

and a revised plan showing minor alterations to the layout of the car parking area at the request of Officers.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYGP3
Planning against crime

CYGP4A
Sustainability

CYT4
Cycle parking standards

CYC1
Criteria for community facilities

CYGP9
Landscaping

CYGP11
Accessibility

3.0 CONSULTATIONS

3.1 Internal

(i) Highways - Tang Hall Library is currently served by a vehicle access from Fifth Avenue and has approximately 21 car parking spaces. The car park serves both the library and adjacent health centre and is currently poorly laid out making manoeuvring difficult. Surveys carried out on behalf of the applicant demonstrate that the demand for car parking often exceeds the available number of spaces. This is confirmed by site visits which have demonstrated that the shortfall in available parking is leading to vehicles parking in an indiscriminate manner on grassed areas within the site or on the adjacent public highway. The site also provides access to Sustrans Route 66 cycleway which is heavily used by children attending local schools in addition to pedestrians and cyclists visiting the library and health centre.

The proposed extension to the library is likely to attract more visitors to the site and therefore potentially increase demand on the already oversubscribed car park. The reconfigured car park layout provides 28 spaces which is in accord with CYC maximum standards. The revised layout also provides designated disabled bays, improved manoeuvring areas and improved cycle parking. The new shared pedestrian/cycle path provides safe direct access to the Sustrans Route 66.

There are no highway objections to this proposed, subject to conditions being attached to cover surfacing of vehicle areas, new access, pedestrian visibility splay, no mud on highway and phasing/implementation of the revised car park layout.

(ii) Environmental Protection Unit - No objections. However this site is in close proximity to residential properties. I therefore have concerns regarding nearby residents being adversely affected by noise during any demolition, construction or refurbishment works. I also have concerns regarding possible contamination of the site. Therefore, request conditions regarding construction working hours and contamination.

(iii) Environment and Conservation – No comments.

3.2 External

Heworth Planning Panel - No objections.

Objection letter from residents of 7 Gillamoor Avenue on following grounds:

- Proposals will change view of green grassed area, lead to overlooking and loss of quiet environment;
- Feel extension would be too high, nearly as high as two storey, and would dwarf existing extension;
- Question need for high ceilings given use as children's library;
- Only 3 metres from boundary, encroaching further and cutting out any view and a lot of light, casting shade over garden;
- Suggest extension be wider rather than larger;
- Question need for windows to children's library as none at present;
- Doors from children's library would allow activities outside, increasing noise levels and encouraging children to play at the back of the library increasing anti-social behaviour;
- Concerned about land left behind the building, which would be appealing for vandals, anti-social behaviour and more accessible to burglars;
- No landscaping proposed to rear of building to soften the view of the new extension and to help reduce noise from the change of use of the land;
- Compromise could be achieved by reducing height, making extension wider rather than longer and placing the windows to the front/side of the building, introducing fencing, lighting and planting to the rear would increase the security.

4.0 APPRAISAL

4.1 The main considerations are:

- principle of development
- design and impact on visual amenity

- affect on residential amenity
- parking provision and highway safety
- crime prevention
- sustainability

4.2 Policy GP1 requires development in general to be compatible in its layout, scale, mass and design with neighbouring buildings, spaces and character of the area and to ensure that nearby residents are not unduly affected by noise disturbance, overlooking, overshadowing or dominated by overbearing structures. Other policies referred to in Section 2.2 require accessibility, landscaping, sustainability and cycle parking to be addressed in all new development. In particular, Policy C1 of the Draft Local Plan requires community facility development to, firstly, be of a scale and design appropriate to the character and appearance of the locality and, secondly, fulfil a recognised need.

4.3 The proposal involves extension of and alterations to an existing community building that is located within the urban area of the city in order to expand and improve the facilities for the benefit of the wider community. The applicant has stated that the alterations are proposed as part of a city wide strategy between adult and community education and libraries to develop adult learning facilities in local communities and particularly in this area, where there are very few community based facilities. It is therefore considered to be acceptable in principle and would fulfil a need for improved facilities at the library identified by consultation with users.

4.4 The size and scale of the extension are substantial, doubling the ground floor area of the building. However, the proposal would enhance what is a rather bland, utilitarian building and consequently the visual amenity of the area as well as providing a pleasant and versatile environment with a wider range of facilities for its users.

