

## COMMITTEE REPORT

**Committee:** West & City Centre Area    **Ward:** Holgate  
**Date:** 30 January 2006                    **Parish:** No Parish

**Reference:** 06/02777/FUL  
**Application at:** 218 Salisbury Terrace York YO26 4XP  
**For:** Conversion of existing church hall to 3 no. 1 bed apartments and external alterations  
**By:** The York Diocesan Board Of Finance Ltd  
**Application Type:** Full Application  
**Target Date:** 8 February 2007

### 1.0 PROPOSAL

1.1 The application is for change of use, to convert the building into three flats. The existing use is a church hall, associated with St Barnabas' Church and used as a community facility.

1.2 The proposed works include new and altered windows and doors on the external elevations. No extensions to the building are proposed.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001  
DC Area Teams West Area 0004  
Floodzone 2 Flood Zone 2 CONF  
Floodzone 3 Flood Zone 3  
Schools St. Barnabas' CE Primary 0224

2.2 Policies:

CYGP1            Design  
CYGP15        Protection from flooding  
CYH4A        Housing Windfalls  
CYC3            Change of use of community facilities  
CYL1C            Provision of New Open Space in Development

### 3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No response. At pre application stage stated that car parking spaces would not be required, but covered secure cycle spaces would be.

Drainage - No objection.

### 3.2 External

Environment Agency - No response to date.

Publicity - No written representations have been made.

## **4.0 APPRAISAL**

### 4.1 Key issues

Principle

Residential amenity

Loss of existing community facility

Flood risk

Highways

#### Principle of residential

4.2 H4a of the City of York Draft Local Plan states that proposals for land not already allocated on the proposals map will be granted permission where: the site is within the urban area and is vacant, underused or it involves infilling, redevelopment or conversion of existing buildings; the site has good accessibility to jobs, shops and services; and it is of an appropriate scale and density to surrounding development and it would not have a detrimental impact on existing landscape features.

4.3 The application proposes residential use in an existing underused building. The location is sustainable; a built up residential area with local shops and services nearby, and linked by public transport to the city centre. In principle the application site is suitable for residential use.

4.4 The existing building is considered to be of an acceptable scale and general appearance; it fits in with the row of terraces within which it is located. The minor external alterations proposed would improve the condition and appearance of the host building, to the benefit of the visual amenity of the area.

4.5 Internal space for bin and cycle storage is proposed. Bin storage is located conveniently as refuse is collected from the rear of the dwellings on Salisbury Terrace.

#### Residential amenity

4.6 There is no outdoor amenity space on site. The applicant has agreed to a contribution of £384 toward upgrading existing open space in accordance with Local Plan policy L1c. There is adequate outlook for potential residents, with living and bedrooms overlooking Salisbury Terrace at the front and open space at the rear.

4.7 The amenity of neighbouring residents would potentially be enhanced by the proposed use as there would be less activity associated with residential opposed to a community facility, by virtue of the number of visitors to the site and its internal use.

4.8 The host building's outlook would remain as existing, from windows and on the front and rear elevations, and two side windows on the rear outshot at first floor level. None of these windows directly look into the rooms of surrounding residential properties, although the side windows would serve the kitchen / living room and face the rear yard of No.220. Overlooking into rear yards is common in terraced areas where first floor windows are close to side boundaries. As such this is arrangement not objected to.

4.9 No windows are proposed on the east elevation, so no overlooking would occur over No.216. It is considered unnecessary to prevent any new windows being inserted in the west elevation because of the internal layout, as stairs are proposed on that side of the building, opposed to habitable rooms. Also the two-storey rear extension present on No.216 would block views into the rear rooms of that dwellinghouse.

#### Loss of community facility

4.10 Chapter 13 of the City of York Draft Local Plan has the objectives of the promotion of new community facilities and to protect and enhance existing facilities. Policy C3 states permission will only be granted for the change of use of community facilities where; the proposal is of a scale and design appropriate to the character and appearance of the locality; it can be demonstrated that the existing facility is no longer needed; or where alternative sites can be provided.

4.11 The existing facility is used sparsely, on Monday there is ballet in the evening, no use on Tuesdays, Wednesday toddler group am and Brownies pm, Thursday evening ballet and also Saturday morning. Of these three activities the toddler group suffers from a lack of demand and may cease to continue. The applicants intend to upgrade the nearby (around 160m) St Barnabas' Church and relocate the activities that occur at the application site there. The applicant's therefore reasonably demonstrate that the existing facility is underused and shall be relocated in more appropriate facilities within walking distance of the site. As such the proposal is compliant with policy C3.

#### Flood risk

4.12 The application site falls within an area where the risk of flooding is high (flood zone 3). In accordance with Local Plan policy GP15a the developer is obliged to produce an assessment of additional flood risk as a consequence of the development and measures to mitigate risk in the proposed development.

4.13 Flood defences in the area can protect the site should levels increase up to 10.91 metres AOD (Above ordnance datum). The applicant's flood risk assessment demonstrates that the occupation of the building for residential would not increase the risk of flooding in the area and that the development would be safe for future occupants.

#### Highways

4.14 The host building is within a row of terraced dwellings, reliant upon on-street parking, controlled by a residents parking scheme. The location, near to services and public transport routes, and proposed provision of cycle parking on site encourages occupants to use modes of transport alternative to the car, which is in accordance with the thrust of National planning guidance note PPG13: Transport.

## 5.0 CONCLUSION

5.1 The proposal would have an acceptable impact on residential amenity, highway safety and flood risk, and the existing community facility would be replaced. As such the proposed change of use is compliant with the relevant policies of the City of York Draft Local Plan. Approval is recommended.

## 6.0 RECOMMENDATION: Approve subject to the following conditions

- 1 PLANS1 Apprvd plans
- 2 TIME2 Development start within three years
- 3 The materials to be used externally shall match those of the existing building in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

- 4 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 alternative 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.

### INFORMATIVE:

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 £384.

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.

## **7.0 INFORMATIVES:**

### **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 design, residential amenity, provision of community facilities, flood risk and highway safety. As such the proposal complies with Policies GP1, H4, C3 and L1c of the City of York Local Plan Deposit Draft.

### **Contact details:**

**Author:** Jonathan Kenyon Development Control Officer  
**Tel No:** 01904 551323