

COMMITTEE REPORT

Date: 6 April 2017
Team: Major and Commercial Team
Ward: Micklegate
Parish: Micklegate Planning Panel

Reference: 17/00093/FUL
Application at: 14 Priory Street York YO1 6EX
For: Variation of condition 2 and removal of condition 3 of permitted application 16/00261/FUL (Conversion of four storey dwelling into two self contained flats) to add dormer to rear and 2no. roof lights to front
By: Mr Matthew Farrelly
Application Type: Full Application
Target Date: 10 April 2017
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application seeks permission to vary conditions 2 and 3 of application 16/00261/FUL to allow the erection of a dormer window to the rear elevation of the property and install roof lights to the front elevation.

1.2 Planning permission was granted in 2016 for the conversion of the four storey dwelling into two self contained flats. The standard condition giving permission in accordance with the approved plans was attached to the approval (condition 2). As originally submitted the plans identified a dormer window to the rear elevation, this element of the scheme was deleted following advice from officers. The dormer was omitted from the elevations but the floor plan still made reference to the dimensions of the dormer window. As such condition 3 was added which stated:

'Notwithstanding the information contained within the approved floor plans planning permission is not granted for the rear dormer window which appears on plan 15033-201 Rev A

Reason: For the avoidance of doubt as the dormer window has been deleted from the scheme but still appears on the floor plans'

1.3 The application is being brought to sub-committee with a site visit at the request of Cllr Kramm in order to assess the impact on the conservation area and the general impact on the surrounding neighbourhood.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

2.2 Policies:

CYHE2 Development in historic locations
CYHE3 Conservation Areas

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development (Heritage Officer)

3.1 An archaeological watching brief will be required.

Design, Conservation and Sustainable Development (Conservation Officer)

3.2 The roof lights now proposed at No. 14 would not be seen when closed in oblique views along the street but may draw attention when in the open position. However, in views from the off-shot of Priory Street leading to the Priory Centre, the roof of No. 14 and its neighbours are framed by the buildings to either side of this short extension of the street. From here, the shiny reflective glass surface of the roof lights would contrast markedly with the natural appearance of the grey slate roof covering and appear as a novel addition to the historic street scene. The large scale of the roof lights will increase the visual impact.

3.3 It is acknowledged that the dormer has been designed with the intention of not breaking the ridge in views from the wall, and that the muted colour chosen for the window frames seeks to reduce its impact. Nevertheless, the form of the dormer, standing up from the roof slope, and its large scale will be immediately apparent, and the glazed windows and lead roof covering will contrast with the colour and natural appearance of the roof, drawing further attention. The prevailing historic roof form is of unbroken pitched roofs

EXTERNAL

Neighbour Notification and Publicity

3.4 One response received stating that the proposed changes are beneficial for the area at the rear of the application site and the rear passage way

4.0 APPRAISAL

4.1 Key Issues

- Design
- Dormer Window
- Roof lights
- Impact upon the character of the conservation area

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. The framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. A principle set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.3 The application site is within the Central Historic Core Conservation Area where Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area

4.4 The NPPF states that development proposals should sustain and enhance Conservation Areas. Paragraph 131 urges Local Planning Authorities to give significant weight to the desirability of sustaining and enhancing the significance of heritage assets including Conservation Areas and putting them to viable uses consistent with their Conservation.

4.5 The NPPF, Chapter 12, Paragraph 132 states that considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed by or lost through alteration or destruction of the heritage asset or development within its setting.

4.6 The NPPF, Chapter 12, Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

4.7 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.8 Policies HE2 'Development within Historic Locations' and HE3 'Conservation Areas' of the City of York Local Plan Deposit Draft are also relevant to this proposal.

These policies expect proposals to maintain or enhance existing urban spaces, views, landmarks and other townscape elements and not to have an adverse effect on the character or appearance of the Conservation Area

SITE

4.9 The application site is a late 19th Century terrace property located one in from the end of the row and lies within the Central Historic Core Conservation Area. The Approved Central Historic Core Conservation Area Appraisal identifies Priory Street as being in Character Area 21. The terrace is described as 19th Century housing development around non-conformist chapels. The properties are relatively uniform in design and no dormer windows or roof lights are present to either the front or rear elevations. The property is clearly visible from the City Walls, Dewsbury Terrace to the side and Priory Street to the front.