4.5 The extension would be visible from neighbouring properties, particularly those on Gillamoor Avenue who back onto the library and are therefore the main residents affected by it. The extension has been designed to reduce any potential harm to the amenity of these residents by incorporating a sloping of the roof towards these neighbouring houses with limited fenestration and other openings. It would be set a minimum of 3m in from the boundary with a maximum height for the outer wall of 5m above existing ground level, as such it would not result in an unduly oppressive or overbearing structure. Any overshadowing would be in the late afternoon and mainly limited to the grassed area adjacent to the extension. A 1.8m high close boarded fence is proposed on the boundary to help prevent overlooking from the six small low level windows in the eastern elevation, which the agent has confirmed are to provide light to and interest within the children's library that they will serve. The boundary fencing and the external play/activities area do not in themselves require planning permission as the former is less than 2m in height and the latter would not constitute a material change of use of the land providing the activities are ancillary to the operation of the library.

4.6 The alterations to the car parking area would improve provision and arrangements at the site. The Council's Highway Officer is satisfied with the proposals, subject to conditions being attached to any approval as set out in Section

3.1. However, the changes would potentially impact more on the residents of 296 Fifth Avenue located to the west of the site due to the extension of the parking forward of the front building line of the house and closer to the boundary. This has been raised with the applicant's agent, who has submitted a revised plan that moves the car parking one metre to the east by omitting a 1m strip of landscaping to allow a more substantial planting in a 2m strip along the boundary with no. 296, in order to help mitigate any disturbance from car activity to the residents of this property. The agent has also confirmed that a 1m high close boarded fence could be erected on the boundary for the section forward of the house if considered necessary. A condition requiring details of cycle parking facilities to serve the extended library is recommended be attached to any approval.

4.7 With regards to the security at the site, no windows are proposed on the publicly accessible southern and western elevations of the extension and the applicant has agreed to a condition to enclose the outdoor children's area with a 1.8m high fence, which would protect the six windows on the eastern elevation. The remainder of the site is currently open and publicly accessible, and would remain so, due to the existing pedestrian and cycle link with the Sustrans Cycle Route.

4.8 The applicant has submitted a statement on sustainability as required by Policy GP4a of the Draft Local Plan. This addresses the current accessibility of the site and improved accessibility to the site. It states that the additional space for new activities will ensure the facilities are sustainable in the future, prolonging the life of the building. The materials of construction would provide high levels of thermal performance and the heating system boiler is to be replaced to minimise energy costs and carbon output.

5.0 CONCLUSION

5.1 On balance, the application is considered to be acceptable in planning terms and is therefore recommended for approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2

2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing number THL/010 revision C dated 06 July 2006 and received 07 July 2006; Drawing number THL/011 revision A dated 08 Sept 2006 and received 11 September 2006.

or any plans or details subsequently agreed in writing by the Local Planning Authority as 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.

3 VISQ8

- 4 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs to be planted within the area to the east of the extension hereby approved and within the verges in the car park. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

- 5 A 1.8 metre minimum height close boarded fence shall be provided to enclose the area to the east of the extended building and a 1 metre high close boarded fence shall be provided along the boundary with 296 Fifth Avenue to the front of the dwelling house, before the extended library and the car parking area adjacent to the front of no. 296 come into use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity of neighbouring residents and in order to reduce the opportunity for crime.

6 HWAY10

- 7 The development shall not be begun until details of the junction between the car park and the highway have been approved in writing by the Local Planning Authority, and the development shall not come into use until that junction has been constructed in accordance with the approved plans.

Reason: In the interests of road safety.

8 HWAY25

9 HWAY31

- 10 Prior to the commencement of development details of phasing and implementation of the revised car parking layout shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure adequate off-street car parking is available for the existing library and health centre during construction works, in order to prevent the overspill of car parking onto the adjacent public highway which would be to the detriment of free flow of traffic and safety of highway users.

- 11 Prior to the development commencing details of the cycle parking facilities to serve the extended library shall be submitted to and approved in writing by the Local Planning Authority. The extension shall not be occupied until the cycle parking facilities have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

- 12 All construction and demolition or refurbishment works and ancillary operations, including deliveries to the site and dispatch from the site shall only be carried out between the hours of 08.00 and 18.00 Mondays to Fridays and 09.00 to 13.00 on Saturdays and not at all on Sundays and Bank Holidays.

Reason: To protect the amenity of local residents during the construction of the development.

- 13 Any suspect contaminated materials detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: In the interests of the health of the future occupants

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

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 visual amenity, residential amenity, parking provision and highway safety, crime prevention and sustainability. As such the proposal complies with Policies GP1, GP3, GP4a, GP9, GP11, T4 and C1 of the City of York Draft Local Plan (incorporating 4th set of changes, 2005).

2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

Contact details:

Author: Hannah Blackburn Development Control Officer
Tel No: 01904 551477