

COMMITTEE REPORT

Date: 8 November 2012 **Ward:** Fishergate
Team: Major and **Parish:** Fishergate Planning
Commercial Team Panel

Reference: 12/02472/FUL
Application at: Hollycroft 20 Wenlock Terrace York YO10 4DU
For: Change of use from offices to 8no. Residential apartments
By: Mr Graham Hogben
Application Type: Full Application
Target Date: 26 September 2012
Recommendation: Approve subject to Section 106 Agreement

1.0 PROPOSAL

1.1 Hollycroft comprises a two storey late Victorian two storey brick built former villa lying within substantial grounds to the west of Fulford Road. The building is presently in use as offices and it occupies a prominent site within the Fulford Road Conservation Area. The surrounding area is in a mix of uses with residential property predominating along Wenlock Terrace. Planning permission is sought for change of use of the property to form eight self-contained apartments. Planning permission (ref:-09/00966/FUL) has previously been granted for a scheme to create 8 self-contained apartments at the site on 16th October 2009. This permission has now lapsed.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Fulford Road CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYGP3
Planning against crime

CYGP9

Landscaping

CYH4A

Housing Windfalls

CYHE2

Development in historic locations

CYHE3

Conservation Areas

CYE3B

Existing and Proposed Employment Sites

CYNE1

Trees, woodlands, hedgerows

CYL1C

Provision of New Open Space in Development

CYT4

Cycle parking standards

3.0 CONSULTATIONS

INTERNAL:-

3.1 Highway Network Management raise no objection to the proposal subject to any permission being conditioned to require further approval of the proposed cycle parking arrangements together with a contribution to the City Centre Car Club secured via a Section 106 Agreement.

3.2 Education raise no objection to the proposal and indicate that no contribution towards education provision will be required.

3.3 Environmental Protection Unit raise no objection in principle to the proposal but express some concern in respect of disturbance from traffic noise and noise from late night deliveries at the Sainsbury's store on Fulford Road.

3.4 Design, Conservation and Sustainable Development raise no objection in principle to the proposal but raise concern in respect of the location of flues, fans and extractors, the treatment of the fenestration and the existing site access.

3.5 Lifelong Learning and Culture were consulted in respect of the proposal on 14th August 2012. Any views will be reported verbally at the meeting.

3.6 Integrated Strategy raise no objection in principle to the proposal but raise some concern in respect of the potential loss of employment land in view of the lapse of time since the previous planning permission.

EXTERNAL:-

3.7 Fishergate Planning Panel raise no objection to the proposal.

3.8 Neighbours - No replies received

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- * Impact upon the character and appearance of the Conservation Area;
- * Impact upon the amenities of future occupants of the property;
- * Potential loss of employment land.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA:-

4.2 Policy HE3 of the York Development Control Local Plan states that planning permission for changes of use with significant environmental effects will only be forthcoming within the Conservation Area where they would not have an adverse effect on the character and appearance of the area. The principle of residential conversion in broadly the form indicated has been established by the previous permission. The site is of some townscape importance as a good example of a detached Victorian villa set within significant ground. The surrounding area within the Conservation Area is characterised by other former villas and terraced properties associated with professionals servicing the City and the nearby army barracks. The proposal envisages the productive re-use of an existing building that has been under-utilised for a number of years returning an element of residential use for which the building was initially designed.

4.3 Concern has been expressed in respect of the treatment of the fenestration of the property, the location of any flues and extraction vents on the exterior of the property and the treatment of the site access. Each of these aspects is of significance in respect of the contribution of the property to the character of the Conservation Area.

It is recommended that large scale details of the proposed window treatment along with the location of any flues or extraction vents be conditioned as part of any permission. In respect of the access, whilst it would be ideal to provide improved pedestrian visibility splays at the entrance, there would not be a material difference in terms of vehicle usage and its current configuration closely reflects that of its original use thereby making a positive contribution to the character of the Conservation Area. The terms of Policy HE3 of the Draft Local Plan have therefore been complied with in respect of the proposal.

IMPACT UPON THE AMENITIES OF FUTURE OCCUPANTS OF THE SITE:-

4.4 Policy GP1 of the York Development Control Local Plan expects new development proposals to respect or enhance the local environment, be of a layout and design that is compatible with neighbouring buildings, spaces and the character of the area as well as provide and protect private, individual or communal amenity space for residential developments. The current proposal envisages the residential re-use of an existing office building that was previously designed for use as a single residential property. This results in an internal layout constrained by the need to retain important features of the site such as staircases, window openings and chimney breasts. Furthermore some of the units would have a non-standard internal layout with apartment 2 split over two floors with a north facing window lighting a principal living area. Whilst this situation is not ideal the resulting apartments would not be sub-standard in terms of their space, outlook, light, ventilation or privacy.

4.5 The existing property is surrounded by car parking and other hard surfacing associated with the existing office use. The scheme as proposed and as previously approved envisages the creation of a modest garden area along the site frontage for the use of occupants of the apartments. This is considered to be acceptable.

4.6 Concern has been expressed in respect of potential noise nuisance generated by traffic along Fulford Road together with deliveries to Sainsburys at the junction of Wenlock Terrace and Fulford Road. It is therefore recommended that a scheme of noise mitigation be conditioned on any permission.

