommend the following condition be placed onto the application, it will provide information to assess if this application is feasible with regards to better attenuation measures of internal / external party walls. Better insulation of the properties will only improve the amenity of those who live within the proposed development.

The second condition is to ensure minimal disruption is experienced by the surrounding properties through noise as a result of the development.

Open Space - An open space contribution of £1727 will be required as a commuted sum payment.

External

Parish/Planning Panel Response - No response at time of writing.

Neighbour Response - No objections from consulted neighbours.

4.0 APPRAISAL

Key Issues

- the principle of the change of use
- the external appearance of the building
- the parking and open space

Policy H8 of the City of York Deposit Draft Local Plan states that Residential Conversions will only be granted where i) the dwelling is of sufficient size (min 4 bedrooms) and the internal layout is shown to be suitable for the number of households or occupants and will protect residential amenity for future occupiers. ii)

External alterations to the building would not cause harm to the character or appearance of the building or area; and iii) adequate off and on street parking and cycle parking is incorporated; and iv) it would not create an adverse impact upon neighbouring residential amenity, particularly through noise disturbance or residential character of the area by virtue of the conversion alone or cumulatively with a concentration of such uses. And v) where adequate provision is made for the storage and collection of refuse and recycling.

THE APPLICATION SITE. - The application property is a Victorian terrace that was once used as a single dwelling house but has since followed other properties within this street and converted to flats. The makeup of the street has now changed to a street of flats and guest houses.

The existing numbers of flats are shown below;

2 Wenlock Terrace - Guest house
4 Wenlock Terrace - 7 Flats
5 Wenlock Terrace - Guest house
6 Wenlock Terrace - 5 Flats
7 Wenlock Terrace - 5 Flats
8 Wenlock Terrace - 5 Flats
9 Wenlock Terrace - 5 Flats
10 _ 11 Wenlock Terrace - 16 Flats
12 Wenlock Terrace - Guest House
13 Wenlock Terrace - 5 Flats
14 Wenlock Terrace - 7 Flats
15 Wenlock Terrace - 7 Flats
16 Wenlock Terrace - 5 Flats
17 Wenlock Terrace - 5 Flats
(Information supplied by applicant and checked on site)

Number 10 _ 11 Wenlock Terrace is a property of the same size and not significantly larger than the application property and currently occupies 16 flats.

Wenlock Terrace has good links and is located close to the City centre and main transport routes into the city. To the rear good sized rear gardens back onto a rear lane.

Principle of increase of accommodation - This issue is the key issue to consider. Environmental Protection have concerns regarding the noise created by residents but have not formally objected and instead have added the conditions below to address their concerns. This will ensure that measures are taken and assessed to reduce the amount of noise nuisance experienced by residents both within the property and adjoining. The internal dimensions of flats are of some concern and could create a precedent that the rest of Wenlock Terrace may follow however this precedent has already been set by number 10 and 11. The smallest internal studio measures 20.79m sq and consists of a single room with open plan kitchen and wc off the main room and does appear to offer better space standards than the previous

submission. A similar studio is to be constructed measuring 22.08m sq. The previous scheme had three studios of similar sizes and was subsequently refused.

Officers have limited authority to deal with the internal sizes of rooms and based upon the opinion of EPU and Building Regulations the application adequately respects the living conditions of future potential residents. In light of this, and due to the slightly larger accommodation provided by the reduction from 9 flats to 8, officers recommendation is for approval.

Appearance - The external appearance of the building will be largely unaltered resulting in the infilling of an external basement door and will not be expected to harm the architectural character of the building.

Parking and open space - The rear lane is difficult to access however the provision of two or three car parking spaces could be made available at the rear but at the expense of a communal rear yard for residents. New cycle and bin stores are indicated but more and better design work is required to show that adequate secure and covered bicycle stores could be made available together with the bin stores. Consequently further details of the bike and bin stores will be required under condition.

5.0 CONCLUSION

REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact upon residents and the streetscene. As such the proposal complies with Policies H7 and GP1 of the City of York Deposit Draft Local Plan as well as Guidance contained within PPG3.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 PLANS1 Approved plans
- 3 VISQ9 IN Rebuilding details to match existing
- 4 The floors and walls between each of the proposed flats and the adjacent dwellings shall be so adapted as to achieve a reasonable resistance to airborne / impact sound. Insulation shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Details of the floor and ceiling construction and proposed sound insulation measures, together with a composite sound reduction index for the new floor/ceiling will be required. The development shall be undertaken in accordance with the agreed submitted scheme.

Reason: To ensure a satisfactory standard of residential amenity for future occupiers.

- 5 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site, shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays	

Reason: To protect the amenity of the local residents.

- 6 HWAY18 Cycle parking details to be agreed
- 7 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The Open space shall thereafter be provided in accordance with the approved scheme or the alternatives arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1 of the City of York Draft Local Plan.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

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2. The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £1727.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

Contact details:

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