

COMMITTEE REPORT

Committee: West/Centre Area
Date: 27 May 2008

Ward: Holgate
Parish: No Parish

Reference: 08/00731/FUL
Application at: P Gowland Electrical Services 18A Livingstone Street York YO26 4YJ
For: First floor extension, alterations to elevations and change of use of from electrical store/office to two dwellings
By: Mr Shaun Batchelor
Application Type: Full Application
Target Date: 10 June 2008

1.0 PROPOSAL

1.1 The application is for a first floor extension, alterations to elevations and a change of use of the electrical store/office to two dwellings

1.2 The application comes before committee at the request of Cllr. Simpson-Laing due to the lack of amenity space.

1.3 The building is presently being used as offices. The area is mainly residential with a mixture of terraces, semi-detached dwellings and flats.

1.4 The application differs from the withdrawn application in that two of the apartments have been removed. This application would include a first storey rear extension together with the conversion of the existing building to create 2 apartments. The application does not differ from the previous refused application.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

Floodzone 2 Flood Zone 2 CONF

Schools St. Barnabas' CE Primary 0224

2.2 Policies:

CYE3B

Existing and Proposed Employment Sites

CYGP1
Design

CYGP4A
Sustainability

CYL1C
Provision of New Open Space in Development

CYH3C
Mix of Dwellings on Housing Site

CYH4A
Housing Windfalls

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 12/05/2008

Site Notice - Expires 01/05/2008

Press Advert - N/A

Internal/External Consultations - Expires 12/05/2008

8 WEEK TARGET DATE 10/06/2008

3.2 INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

- Covered and secure cycle storage is required and should be secured via condition

LIFELONG LEARNING AND LEISURE - No comments received at the time of writing

ENVIRONMENTAL PROTECTION UNIT - No comments received at the time of writing

CITY DEVELOPMENT - No comments received at the time of writing

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

None received at the time of writing

4.0 APPRAISAL

4.1 RELEVANT SITE HISTORY

07/02512/FUL - First floor extension, alterations to elevations and conversion of workshop into 2 no. apartments (resubmission) - Refused
- The Local Planning Authority considers that the proposed use would lead to a loss of office accommodation and it has not been demonstrated that the office space is surplus to requirements and that alternative similar facilities are available. As such the proposal would be harmful to the local economy, contrary to the objectives of the City of York Draft Local Plan which seeks to stimulate the local economy, provide employment opportunities and deliver sustainable employment premises and in particular policy E3 which seeks to retain employment sites.

07/01703/FUL - Conversion of workshop and erection of two storey building to form 4 no. apartments - Withdrawn

4.2 ADDITIONAL PLANNING POLICY

Planning Policy Statement 1 - Delivering Sustainable Development
Planning Policy Statement 3 - Housing

4.3 KEY ISSUES

1. Visual impact on the building and the area
2. Impact on neighbouring property

4.4 ASSESSMENT

PLANNING POLICY

4.4.1 Policy GP1 'Design' of the City of York Council Development Control Local Plan 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.

4.4.2 Policy GP4a 'Sustainability' of the City of York Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development. Development should: provide details setting out the accessibility of the site by means other than the car and, where the type and size of development requires, be within 400metres walk of a frequent public transport route and easily accessible for pedestrians and cyclists; contribute towards meeting the social needs of communities within the City of York and to safe and socially inclusive environments; maintain and increase the economic prosperity and diversity of the City of York and maximize employment opportunities; be of a high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City; minimize the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during

construction and throughout the use of development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of the materials should be considered; minimize pollution, including that relating to air, water, land, light and noise; conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife area and room for trees to reach full growth; maximize the use of renewable resources on development sites and seek to make use of renewable energy sources; and make adequate provision for the storage and collection of refuse and recycling.

4.4.3 Policy H4a 'Housing Windfalls' of the CYCDCLP 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.

4.4.4 Policy L1c requires that all housing sites make provision for the open space needs of future occupiers. For sites of less than 10 dwellings a commuted payment will be required towards off site provision.

4.4.5 Policy E3b 'Existing and Proposed Employment Sites' states that the standard employment sites identified in schedule 2 and any other sites or premises either currently or previously in employment use, will be retained within their current use class. Planning permission for other uses will only be given where: there is sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms; unacceptable environmental problems exist; the development of the site for other appropriate uses will lead to significant benefits to the local economy; and the use is ancillary to employment use.

VISUAL IMPACT ON THE BUILDING AND THE AREA

4.4.6 The reduction in bulk and mass from the previous withdrawn application has reduced the potential loss of light and overshadowing to 65 and 66 Hanover Street West and any impact it may have on these dwellings is considered to be minimal. The impact on the streetscape of the first storey extension is not considered to have a harmful impact. It would create a large blank frontage along the back lane but it is not considered to be significant enough to warrant refusal.

4.4.7 The proposal would have a large walled yard to the rear for the cycle storage and refuse bin storage.

CONVERSION OF BUILDING

4.4.8 The site is presently in use as offices and storage. The building has a sign on the side elevation and signs internally advertising the business within.

4.4.9 The proposed use would take the site out of class B1 and into class C3 of the use classes order. As such the proposal is required to meet the criteria of policy E3b, which seeks to retain employment sites in their present use, unless it can be

demonstrated alternative sites are available, and one of points listed in 4.4.5 are met. The applicant has not demonstrated that there is sufficient supply of employment land to meet both immediate and longer term requirements at the time of writing this report.

4.4.10 H3c states that a mix of new house types, sizes and tenures will be required on all new residential development. The Council's Strategic Housing Market Assessment 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.

4.4.11 The proposal is the conversion of a single building into 2 x one bedroom flats. Given the size of the site, it would only be expected that a single dwelling or flats could be accommodated on it. In comparison to a dwelling the amount of units proposed makes more effective use of the land and a larger contribution toward delivering the dwellings required across the city. There is no objection to the mix of dwelling size proposed because of the limited size of the application site. Although the flats are small and would be rather cramped, there is no policy that sets a minimum size standard, therefore refusal on such grounds could not be sustained.

IMPACT ON NEIGHBOURING PROPERTY

4.4.12 The first floor extension would cause an element of enclosure to 18 Livingstone Street and 61 - 68 Hanover Street West but is not considered to cause significant harm. It is not considered to cause overshadowing or loss of light to the surrounding dwellings. There are no windows in the side elevation of the proposed extension facing 18 Livingstone Street or Hanover Street West. The additional windows would be in the proposed rear elevation where it is considered will have limited impact, they are not considered to cause overlooking or loss of privacy.

SUSTAINABILITY

4.4.13 The dwelling is close to the city centre and close to public transport links.

4.4.14 No sustainability statement has been submitted.

5.0 CONCLUSION

5.1 The proposed development by virtue of lack of supporting evidence is contrary to policy E3b in that it entails the loss of an employment site. Refusal is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The Local Planning Authority considers that the proposed use would lead to a loss of office accommodation and it has not been demonstrated that the office space is surplus to requirements and that alternative similar facilities are available. As such the proposal would be harmful to the local economy, contrary to the objectives of the City of York Draft Local Plan which seeks to stimulate the local economy, provide employment opportunities and deliver sustainable employment premises and in particular policy E3b which seeks to retain employment sites.

7.0 INFORMATIVES:

Contact details:

Author: Victoria Bell Development Control Officer

Tel No: 01904 551347