

COMMITTEE REPORT

Committee: East Area
Date: 26 June 2008

Ward: Fulford
Parish: Fulford Parish Council

Reference: 08/00955/FUL
Application at: Fulford Post Office 94 Main Street Fulford York YO10 4PS
For: Change of use from former Post Office (A1) to physiotherapy practice (D1)
By: Mr Jeroen Suur
Application Type: Full Application
Target Date: 26 June 2008

1.0 PROPOSAL

1.1 This application seeks planning consent to change the use of a former post office (Class A1) to Class D1 physiotherapy practice. The building is part of an unlisted terrace of late C19th houses and shops situated within the centre of the Fulford Village Conservation area facing Main Street.

1.2 The application site relates to the ground floor only. The site area is given as 28.61sq.m. The first floor of the property is in residential use.

1.3 According to the information submitted, the existing use of the site as a post office ceased in March of this year and the premises are currently vacant. The proposed use would result in one full time employee being employed on the site. The hours of operation would be from 13:00 to 21:00.

1.4 There is currently no off street parking associated with the application site. Three cycle stands are proposed to the front of the premises.

1.5 There is currently a good mix of A1 "shops", A2 "professional services" and B1 "Office" uses in the vicinity of the site

1.6 This application has been called to Committee at the request of Councillor Aspden due to the concern regarding the loss of a retail outlet and its impact on the local community in Fulford.

1.7 RELEVANT PLANNING HISTORY

1.8 No planning history directly related to the scheme proposed.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Fulford 0041

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYS9

No loss of local or village shops

CYHE3

Conservation Areas

CYT4

Cycle parking standards

3.0 CONSULTATIONS

3.1 Neighbours notified, site notice posted and press advertised, expired 4 June 2008 - no response received.

3.2 Fulford Parish Council consulted. Response received 28 May 2008. The Council objected due to the following reasons:

- the loss of retail outlets in the Main Street would be detrimental to the amenities and character of the village.
- on street parking is limited.

3.3 Highway Network Management consulted. Response received 21 May 2008. No objections were raised as the site is on a route to the city centre with good bus links including the Designer Outlet Park and Ride. Cycle parking details condition recommended.

3.4 Environmental Protection Unit consulted. Response received 16 May 2008. No objections.

3.5 Conservation team consulted. Response received 4 June 2008. The following comments were made:

- Whilst the loss of the post office is much regretted the proposed use would help to preserve the character and appearance of the conservation area by providing a new use within the village.
- Improvements to the shop-front should be expected through the submission of applications regarding new signage and through the removal of the canopy, the air-conditioning unit and all existing signs.

4.0 APPRAISAL

4.1 The main issues to be considered are as follows:

- i. Loss of a local shop and vacant premises in a conservation area
- ii. Highway considerations
- iii. Sustainability
- iv. Residential amenity

LOSS OF A LOCAL SHOPS AND VACANT PREMISES IN A CONSERVATION AREA

4.2 Policy S9 of the City of York Draft Local Plan 2005 states planning permission will only be granted for a change of use that would result in the loss of a local or village shop where it can be demonstrated that:

- a) a local need for the shopping facility no longer exists; or
- b) appropriate alternative facilities exist within the local area.

4.3 The premises has previously been used to provide postal services as well as the retail sale of goods to the public. Nevertheless, due to the decision of Royal Mail Limited to close the post office facility earlier this year, the site is currently unoccupied. Whilst the demise of a local post office is regretted, its loss is outside the control of the Local Planning Authority and the alternative use of the site (as proposed) is considered to be more sustainable alternative than the premises being left unoccupied over a long period.

4.4 The Conservation Officer comments that the appearance of the building frontage at ground level is poor. The square flat topped bay window is of crude design, a variety of signage dominates, and an air-conditioning unit sits on top of this bay window. These elements are considered to be harmful to the conservation area. It is anticipated that by introducing a new use an opportunity would arise to improve the existing shop-front, resulting in an enhancement of the character and appearance of Fulford Conservation Area. The Sustainability Statement submitted by the applicant has confirmed that apart from the sign above the window, all other external signs will be removed, as well as the canopy above the door and the air-conditioning unit. The sign above the window will be re-painted in a more understated style to show the practice name. Use of colour will be subtle and unobtrusive. An informative has been recommended to remind the applicant that the display of signage on a building may require a separate Advertisement Consent application.

