

COMMITTEE REPORT

Committee: East Area
Date: 26 June 2008

Ward: Clifton
Parish: Clifton Planning Panel

Reference: 08/00818/CAC
Application at: Clifton Garage 82 - 84 Clifton York
For: Demolition of garage
By: Mr R Pulleyn
Application Type: Conservation Area Consent
Target Date: 27 May 2008

1.0 PROPOSAL

1.1 The application relates to a rectangular area of land measuring approximately 0.2 hectares in area fronting onto Clifton with a site frontage of 28 metres and a depth of 75 metres. The site currently houses a commercial garage with a forecourt and showroom to the front of the site and workshops to the rear. The existing buildings on the site are single and two storeys in height and are of modern design and construction.

1.2 This application seeks Conservation Area consent for the demolition of the existing garage and associated workshops in order to facilitate the re-development of the site for residential development. A full application for 8 no. four bedroom houses and 6 no. two bedroom flats is considered on this agenda(08/00816/FUL).

1.3 The application site is located within the Clifton Conservation Area.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Clifton 0013

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYHE5

Demolition of Listed Buildings and Buildings in Conservation Areas

CYHE3

Conservation Areas

3.0 CONSULTATIONS

3.1 Internal

Conservation Architect

The site affects the Clifton Conservation Area close to the village green, which is the focus of the area. The rural quality of the area is maintained by the presence of the enclosed landscaped green, street trees and green verges, the intimate scale of historic buildings of mixed use interspersed with later Victorian and Edwardian developments. The front part of the garage, including the forecourt has a presence onto the main road. The garage buildings, which extend into the site beyond the Conservation Area boundary occupy most of the site. These buildings are mostly large sheds of an industrial nature.

The buildings and forecourt currently occupying the site do not contribute to the special character and appearance of the Conservation Area and therefore we would support the application for Conservation Area consent subject to a re-development scheme coming forward, which would preserve or enhance the special qualities of the Conservation Area.

3.2 External

Clifton Planning Panel

No objections, however they do not want the demolition to take place until the re-development is due to commence.

Public response

One letter of representation have been received from the occupiers of Avenue Terrace stating the following; during demolition care should be taken that no damage occurs to the boundary wall along the rear of 3-7 Avenue Terrace.

4.0 APPRAISAL

4.1 Key Issues

- Policy Context
- Affect on Clifton Conservation Area

4.2 Policy Context

The site is located within Clifton Conservation Area and the demolition of the buildings is therefore controlled by section 74 of the Planning (Listed Building and Conservation Areas) Act 1990. Central Government advice contained within Planning Policy Guidance Note 15 - "Planning and the Historic Environment" reiterates the statutory duty that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Account should be taken of the architectural or historic importance of the building for which demolition is proposed and the wider affects of demolition on the building's surroundings and the Conservation Area as a whole. It goes on to state that consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment. It has been held that the Local Planning Authority is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a Conservation Area.

With regard to conditions it advises that it will often be appropriate to impose on the grant of consent for demolition a condition to ensure that demolition does not take place until a contract for the carrying out of redevelopment works has been made and planning permission granted.

Policy HE3 of the Draft Local Plan states that proposals for demolition of a building will only be permitted where there is no adverse effect on the character and appearance of the Conservation Area. Policy HE5 reiterates the guidance in PPG15 and states that Conservation Area consent will not be granted for demolition of buildings, which positively contribute to the character, or appearance of the Conservation Area. Where exceptionally demolition is permitted, no demolition shall take place until a building contract for the carrying out of the redevelopment works has been made and planning permission granted.

4.3 Conservation Area

The site is located within the Clifton Conservation Area. The existing buildings on the site are of a modern design and construction, which do not reflect the general appearance of the street scene and do not contribute to the character of the Conservation Area.

This Conservation Area consent application is accompanied by a full planning application for the re-development of the site for housing. This application is recommended for approval as it would enhance the character and appearance of the Conservation Area and would not give rise to any harm in terms of residential amenity, highway safety and all other normal development control considerations. As a result, subject to a condition preventing demolition until a contract is in place for the re-development of the site, the demolition of the existing buildings on the site is considered acceptable.

5.0 CONCLUSION

5.1 The demolition of the existing buildings on the site would not be detrimental to the character or appearance of the Conservation Area, approval is subject to conditions.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- | | | |
|---|--------|------------------------------------------|
| 1 | TIMEL2 | Development start within 3 yrs (LBC/CAC) |
| 2 | DEM1 | No demolition before rebuilding contract |

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 impact on the character and appearance of the Conservation Area. As such the proposal complies with Policies HE3 and HE5 of the City of York Draft Local Plan, and Central Government advice contained within Planning Policy Guidance Note 15.

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