

COMMITTEE REPORT

Committee: West/Centre Area
Date: 15 May 2008

Ward: Guildhall
Parish: Guildhall Planning Panel

Reference: 08/00351/FUL
Application at: 22A Huntington Road York YO31 8RD
For: Conversion of House in Multiple Occupation to form 7no. apartments including three storey side extension and dormer windows to rear
By: Mr D Lamb
Application Type: Full Application
Target Date: 16 April 2008

1.0 PROPOSAL

Application site

1.1 The application site forms part of a two-storey terrace of cream brick, slate roof, which is in the Heworth Green/East Parade Conservation area.

1.2 The host building is an end of terrace property, used as a house in multiple occupation (HMO); it is not a listed building. It is a double fronted house of historic character with dormers, sash windows and brickwork detailing to the high chimney stacks and eaves.

Proposed development

1.3 Planning permission is required to extend the building and change its use into 7 flats (4 x 1-bed, 3 x 2-bed). The proposed external alterations are:

- Make the bay window on the right hand side (when facing the front elevation) match that on the left hand side.
- Two-storey side extension, setback from front and rear building lines, set down from ridge level, and involving dormers on the front and rear elevations.
- Square off single storey lean-to rear extension so it is rectangular in shape and add 2 dormers on the rear elevation.

1.4 The application is brought to planning committee because a previous application at this site (for a similar side extension) was approved at planning committee in 2006 and at the request of Councillor Watson, on the grounds of car parking and highway safety.

Relevant site history

1.5 Planning permission was granted in November 2006 for a 2.5 storey side extension, which would have increased the size of the existing HMO by 2 further bedrooms. The approved extension projected around 300mm (4m in total) further from the side of the house. Otherwise significant external changes are on the front

elevation where the extension had a door and window at ground floor level and on the side elevation where a ground floor window was proposed.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Heworth Green/East Parade
City Boundary York City Boundary 0001
Floodzone 2 Flood Zone 2 CONF
Floodzone 3 Flood Zone 3
Schools Park Grove Primary

2.2 Policies:

CYGP1	Design
CYH4A	Housing Windfalls
CYH3C	Mix of Dwellings on Housing Site
CYHE3	Conservation Areas
CYH5A	Residential Density
CYH8	Conversion to flats/HMO
CYL1C	Provision of New Open Space in Development
CYT4	Cycle parking standards
CYGP4A	Sustainability

3.0 CONSULTATIONS

Internal

Lifelong Learning and Culture

3.1 As there is no on-site open space commuted sums should be paid to the Council for the additional flats for open space and sports pitches, which would be used to improve a local open space such as Monk Bridge Gardens and to improve facilities within the North or East Zone of the Sport and Active Leisure Strategy.

Education Officer

3.2 No contribution towards education provision is required.

Environmental Protection Unit

3.3 No objections about this application. The proposed development fronts on to a busy road and traffic noise could affect the occupants of the proposed dwellings. A condition relating to sound insulation on the front elevation is recommended.

Design, Conservation and Sustainable Development

3.4 Advise the area is generally characterised by its residential Victorian terraced housing which forms a linear boundary to each side of Huntington Road. There is some minor contemporary infill and the commercial building neighbouring the site forms a visual break in development. This building is of little architectural merit and

detracts from the conservation area. Due to its design, location and status the host building provides a focal point and makes a positive contribution to the character and appearance of the conservation area. The garage extension though is wholly unsympathetic to the dwelling and the conservation area. However, due to its height it does not undermine the terrace itself, leaving the side elevation visible as the start and termination point.

3.5 It is appreciated that the scheme attempts to replicate the existing string course and eaves detailing but the height, design and location of the side extension are felt to have a negative impact on the character and appearance of the conservation area and a single storey side extension would be preferred. However it is recognised a scheme of similar appearance/height has previously been approved, a two-storey extension being considered acceptable, provided it were setback as the brick colour could not be matched exactly.

Highway Network Management

3.6 Advised that the res-park area in which the site is located (Huntington Road Zone R26) is oversubscribed presently (76 on-street parking spaces, 117 permits have been issued). As such future occupants of the proposed flats would not be able to gain permits. However there is no objection on the grounds of lack of car parking, due to the proximity of the site to the city centre, public transport routes and the cycle network.

3.7 The original scheme did not have enough space for cycle storage and it was asked that the plans be revised, or a condition if the application be approved, that adequate cycle parking spaces be provided (1 space per flat).

Planning Panel

3.8 No objection.

Publicity

3.9 The application was publicised by press notice and letters of neighbour notification. The deadline for comments was 9.4.2008. 3 letters in objection have been received. Points are as follows:

- Noise as a result of proximity of living rooms/kitchens to bedrooms in the adjacent dwelling (24a).
- Concern over parking provision and demand for additional parking. Application form states 4 parking spaces - these are not shown on the plans. Presently cars park on the forecourt in front of the building, which is hazardous and unsightly.
- Objections from the neighbouring business (Bagnalls). Object to the proposal if it would encroach on their land, as this would hamper their business; access to their site for building works may have a similar affect.