4.5 With regard to the loss of an A1 use, the area has not been identified on the proposals map as a 'Primary Shopping Street'. Furthermore, Policy S5 "Non-Retail Uses in other Shopping Streets" and Policy S3a "Mix of Uses in Shopping Streets" of the City of York Draft Local Plan 2005 do not apply to the change of use proposed as the application site is not located within York City Centre, Acomb District Centre or Haxby District Centre. Hence there is no policy justification for the retention of the premises in retail use.

HIGHWAY CONSIDERATIONS

4.6 As the facility is intended for a sole practitioner there is unlikely to be additional parking over and above that created by the former post office. Furthermore, the site is on a route to the city centre with good bus links including the Designer Outlet Park and Ride. Cycle parking would also be provided. Hence subject to a condition requiring the provision of cycle parking no objections have been raised by the Highway Network Management Team.

SUSTAINABILITY

4.7 In accordance with policy GP4a of the City of York Draft Local Plan 2005 a Sustainability Statement has been submitted by the applicant which sets out the principles of sustainability development that are regarded as relevant to the scheme proposed. With regard to accessibility, as the site is located within Fulford village with good bus links it is expected that a high percentage of the patients would attend the practice either by foot, bicycle or bus. There are bus stops within 400m of the site. Furthermore, cycle stands capable of parking in total 6 bicycles would be provided.

4.8 The practice would complement existing local health facilities and will be available to all members of the community. Concessionary treatment prices are offered to students. The aim is for the practice to become an established, dependable and familiar feature within the village. As such the proposed business would contribute toward meeting the social needs of the local community.

4.9 Whilst the facility is intended for a sole practitioner, there is scope to expand and to take on further staff, both secretarial and physiotherapy. Placements will be offered to physiotherapy students with preference being given to those from York St. John University, and school pupils considering a career in physiotherapy will be able to carry out work experience at the premises.

4.10 With regard to the storage and collection of refuse and recycling, the nature of the business is such that very little refuse will be produced. A litter bin for clients will be provided in the waiting area and the contents will be removed to the owner's home each day, alongside any refuse from the treatment area (e.g. tissues, tape). Any recyclable refuse will be taken to the recycling facilities at Tesco, Tadcaster Road on a weekly basis.

4.11 By virtue of the above, it is considered that the proposal would comply with the principles set out in policy GP4a of the City of York Draft Local Plan 2005 and the standards set out in the Council's Interim Planning Statement on Sustainable Design and Construction for small scale commercial developments.

RESIDENTIAL AMENITY

4.12 Due to the scale and nature of the D1 use proposed, it is unlikely that the amenity of the local residents would be detrimentally affected. The Council's Environmental Protection Unit have raised no objections.

5.0 CONCLUSION

5.1 Having taken the above into account, it is considered that the proposed development accords with the policies set out in the City of York Local Plan. Hence, this application is recommended for approval.

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:-

Plan no.1 and Plan no.2 as received by the City of York Council on 25 April 2008 and 30 April 2008

or any plans or details subsequently agreed in writing by the Local Planning Authority as 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 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.	

Reason: To safeguard the amenity of adjoining occupants.

4 The hours of operation of this approved use shall be confined to 8:00 to 21:30 Mondays to Saturdays, and no working on Sundays and Bank Holidays.

Reason: To safeguard the amenities of adjoining occupants.

5 HWAY18 Cycle parking details to be agreed

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 loss of a local shop, highway considerations, residential amenity, sustainability and impact on the conservation area. As such the proposal complies with Policies S9, HE3 and T4 of the City of York Local Plan Deposit Draft.

2. The applicant is reminded that an Advertisement Consent application may be required to be submitted to and approved by the Local Planning Authority should the applicant wish to display signage on the building.

Contact details:

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