

CYH4A
Housing Windfalls

CYH12
Conversion of redundant offices

CYHE3
Conservation Areas

3.0 CONSULTATIONS

3.1 No response from Micklegate Planning Panel

3.2 As a consequence of publicity a representation has been received on behalf of the public house at 49 Micklegate. It advises of the proximity of the rear of the premises to a licensed outside drinking area used by the pub and the nightclub next door. There is concern that noise will affect future occupants and no soundproofing measures are proposed in the dwelling. It is asked that this be noted and that any future occupants should not be able to complain about noise from existing uses should they move into the building.

4.0 APPRAISAL

4.1 Key issues

- Loss of office space
- Whether residential use is appropriate at the site
- Amenity of future occupants
- Impact on the listed building and the conservation area
- Open space

Loss of office space and whether residential use is appropriate at the site in principle

4.2 Local Plan policy E3b advises that a change of use from office use will only be given where there is a sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms, and either unacceptable environmental problems exist; the development of the site for other appropriate uses will lead to significant benefits to the local economy; the use is ancillary to an employment use. Policy H12 advises conversions of offices will be acceptable when there would be no undue adverse impact on the vitality and viability of the city centre and the amenity of surrounding occupants.

4.3 The host building became vacant in 2008 and has been unsuccessfully marketed as offices since. Continued vacancy indicates a lack of demand, and that there are preferable alternative sites. In addition the building is listed and does not provide inclusive access. To secure occupation of the building and provide a family home for which there is established need, rather than require that its stays vacant, will have benefit to the economy, and have a positive impact on the locality. As such the loss of the office floorspace offered within the building is not objected to.

4.4 The scheme complies with Local Plan policy H4a which advises that conversions of buildings into dwellings will be acceptable where the site is within the urban area and is vacant, and has good accessibility to jobs, shops and services.

Amenity of future occupants

4.5 The host building is within a terrace some of which is in residential use. There is an outside area to the public house at 49 Micklegate, behind the application site, thus it is likely there will be noise disturbance on occasions from raised voices, late in the evening. However it is proposed to arrange the internal layout so the bedrooms are to the front of the building, overlooking the Church Grounds and St Martin's Lane, which is far quieter than Micklegate; footfall is lower and the lane is used rarely by traffic. In future the applicants could, if they wished and subject to listed building consent, install secondary glazing to the building to increase noise insulation. It is given that noise levels will be higher in this city centre area, in comparison to an area which is predominantly residential. It is a positive for the immediate area that family housing will be provided, and in a sustainable location, this can make a positive impact on vitality, viability and safety. There is no evidence that noise levels would be undue for future occupants; Council's Environmental Protection Unit have not reported a significant number of complaints from existing residents in the lane. Overall it is deemed amenity levels for future occupants would be acceptable.

Impact on the listed building and the conservation area

4.6 Policies HE3 and HE4 seek to preserve the character and appearance of conservation areas and the special interest of listed buildings. The building was designed as a house and a return to its original use will benefit the conservation of the listed building. Internally the layout would respect the original form of the building. A modern rear extension would be removed, to provide additional outside space. This will not have an adverse impact on the historic and architectural interest of the main building. The building is not seen from public viewpoints, thus there would be a neutral impact on the conservation area.

Open space

4.7 In accordance with policy L1c of the Local Plan the applicants agree to an open space contribution.

5.0 CONCLUSION

5.1 The application is welcomed; it will secure the long term conservation of the listed building and return it to its original use. This will benefit the vitality and viability of the area also. The benefits identified outweigh the loss of office space. It is considered also there would be acceptable living conditions for future occupants.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years -
- 2 PLANS1 Approved plans - 1119.2-5 date stamped 11.11.2011
- 3 S106OS IN Section 106 Open Space - 2,154

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 the impact on heritage assets, the supply of office space in the city and residential amenity. As such the proposal complies with Policies HE3, HE4, E3b, H4, and H12 of the City of York Development Control Local Plan.

Contact details:

Author: Jonathan Kenyon Development Management Officer

Tel No: 01904 551323