

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Rural West York
Date: 22 May 2007 **Parish:** Askham Bryan Parish Council

Reference: 07/00669/CAC
Application at: Cherry Tree House 68 Main Street Askham Bryan York YO23
3QS
For: Demolition of existing dwelling and garage/workshop
By: Mr And Mrs R Urwin
Application Type: Conservation Area Consent
Target Date: 17 May 2007

1.0 PROPOSAL

1.1 Conservation Area Consent is sought for the demolition of an existing dwelling within the Askham Bryan Conservation Area. In addition a parallel application (07/00663/FUL) seeks planning permission for the demolition of Cherry Tree House and its replacement with a larger dwelling. These applications should be considered collectively as identified in PPG15 paragraph 4.27. Planning permission is sought for the erection of a 7-bed detached dwelling to replace an existing 2-storey detached dwelling.

1.1.1 68 Main Street (Cherry Tree House) is an existing detached dwelling which is 14.80 m in length, 21.50 m if the detached garage is included x 5.20 m in width up to 15.20 m x 6.70 m in height to its ridge level (highest point).

1.1.2 The site is located within the Askham Bryan Conservation Area. This irregular shaped site measures 0.62ha. Cherry Tree House (no.68 Main Street) is located adjacent Main Street but is set back from the road by approximately 70.00 m. There is an existing vehicular access (3.00 m wide) which serves Cherry Tree House. There are a number of mature trees which bound the site to the north and south elevations. The site falls away by approximately 2.00 - 2.50 m from front to the rear.

1.2 HISTORY

1.2.1 Both previous applications (07/00241/FUL and 07/00244/CAC) for the demolition and replacement dwelling were withdrawn on 08.03.2007 due to advice received from the Council.

1.2.2 The applications were principally withdrawn due to the detrimental impact upon the amenity of the occupant of no.66 Main Street.

1.3 COUNCILLOR REQUEST

1.3.1 This application is reported to sub committee at the request of Cllr Hopton.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

Conservation Area Askham Bryan 0023

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYHE3
Conservation Areas

CYHE5
Demolition of Listed Buildings and Buildings in Conservation Areas

3.0 CONSULTATIONS

3.1 INTERNAL

3.1.1 Urban Design and Conservation

3.1.2 The Council's Conservation Officer states that the applicant proposes to demolish the existing detached house. She states Cherry Tree House is situated on a large plot to the north of Main Street. The house is approached along a driveway adjacent to the boundary of the garden to no. 70 Main Street. The existing house is set back from Main Street and screened from the road by a number of mature trees. The house dates from the 1970's.

3.1.3 The Council's Conservation Officer considers that the principle of the development of a new house of a similar scale to the existing house and within the existing building footprint is generally acceptable. She further states that the design of the new house should take into account of the character and setting of the conservation area.

3.1.4 However she does note that the proposed house appears to have a larger scale and massing to the principal south elevation than the existing house. She further notes that the proposals include a garage wing close to the western boundary of the plot, with accommodation on the first floor. This wing protrudes forward of the principal elevation. It is likely that the development of the wing will be detrimental to the amenity of the roof light windows of the adjacent residential building to the rear of no. 70 Main Street.

3.1.5 Finally the Council's Conservation Officer considers that the proposed materials and finishes appear to be of a traditional character. She advises that the fenestration should be timber with a painted finish to take account of the setting of the building within the conservation area. She concludes by asking that samples of the natural slate roof finish and reclaimed or handmade bricks should be submitted for approval.

3.5 EXTERNAL

3.5.1 Askham Bryan Parish Council

3.5.2 The Parish Council raise no objections to the proposal.

3.5.3 2 site notices were posted regarding the proposed development and also notifying of development within the Conservation Area. Objections were received from 2 separate persons regarding the impact of the development upon no. 66 Main Road. Their comments have been addressed within the full planning application (07/00663/FUL).

4.0 APPRAISAL

4.1 OFFICERS REPORT

4.1.1 The main considerations are:

- Effect on character and appearance of the existing listed building and character and appearance of the conservation area.

4.2 POLICY

4.2.1 Draft local plan policy HE3 states that development within conservation areas will only be permitted where there is no adverse effect on the character and appearance of the area.

4.2.2 Draft local plan policy HE5 states that demolition within conservation areas will only be permitted where the buildings do not positively contribute to the character or appearance of the conservation area.

4.3 PRINCIPLE OF DEMOLITION

4.3.1 The application site is located within a historically sensitive area of Askham Bryan and within the Askham Bryan Conservation Area. The site is currently occupied by Cherry Tree House, a substantial 1970's 2-storey detached house situated to the north of Main Street.

4.3.2 The existing property is a substantial, modern property, which does not contribute to the character and appearance of the conservation area. Policy HE5 states that permission will only be granted for the demolition of dwellings within a conservation area if they do not positively contribute to the character and appearance of the area. The proposed replacement dwelling whilst not traditional in design would have a more neutral impact upon the conservation area. As such, it is considered that the development would not have a detrimental impact upon the character and amenity of the local environment. As a consequence the proposal satisfies policies HE5 of the Local Plan and policies GP1, H4 and HE3.

5.0 CONCLUSION

- 5.1 In the opinion of the Local Planning Authority the proposal to demolish Cherry Tree House, subject to the conditions listed below, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact upon the character of the Askham Bryan Conservation Area. As such the proposal complies with policy HE5 of the City of York Deposit Draft Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 The building(s) shall not be demolished before planning permission for redevelopment is granted and a legally binding contract for the carrying out of the works of redevelopment of the site is made and evidence of the contract has been produced to and agreed in writing by the Local Planning Authority, or in the absence of such a contract an alternative confirmation of commencement of the development has been submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure that the premature demolition of the buildings does not take place to the detriment of the character and appearance of the Conservation Area.

2 TIMEL2

- 3 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Location Plan 1/1250 scale, rec'd 22.03.2007
Drwg ESP1 rec'd 22.03.2007
Design Statement rec'd 22.03.2007

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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:

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to character and appearance of the conservation area. As such the proposal complies with Policies HE3 and HE5 of the City of York Local Plan Deposit Draft.

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