4.0 APPRAISAL

4.1 Key issues

- Principle of the change of use
- Type of housing proposed
- Design of the extensions; the impact on the conservation area
- Residential Amenity
- Highway safety
- Sustainability
- Land ownership

Principle of the change of use

4.2 Policy H4a of the Local Plan regards new housing development. It states that proposals for land not already allocated on the proposals map will be granted permission where: the site is within the urban area and is vacant, underused or it involves infilling, redevelopment or conversion of existing buildings; the site has good accessibility to jobs, shops and services; and it is of an appropriate scale and density to surrounding development and it would not have a detrimental impact on existing landscape features.

4.3 The site is previously developed and close to the city centre. As such it is in principle one where additional housing is encouraged by national and local policy.

Type of housing proposed

4.4 PPS3: Housing requires Local Planning Authorities to adopt an evidence based approach to housing delivery. Policies should be informed by housing need and demand, through housing market and housing land availability assessments.

4.5 The Council has carried out a Strategic Housing Market Assessment (SHMA), adopted by the Council for Development Control purposes on the 27 September 2007. The report is comprehensive and up to date, and looks at what is appropriate in York in terms of housing tenure, size and type, in order to help create mixed and balance communities. The Study reveals a demand for a range of dwelling sizes, with 21% looking for 1 bed, 29% for 2 bed, 29% for 3 bed, and 21% for 4 bedrooms. Over 60% of households are looking for houses rather than flats. Policy H3c of the Local Plan asks for a mix of housing on all sites.

4.6 As the building was previously a HMO there is no loss of family sized housing as a consequence of this proposal. Considering the reasonable flat sizes and given the aforementioned, combined with the lack of space for car parking and outside space, the mix of 1 and 2 bed flats is considered to be appropriate in this case.

Design of the extensions; the impact on the conservation area

4.7 GP1 Refers to design, for all types of development. It states that development proposals must, respect or enhance the local environment; be compatible with the surrounding area; enhance, or create urban spaces; provide and protect amenity space; provide space for waste storage; ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or overdominance. H5a states the scale

and design of proposed residential developments should be compatible with the surrounding area and must not harm local amenity.

4.8 HE3 states that within conservation areas, proposals will only be permitted where there is no adverse effect on the character or appearance of the area.

4.9 The design/appearance of the building (if extended) is considered to be acceptable, giving due weight to the existing appearance and the precedent set by the scheme which was approved in 2006.

4.10 From the front elevation the introduction of the matching bay window would bring symmetry back to the original house. The side extension (in relation to the approved scheme) proposes timber doors with a lintel above opposed to a window and door. This is an improvement on the existing domestic metal garage door and thus an improvement to the appearance of the conservation area. Otherwise the bricks for the side extension shall be agreed onsite, other materials are specified in condition 5; so the external appearance can be controlled. The rear dormers will be discreet (due to size/materials) thus would not harm the appearance of the building or the conservation area.

4.11 Overall the scheme would enhance the appearance of the existing building. The side extension is considered to be acceptable as it would have detailing that respects the terrace and be set back and set down, so to appear subordinate to the host building. As such it would not unduly detract from the appearance/status of the host building and the conservation area.

Residential Amenity

4.12 PPS3 states that the planning system should deliver high quality housing that is well designed and built to a high standard.

4.13 Of the local plan GP1 and H5a (referred to in 4.7) are relevant as is H8, which relates to houses being converted into flats (or HMOs). H8 advises planning permission will only be granted where:

- Adequate off and on street parking and cycle parking are incorporated
- It would not create an adverse impact on neighbouring residential amenity, particularly through noise disturbance or residential character of the area by virtue of the conversion alone or cumulatively with a concentration of such uses.
- Adequate provision is made for the storage and collection of refuse and recycling.

Surrounding occupants

4.14 The building would remain of a residential nature; it is considered the proposed use would not unduly affect neighbouring residents amenity. The development would be required to comply with building regulations, which has standards covering noise insulation. Unreasonable disturbance would be controlled through legislation enforced by the Council's Environmental Protection Unit. An objection has been made about smells from cooking. Cooking would be on a domestic scale and thus smells associated with such would not unreasonably affect residential amenity.

4.15 There are no extensions or alterations proposed that would unduly affect amenity in terms of overbearing or overshadowing.

Future occupants

4.16 The internal size of each flat and outlook for future occupants would be reasonable. The revised plans have adequately increased the size of the bin and cycle store, which is covered and proposed in a convenient location. There is limited outdoor space, which is not reason to refuse the application, instead a contribution toward open space is proposed.

Amenity/open space

4.17 L1c states developments for all housing sites will be required to make provision for the open space needs of future occupiers. For sites of less than 10 dwellings a commuted sum payment will be required for off site provision. The applicant has agreed to contribute towards open space should the application be approved. 6 further units are being created. The figure is £3,924.

