

COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Micklegate
Date: 15 February 2007 **Parish:** Micklegate Planning Panel

Reference: 06/02715/FUL
Application at: 114 Bishopthorpe Road York YO23 1JX
For: Change of use from residential dwelling to 6 bedroom guest house with owners accommodation
By: Mr And Mrs Ferraioli
Application Type: Full Application
Target Date: 2 February 2007

1.0 PROPOSAL

1.1 The application is for planning permission for a change of use into a guesthouse. The application site was previously used as a domestic dwellinghouse. No external alterations are proposed. The applicant has provided written assurances that the proposed use is a guesthouse for tourists. Accommodation would be offered on a room only basis, or bed and breakfast; there would be no self catering facilities for guests.

1.2 The application relates to a terraced dwellinghouse, located in a row of five. The building is not listed or within a conservation area. It looks onto Bishopthorpe Road, which is a relatively busy vehicle route. The immediate surrounding area is predominantly residential.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001
DC Area Teams Central Area 0002

2.2 Policies:

CYV1 Criteria for visitor related development
CYV3 Criteria for hotels and guest houses

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections.

Environmental Protection Unit - No objections.

3.2 External

Planning Panel - No objection.

North Yorkshire Police - No comment.

Publicity - Six objections on the following grounds

- Increase in demand for car parking / detrimental to highway safety.
- Cycle parking is not shown on the plans. Where would it be accommodated without harming the visual amenity of the area?
- The presence of cycle parking would not prevent people from accessing the site by car, especially if they are likely to be visiting the city.
- The type of guests that would stay at the guest house would cause noise and disturbance in the area. It is noted that people currently using the building congregate outside the front door smoking. This impacts adjoining residents and would be worse in summer when windows are open.
- The applicant runs other sites in the city which are used as hostels or temporary accommodation for the homeless.
- Oversupply of such accommodation in the area. There are a number of guesthouses on Bishopthorpe Road and Southlands Road. Also the Terry's site has plans for a hotel.
- Noise during building works.

4.0 APPRAISAL

4.1 The key issues are as follows

Principle of proposed use
Amenity of nearby occupants
Highways / parking

4.2 Of the Draft Local Plan policies V1 and V3 relating to Visitor related development are relevant. V3 is specific to guesthouses. Of the North Yorkshire County Structure Plan policy I13 refers to the development of tourist accommodation. National policy guidance in PPS1: Delivering Sustainable Development and PPG13: Transport are also referred to in the appraisal.

Principle of proposed use

4.3 V3 states planning permission will be granted for guesthouses provided the proposal:

- a) Is compatible with its surroundings in terms of siting, scale and design and
- b) would not result in the loss of residential accommodation which when originally built had less than four bedrooms;
- c) would not have an adverse effect on the residential character of the area;
- d) is well related in terms of walking, cycling and access to public transport in relation to York City Centre or other visitor attractions.

4.4 The proposed change of use does not include any external alterations. The existing building is in keeping with its neighbours on Bishopthorpe Road in terms of size and appearance. As such the proposal complies with criteria a) of policy V3.

4.5 The building has five bedrooms on the first and second floors. It is proposed that there would be a further bedroom, in addition to living accommodation for the owner / manager at ground floor level. The building is of adequate size to be a guesthouse and would not lead to a decrease of available family housing stock (properties of three to five bedrooms) in the city. As such the proposal is compliant with criteria b) of policy V3.

4.6 Policy V3 recognises that the character of a residential area can be harmed when there is an over concentration of guesthouses introduced. On Bishopthorpe Road there are a number of guesthouses on both sides of the street (Environmental Protection Unit have records of 9 in total). Of these, it is of note that the guesthouse at 88-90 Bishopthorpe Road has recently been granted planning permission for a change of use to residential. Guesthouses can also be found on nearby streets such as Southlands Road and Scarcroft Road. The presence of guesthouses in the area is mainly due to the location, which is near to the racecourse and the city centre, and also because the large (originally) dwellings lend themselves to such a use. Despite the amount of guesthouses on Bishopthorpe Road, it is considered that there is not an over concentration in the area to the extent that there is significant harm to its character.

4.7 The application site is on a bus route into the city centre and is within walking distance to local amenities / services which are found on Bishopthorpe Road. It is also reasonably close to the city centre and within a built up area. The location complies with the criteria of d) of policy V3.

Amenity of nearby occupants

4.8 Local residents have raised objections regarding the nature of the proposed guesthouse and potential problems with noise and general disturbance that may occur. The applicant has re-iterated that the proposed use shall be for tourists visiting the city and not for homeless persons, or for short-term residential accommodation. The applicant can be informed that a fresh application for a change of use would be required if the premises were to be a non-C1 use, such as a hostel.

4.9 Because of the location of the site, on a main road, and given the number of rooms available, it is unlikely that the comings and goings of guests would have a significant affect on the amenity of nearby residents. The premises would be ran by the owner who proposes to reside on site; to a certain degree the owner would be responsible for the behaviour of guests. The Environmental Protection Unit report only two records of complaint regarding noise from guesthouses on Bishopthorpe Road since 1999. Given the nature of the proposed use, it may well be that on occasions guests cause noise disturbance. However because of the size of the premises, the degree of disturbance would be comparable to that which may potentially occur at a single dwellinghouse. As such it would be difficult to warrant refusal on the grounds that noise from guests would occur to an extent that could warrant refusal of the application.

4.10 Should committee decide to approve the application, a condition controlling the times of construction to reasonable hours could be attached to prevent undue harm to residential amenity during renovation works.

Highways / parking

4.11 There is no off street car parking on site; visitors arriving by car would need to park vehicles either on Bishopthorpe Road or the nearby streets which are not within respark zones. In relation to the existing residential use, it is possible that on occasions a guesthouse would create an increased demand for parking. However the host is located on a bus route and near to the city centre. This is therefore a location where the use of alternative means of transport to vehicles should be promoted, in accordance with national planning guidance in PPS1: Delivering Sustainable Development and PPG13: Transport which seek to reduce car dependence and encourage walking, cycling and public transport. Highway Network Management do not object to the reliance upon on street parking. As such, despite resident's concerns regarding the lack of parking in this area, it is considered refusal could not be sustained on such grounds.

5.0 CONCLUSION

5.1 It is considered that the proposed use would be compliant with the relevant policies listed in 2.2. Approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 PLANS1 Approved plans
- 2 TIME2 Development start within three years
- 3 HWAY18 Cycle parking details to be agreed
- 4 All works and ancillary operations during construction including deliveries to 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 nearby residents and occupiers of premises.

**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 residential amenity, the character of the area and highway safety. As such the proposal complies with Policy I13 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies V1 and V3 of the City of York Local Plan Deposit Draft.

2. You are advised that this permission allows the application site to be used as a guesthouse or any use within class C1 of the Use Classes Order 2005 only. Any other use of the site, such as a hostel or short-term accommodation for the homeless would require planning permission.

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