

COMMITTEE REPORT

Date: 14 February 2013 **Ward:** Micklegate
Team: Major and **Parish:** Micklegate Planning
Commercial Team Panel

Reference: 12/03598/FULM
Application at: Oliver House Bishophill Junior York YO1 6ES
For: Change of use from elderly peoples home (Use Class C2) to offices and workspace and erection of single storey front and rear extensions
By: Ms Angela Portz
Application Type: Major Full Application (13 weeks)
Target Date: 12 March 2013
Recommendation: Approve

1.0 PROPOSAL

1.1 Oliver House comprises a substantial three storey buff brick constructed building circa 1970 occupying a visually prominent site within the Historic Core Conservation Area to the south west of the City Centre and directly to the east of the City Walls, a Scheduled Ancient Monument. The building was constructed as an Elderly Persons Home but it has recently become surplus to operational requirements and has since closed. Planning permission is sought for the change of use of the property from an Elderly Person's Home Use Class C2 to a mix of offices and workspace for the York Council for Voluntary Organisations together with two single storey extensions to the north and to the south east elevations to provide a formal reception area and to provide a cafe with associated kitchen.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006
Conservation Area GMS Constraints: Central Historic Core CONF

2.2 Policies:

CYHE3 Conservation Areas
CYHE2 Development in historic locations
CYC3 Change of use of community facilities
CYE4 Employment devt on unallocated land

3.0 CONSULTATIONS

INTERNAL:-

3.1 Environmental Protection Unit raise no objection to the proposal.

3.2 Design, Conservation and Sustainable Development were consulted with respect to the proposal on 14th December 2012. Any comments will be reported verbally.

EXTERNAL:-

3.3 Micklegate Planning Panel were consulted with regard to the proposal on 14th December 2012. Any comments will be reported verbally.

3.4 Safer York Partnership raise no objection to the proposal.

3.5 One letter of representation has been received from a neighbouring property in respect of the proposal. The following is a summary of its contents:-

- i) Broad support for the proposed change of use;
- ii) Objection to the proposed external material for the reception area extension to the north elevation of the building;
- iii) Objection to the proposed relocation of the reception area on highway safety grounds;
- iv) Objection to the relocation of a section of car parking to the principal site frontage.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the character and appearance of the Historic Core Conservation Area
- Loss of a Community Facility
- Highway issues

STATUS OF THE DRAFT LOCAL PLAN

4.2 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations in arriving at Development Management decisions although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE HISTORIC CORE CONSERVATION AREA

4.3 Policy HE3 of the York Development Control Local Plan sets a firm policy presumption that within Conservation Areas development proposals that would involve external alterations together with changes of use will only be permitted where there would be no adverse impact upon the character or appearance of the area. Central Government Planning Policy in respect of Planning and the Historic Environment set out in paragraphs 131 and 132 of the NPPF indicates that in determining planning applications that impact upon designated Heritage Assets such as Conservation Areas, Local Planning Authority's should give particular weight to the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

4.4 The current proposal envisages the change of use and modest ground floor extension of a disused Elderly Person's Home of utilitarian appearance. The Historic Core Conservation Area Appraisal identifies the building and its neighbour to the east as not making a positive contribution to the character and appearance of the Conservation Area and identifies the need for public realm improvements in the direct vicinity in order to secure the visual amenity of the wider area. The proposed development envisages dealing with its impact upon character by painting the ground floor in an off-white colour to contrast with the buff brick above whilst at the same time the two single storey ground floor extensions would be constructed in a polycarbonate cladding material. Both elements would reduce the impact of the development on the Conservation Area by relieving its often plain, monotonous external appearance.