Highway safety and car parking issues

4.18 Policy T4 of the City of York Draft Local Plan seeks to maintain and promote cycle use.

4.19 It is inappropriate to squeeze cars on the forecourt at the front of the house if such practice would obstruct the pavement and adversely affect highway and pedestrian safety. A condition to provide a dwarf wall around the forecourt (which would be of an appearance consistent to the rest of the terrace) is proposed which would prevent this occurrence.

4.20 In this location (close to the city centre) there is no objection to providing flats without car parking spaces, this would discourage private car use, which is consistent with national planning policy. The applicant has been informed that future occupants would not be able to park on street as they would not be able to gain re-park permits.

Sustainability

4.21 It is a requirement of policy GP4a of the Local Plan that a sustainability statement is submitted. The proposed development should meet the requirements of the Council's planning guidance Interim Planning Statement (IPS) on Sustainable Design and Construction, which was adopted for development control purposes on 22.11.07. A statement has been submitted and it shall be a condition of approval the proposed measures are adhered to. The following have been suggested:

4.22 Energy and water use

- Advised that efficient appliances (A rated) will be used
- Water use to be minimised through use of dual flush toilets and water efficient washing machines
- Insulation to be enhanced through wall insulation and double glazed windows (existing windows are dated and dilapidated). Windows will be timber from a sustainable source
- Water butts to be used

4.23 Pollution and site management

- Considerate constructors scheme guidelines to be followed
- Introduce planting
- Re-use materials where possible

4.24 Recycling

- Space for recyclables is proposed in line with Council's guidelines

Land ownership

4.25 On the last occasion when the application to extend at the side was approved; it encroached upon Bagnalls land (20a Huntington Road). The proposal could thus only be implemented with Bagnalls agreement. On this occasion the applicant advises the development is all within land in their ownership.

5.0 CONCLUSION

5.1 The development is appropriate in principle. It is considered the appearance of the area would be enhanced and the amenity of surrounding occupants would not be unduly affected. Highway safety would be maintained and sustainable measures have been considered and will be incorporated. Overall the scheme is considered to be acceptable.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS2 Apprvd plans and other submitted details

3 Notwithstanding the approved plans the design (including cill, dimensions, location and materials) of the new bedroom window in the single storey rear extension shall be in accordance with details, which shall be approved in writing by the Local Planning Authority.

Reason: To achieve a consistent appearance sympathetic to the main house (which has windows with a vertical emphasis).

4 All new windows (apart from the front dormer which shall be side hung) shall have sliding type openings. All windows shall also have timber frames and be retained as such unless otherwise agreed by the Local Planning Authority.

Reason: To achieve a consistent appearance that also respects the character and appearance of the conservation area.

5 The materials to be used externally shall be as follows:

- Doors to bin and cycle store to be timber, a sample of the timber including its

- proposed finish shall be agreed on site.
- Front dormer to match the existing front dormers in all respects.
 - Rear dormers to have lead cheeks and roof.
 - Rebuilding on rear extension to be in brick to match the existing extension in all respects.
 - Roof of side extension to be slate that reasonably matches the host building.

Reason: To achieve a visually acceptable form of development.

6 A sample panel of the brickwork to be used on the side extension shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location.

7 The bay window on the front elevation to be rebuilt shall be executed in materials to match in all respects the bay window on the left hand side (when facing the front of the house).

Reason: To ensure that the finished appearance is to the satisfaction of the Local Planning Authority.

8 VISQ10 Details of External services to be app (soil and vent pipes etc)

9 Prior to occupation of the development hereby approved a boundary wall to the front of the site shall be reinstated in accordance with details that shall have been approved by the Local Planning Authority (suggested is a wall consistent in height and materials to that at 24 Huntington Road).

Reason: To enhance the appearance of the conservation area and in the interests of highway safety.

10 The development shall proceed in accordance with the sustainability statement dated 12.4.2008.

Reason: To ensure that the proposed development has regards to the principles of sustainable development, in accordance with policy GP4a of the Local Plan.

11 All windows in bedrooms and lounges with a facade onto Huntington Road shall be insulated so as to provide sound attenuation against external noise of not less than 35dB(A) with windows shut and other means of ventilation provided. The detailed scheme shall be approved by the local planning authority and fully implemented before the use hereby approved is constructed.

Reason: to protect the amenity of the occupants of the proposed dwellings.

7.0 INFORMATIVES: Notes to Applicant

CONTAMINATION & CONSTRUCTION

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention is also drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise. For example

- All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays.	

- The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

- All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

- The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

- All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

- There shall be no bonfires on the site.

RESPARK

The applicant is reminded that the development/property (as proposed), is not considered eligible for inclusion within the Residents Parking Zone, and it will be

removed from such under the Traffic Regulations 1984. Upon commencement of development on the site the applicant is requested to contact the Councils Network Management Section (tel 01904 551450), in order that the amendments to the Residents Parking Scheme can be implemented prior to the occupation of the development.

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 principle of the development, the character and appearance of the conservation area, amenity and highway safety.

As such the proposal complies with Policies GP1, H4a, H3c, H5a, HE3, H8, L1c, T4 and GP4a of the City of York Local Plan Deposit Draft.

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