

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Micklegate
Date: 20 December 2007 **Parish:** Micklegate Planning Panel

Reference: 07/02166/FUL
Application at: Parkside Nursing Home 98 - 100 Bishopthorpe Road York YO23 1JS
For: Change of use from care home to 2no. dwellings, part demolition of rear extension, pitched roof single storey side/rear extension to no.100, single storey pitched roof rear extension to no.98 and 1 no. single and 1 no double garage
By: Ms J Lenthall
Application Type: Full Application
Target Date: 7 November 2007

1.0 PROPOSAL

1.1 The application seeks permission for the change of use of a nursing home to two dwellings including extensions and external alterations. The application site consists of the two end terrace properties at the junction of Bishopthorpe Road and Richardson Street. The properties are currently used as a nursing home and have been altered over the years to provide additional accommodation within a two storey extension to the rear of number 100. The scheme seeks permission to revert the properties back to their original use as two private dwellings incorporating five bedrooms over the existing three floors.

1.2 The application is to be brought to committee at the request of Cllr Fraser due to the number of resident's objections being received.

1.3 A site visit is required as the application is recommended for approval and objections have been received.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

2.2 Policies:

CYH4
Housing devp in existing settlements

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal

Environmental Protection Unit - No objections but informatives requested

Lifelong Learning and Culture - Commuted sums should be paid to the Council towards the provision of amenity open space (Rowntree Park), play space (Rowntree Park) and sports pitches (South zone)

Highway Network Management - Initial concerns regarding the proposed off street parking have been overcome due to the revised scheme and no objections are raised subject to conditions

3.2 External

Neighbours - 3 letters received, from 1 and 28 Richardson Street and 102 Bishopthorpe Road, to the original scheme objecting on the following grounds:

- Proposed garages would run flush with the front elevation of 1 Richardson Street resulting in poor street scene
- Attractive terrace would run into three garage doors
- Garages would not be subservient and would be visually prominent
- Garages add to the overdevelopment of the site
- Vehicles would overhang the pavement when waiting to enter the garages
- Garages would overdominate rear yard of 1 Richardson Street
- Use of inappropriate materials
- The proposed side extension projects past the building line creating an unbalanced aspect
- Boundary wall from the dining room extension should not be raised in height

REVISED PLANS

One letter of objection received from 1 Richardson Street on the following grounds:

- Not in keeping with the character of the area and resulting in a poor aspect
- Proposal seeks to adjoin a single garage to the end wall of 1 Richardson Street
- Inappropriate bricks to be used
- Dining room extension projects beyond the building line

Micklegate Planning Panel - Do not object but would not wish to prejudice any comments that neighbours might make and do note the potential loss of the nursing home

4.0 APPRAISAL

3.1 Key Issues

- Principle of change of use
- Impact upon adjoining neighbours
- Impact upon character of the area

3.2 The relevant City of York Council Draft Deposit Local Plan Policies are H4a, GP1 and L1c. Policy H4a 'Housing Windfalls' of the CYLPDD states that permission will be granted for new housing development on land within the urban area providing: it is vacant/derelict/underused or involves infilling, redevelopment or conversion; has good access to jobs, shops and services by non-car modes; and, is of an appropriate scale and density to surrounding development and would not have a detrimental impact on existing landscape features.

3.3 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

3.4 Policy L1c is concerned with the provision of new open space in developments and states that for sites of less than 10 dwellings a commuted sum will be required towards off site provision. A development of 2 no. five bedroom houses would generate a contribution of £7776.

3.5 It is considered that the reversion of the application site into two houses is in accordance with policy H4.

3.6 Part of the application the scheme seeks to reduce the existing unsympathetic two storey rear extension from 13.5m to 6.6m in length. Alterations to the windows are proposed to improve the relationship with the extension to the original building. There are no objections raised to this aspect of the scheme as the alterations will improve the overall appearance of the building and streetscene considerably.

3.7 A single storey side extension is also proposed to number 100 which would project out from the remaining rear extension towards the site boundary with Richardson Street. The extension would measure 5.4m wide by 6.4m deep. It would reflect the original character of the property in terms of window and eaves detailing but would incorporate large glazed doors to the rear elevation which would open into a private yard area. Concerns have been raised by residents that the extension is proud of the building line of Richardson Street and is out of character within the streetscene. The extension does run to the site boundary with Richardson Street but it is not considered to be detrimental to the character of the area. The extension would be seen in context with Richardson Street but it is felt that as it lies 13.5m

away from the nearest dwelling the degree of separation is sufficient to prevent any loss of character or any prominence.

3.8 A small infill extension is proposed to the rear of number 98 Bishopthorpe Road which would lie between the existing rearward projecting elements of the two properties and would not be visible from outside of the application site. It would provide an enlarge kitchen/dining room area for the property and would be constructed with a mono pitched roof to match the existing rear elements. There would be no detrimental impact to any neighbouring residents as a result of the proposed works and the extension is considered to be sympathetic to the original dwelling.

3.9 As originally submitted the scheme incorporated a large garage block to the rear of the site which would be set back from the pavement by 2.7m. It incorporated a double garage for number 100 and a tandem double garage for number 98. The tandem garage would be adjoined to the side elevation of 1 Richardson Street, would run flush with the front elevation and would project out to the rear by 2.8m. Three single garage doors would be incorporated and a uniform pitched roof proposed. It was considered that this element of the scheme was unacceptable due to its proximity to the highway, its impact upon neighbours in terms of overshadowing of the rear yard and the detrimental impact the front elevation would have upon the character of the area.

3.10 As a result the agent has amended the scheme. It now incorporates a double garage for number 100 and a single garage for number 98. It would be set back from the pavement by 4.7m which allows for a vehicle to pull clear of the highway and prevents it running flush with the front elevation of 1 Richardson Street. The tandem garage element has been removed preventing the garage projecting to the rear of 1 Richardson Street and removing the issues of overshadowing. The uniform pitched roof now incorporates a gable element which gives visual relief to the design and the three garage doors have been replaced with a single and a double door. Furthermore, the boundary wall has been modified to mask a small portion of the block reducing its prominence. The block is still proposed to be attached to the side elevation of 1 Richardson Street and whilst Officers are sympathetic to neighbours concerns the issue is subject to the Party Wall Act, which the agent and neighbour are aware of, and as such is a private legal matter.

5.0 CONCLUSION

5.1 It is considered that the principle of the development is acceptable. The dwellings would each have adequate levels of internal and external amenity space whilst providing off street parking in line with Council requirements. The alterations to the existing rear extension are welcomed and improve the appearance of the property greatly. It is also considered that the proposed site and rear extension do not detract from the character of the area or have any detrimental impact upon neighbours amenity. Officers recommend approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing number BS 1846/PL01

Drawing number BS 1846/PL02

Drawing number BS 1846/PL03 rev B received 8th November 2007

Drawing number BS 1846/PL04 rev B received 8th November 2007

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

3 VISQ8 Samples of exterior materials to be app

4 VISQ6 Infill brickwork to match

5 PD1 IN Rem of specific Perm Dev rights

6 S106OS IN Section 106 Open Space

7 HWAY30 Non-protruding garage doors

8 NOISE7 Restricted hours of construction

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 character of the area or residential amenity. As such the proposal complies with Policy GP1, H4a and L1c of the City of York Local Plan Deposit Draft.

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