4.5 The principal northern elevation of the property is furthermore viewed in the context of the early 19th Century terraced housing and Listed former Presbyterian Chapel lining Priory Street with the City Walls, a Scheduled Ancient Monument to the east. The overwhelming mass and bulk of the building together with its idiosyncratic use of coarse buff brick draws the eye of the viewer away from the more high quality townscape around. The introduction of a series of measures including the partial re-fenestration of the north and south principal elevations, the painting of the ground floor and the construction of single storey extension to both front and rear elevations would effectively mitigate the existing impact upon the setting of adjacent Listed Buildings and the City Walls. The terms of Policy HE3 of the York Development Control Local Plan would therefore be complied with.

LOSS OF A COMMUNITY FACILITY

4.6 Policy C3 of the York Development Control Local Plan sets a firm policy presumption that planning permission will only be granted for the change of use of social, health or care homes 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 buildings are surplus to the existing or future needs of the local community and it can be demonstrated that alternative acceptable sites for the existing use can be provided. The existing building was constructed in the early 1970s as an Elderly Person's Home. Following a review of services for older persons in 2011 a greater emphasis has been placed upon assisted living independently with smaller more up-to-date facilities where this would not prove viable and the application site became surplus to requirements. The design and location of the building has made it unsuitable for another similar community home use. The proposed development relates directly to the existing service provided by the Local Council for Voluntary Organisations at the Priory Street Centre a short distance away. It would incorporate a range of office suites, meeting rooms and a cafe within the rear ground floor extension for use by local charities and community groups and would link closely to other voluntary sector activities in the area. The terms of Policy C3 of the Draft Local Plan would therefore be complied with.

HIGHWAY ISSUES

4.7 Concern has been raised in respect of the location of the proposed parking and reception areas in relation to the flow of traffic on the adjacent highway. However, traffic flow on the adjacent highway is extremely modest and the narrowness and configuration of the road network surrounding the property is such that vehicles may not easily travel at speed. It is felt therefore that the proposal would not have a material impact upon the safe and free flow of traffic in the locality. The Conservation Area Appraisal seeks improvements to the public realm in the vicinity of the principal northern elevation of the building. This can effectively be secured by a condition on any permission seeking the submission and approval of a detailed hard and soft landscaping scheme together with samples of floorscaping materials.

5.0 CONCLUSION

5.1 Oliver House comprises a substantial three storey free standing structure circa 1970 occupying a prominent location within the Historic Core Conservation Area. The building was formerly in use as an Elderly Person's Home and following a review of provision for older persons within the City has been declared surplus to requirements. Planning permission is sought for the change of use of the building to provide a suite of offices with associated meeting rooms for a range of local charity and community groups. Two single storey extensions to the principal northern street elevation, to house a reception area, and to the south east to house a cafe, have been proposed. The existing building by virtue of its scale, massing and external appearance, to an extent, erodes the character and appearance of the Conservation Area. The application proposes the construction of the two extensions in a polycarbonate cladding system, the painting of the ground floor off white and the replacement of a section of the fenestration of both principal elevations in timber. It is felt that the proposals would significantly enhance the impact of the existing

building upon the character and appearance of the surrounding area as well as being acceptable in land use terms. Approval is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Drawing Refs:- A138_151; A138/130; A138/129; A138_150; A138/101; A138/128; A138/107; A138/105; A138/103; A138/106; A138/104; A138/102; and A138/100.
Date Stamped 23rd November 2012.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

4 VISQ8 Samples of exterior materials to be app -

5. 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 and areas of hard landscaping . 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 and hard landscaping within the site to secure the character and appearance of the Conservation Area.

6. Prior to the commencement of the development hereby authorised samples of the proposed external surfacing/floorscaping materials to be used in association with the development shall be submitted to and approved in writing by the Local Planning

Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the character and appearance of the Conservation Area and to secure compliance with Policies HE2 and HE3 of the York Development Control Local Plan.

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 impact upon character and appearance of Historic Core Conservation Area and loss of a community facility. As such the proposal complies with Policies HE2, HE3, C3 and E4 of the City of York Development Control Local Plan.

2. 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), through a comprehensive and detailed pre-application discussion process, and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory subject to appropriate conditions. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

Contact details:

Author: Erik Matthews Development Management Officer

Tel No: 01904 551416