4.10 Works are currently underway to implement the previous approval which gave permission to convert the building to two flats and amend openings to the rear elevation. The current application seeks permission for the erection of a dormer window to the rear elevation and roof lights to the front by way of the removal of restrictive conditions in order to allow additional natural daylight in to the proposed bedroom being formed in the roof.

DORMER WINDOW

4.11 The dormer would be located to the rear elevation just below the ridge tiles and would be set up from the eaves by approximately 2m. It would have a width of approximately 2.75m and a height of 1.075m. It would be located slightly off centre. The roof slope of the terrace is unbroken and is clad in natural slate. There are very few roof lights or dormers within the vicinity and none that are prominent on the rear roof slopes of the terrace itself. The applicant states that the dormer window would be lead-clad and painted grey and would sit below the existing roofline.

4.12 It is acknowledged that the dormer has been designed with the intention of not breaking the ridge in views from the wall, and that the muted colour chosen for the window frames seeks to reduce its impact. Nevertheless it is considered that the form of the dormer, standing up from the roof slope, and its large scale will be immediately apparent from views from the rear, and the glazed windows and lead roof covering will contrast with the colour and natural appearance of the roof, drawing further attention.

4.13 It is considered that the proposed dormer window would be visually prominent within this location and draw undue attention, particularly from the City Walls. The view of the roofscape from the city walls is considered to be particularly important; there are no similar roof structures within the view from this part of the city wall. The dormer window would harm the character and appearance of the conservation area. Significant weight should be given to this harm under Section 72 of the Planning

(Listed Buildings and Conservation Areas) Act 1990. It is not considered that there are any public benefits to the scheme that would outweigh the harm to the conservation area.

ROOF LIGHTS

4.14 The scheme also seeks permission for the insertion of two roof lights set centrally within the front elevation. The rooflights would be “conservation” type fitting near flush to the roofline. These would be visually prominent within views considering that there have been no alterations to the existing roof of the terrace as a whole. Whilst, it is agreed that they would not be visible from the main section of Priory Street they would be clearly visible from the small public access to the Priory Centre. It is considered that the reflective glass would contrast with the natural grey appearance of the slate roof.

4.15 A number of roof lights are present to the detached property which lies at 8-10 Priory Street. However, these are not readily visible from the public domain and as such have no detrimental impact upon the streetscene. Furthermore, this property is detached and not seen within the context of the uniform row of the terrace which contains the application site.

4.16 It is considered that the proposed roof lights would be visually prominent within this location and draw undue attention. It is considered that the rooflights would harm the character and appearance of the conservation area. Significant weight should be given to this harm under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is not considered that there are public benefits to the scheme that would outweigh the harm to the conservation area.

5.0 CONCLUSION

5.1 It is considered that the proposed dormer window would be visually prominent within this location and draw undue attention, particularly from the city walls. The rooflights would harm the appearance of the unaltered front roofslope. It is considered that both alterations would harm the character and appearance of the conservation area. Significant weight should be given to this harm under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The degree of harm would be less than substantial, but there would be no public benefit which would balance or outweigh the harm to the conservation area. The application is contrary to paragraphs 131, 132 and 134 of the NPPF policy HE2 and HE3 of the draft Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 It is considered that the proposed rear dormer would result in a visually intrusive addition within this unbroken row of pitched roofs and introduce a design feature at odds with the character of the dwelling. Due to the height of the building and the prominence of the rear elevation from the City Walls, the proposed dormer would be prominent from public views and would harm the character and appearance of the Central Historic Core Conservation Area. It is considered that the proposed roof lights to the front elevation, due to their size and reflective nature, would result in a visually intrusive addition within this unbroken row of pitched roofs. It is considered that they would harm the character and appearance of the Central Historic Core Conservation Area.

The application therefore fails to accord with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 131, 132 and 134 of the NPPF and policies HE2 and HE3 of the City of York Local Plan.

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 dormer and roof lights are considered to be unacceptable in principle and were discussed as part of the previous submission reference 16/00261/FUL. The local planning authority has considered the statement submitted in support of the application however it was not possible to achieve a positive outcome, resulting in planning permission being refused for the reasons stated.

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