POTENTIAL LOSS OF EMPLOYMENT LAND:-

4.7 Policy E3b) of the York Development Control Local Plan states that existing employment sites and premises should be retained in their existing use with planning permission being given for other uses only where there is a sufficient supply of employment land to meet present and future needs, and the development of the site for other uses would lead to significant benefits for the local economy.

This can be off-set against Central Government Planning Policy outlined in paragraph 51 of the National Planning Policy Framework which explicitly encourages the re-use of vacant and under-utilised buildings in employment use for residential development other than where there are strong economic reasons why such development would not be appropriate. Concern has been expressed about the potential impact of the loss of the office use to the supply of employment land within the inner area of the City. However, there has been no material change in circumstances in this respect since the original grant of planning permission in 2009. Furthermore the proposal envisages the return of an element of residential use to the property for which it was initially designed and the positive benefit that this would give to the character of the Conservation Area would significantly outweigh the modest impact of any loss of employment land.

OTHER ISSUES:-

4.8 The application site generates a requirement for a commuted sum to secure the provision of open space off site in line with Policy L1c) of the York Development Control Local Plan. This results in a sum of £6,408. There is a further highway related requirement for a commuted sum of £2,000 to contribute to the City Car Club and reduce car journeys on surrounding roads in line with sustainable development principles. This results in a total sum of commuted payments to be secured by Section 106 Agreement of £8,408.

5.0 CONCLUSION

5.1 Hollycroft comprises a two storey brick built Late Victorian villa currently in use as offices lying to the west of Fulford Road within the Fulford Road Conservation Area. Planning permission is sought for the change of use and conversion of the property to form 8 apartments. Planning permission was previously given for a similar scheme ref: - 09/00966/FUL in October 2009. The proposal envisages a scheme that would see the creation of a mix of one and two bedroom apartments that would cause the minimum harm to the historic character of the building. It is considered that the proposed access and parking arrangements are acceptable and that sufficient external amenity space would be provided for future occupants of the property.

5.2 Concern has previously been expressed in relation to the loss of the site as employment land however, the National Planning Policy Framework explicitly encourages the re-use of properties such as this for employment use, the return of an element of residential use would be of positive benefit for the character of the Conservation Area and there has not been a material change in circumstances since the original permission was given. The proposal is therefore once again considered to be appropriate in planning terms and approval is recommended.

5.3 The application is subject to a requirement for a Section 106 Agreement covering requirements for financial contributions in respect of a financial contribution to the City Car Club of £2,000 and a commuted sum in lieu of on-site open space of £6,408, giving a total of £8,408.

6.0 RECOMMENDATION: Approve subject to Section 106 Agreement

1 TIME2 Development start within three years -

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

Drawing Refs: - 201-001 Rev A; 201-002 received 13th July 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 apartments hereby approved shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles 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 Prior to the commencement of the conversion of the building to apartments hereby approved, details of the cycle parking and storage area, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The apartments shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any other 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.

5 Notwithstanding the details shown on the approved plans, details of refuse and recycling storage areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of conversion of the building to apartments hereby approved. The apartments shall not be occupied until the refuse and recycling areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than for the storage of refuse and recycling containers.

Reason: - To ensure adequate provision on site and in the interests of the visual amenity of the area and to preserve the character and appearance of the Conservation Area.

6 Prior to the commencement of the conversion of the building, a noise impact assessment shall be undertaken to assess the impact of traffic on A19 Fulford Road and deliveries to the convenience store at 212-214 Fulford Road on the future occupiers of the proposed apartments. A scheme of works to address the issues identified as a result of the assessment shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented before the apartments are first occupied.

Reason: - To protect the future occupants of the apartments from noise disturbance.

7 All works on site relating to the conversion of the building to apartments including loading or unloading on the site, shall be confined to 08:00 to 18:00 Monday to Friday, 09:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason: To protect the amenities of adjacent residents.

8 Large scale details of the position and design of flues and vents shall be submitted to and approved in writing by the Local Planning Authority prior to the conversion and the works shall thenceforth be undertaken in strict accordance with the details thereby approved. There shall be no roof vents and/or slate vents.

Reason: - So that the Local Planning Authority may be satisfied with these details in the interests of preserving and enhancing the character and appearance of the Conservation Area.

9 Large scale details of any double glazing works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the conversion and the works shall thenceforth be undertaken in strict accordance with the details thereby approved. The existing external blind boxes shall be retained on the building frontage.

Reason: - So that the Local Planning Authority may be satisfied with these details in the interests of preserving the character and appearance of the Conservation Area.

10 Prior to the commencement of conversion works, a detailed landscaping scheme for the private amenity area at the front of the site and any other areas of landscaping within the site as a whole shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall illustrate the number, species, height and position of trees and shrubs and all hard landscaping materials.

This scheme shall be implemented within a period of six months from 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 and in the interests of the residential amenity of future occupiers.

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 Conservation Area, impact upon amenities of future occupants of the property and loss of potential employment land. As such the proposal complies with Policies GP1, HE3, and E3b of the City of York Development Control Local Plan.

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