

## COMMITTEE REPORT

**Committee:** East Area  
**Date:** 10 July 2008

**Ward:** Hull Road  
**Parish:** Hull Road Planning Panel

**Reference:** 08/00452/FUL  
**Application at:** 65 Wycliffe Avenue York YO10 3RH  
**For:** Two storey pitched roof side extension and change of use to house in multiple occupation  
**By:** Mr Kevin Marsden  
**Application Type:** Full Application  
**Target Date:** 15 May 2008

### 1.0 PROPOSAL

1.1 This is a full planning application to extend 65 Wycliffe Road with a two storey side extension and convert the resulting building into a house in multiple occupation (HMO) containing 7 bedrooms.

1.2 65 Wycliffe Road is a semi-derelict end of terrace 3 bedroom property. It is located at the end of a long cul-de-sac adjacent to a public footpath that runs alongside the former open space of Derwent County and Junior School. This now has planning permission (07/02384/REMM) for the erection of 23 dwellings. The adjacent footpath is intended to be widened.

1.3 The application is being brought to committee at the request of Councillor R. Pierce, because of the combination of the appeal history at the site, complaints about the condition of the property, proximity to the recently approved new housing, the salience of HMO`s in the locality and on-street parking.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Schools Multiple (Spatial)

2.2 Policies:

CYH7  
Residential extensions

CYH8  
Conversion to flats/HMO/student accom

### 3.0 CONSULTATIONS

### 3.1 INTERNAL

Highway Network Management - As there is no minimum requirement for car parking standards two spaces would be acceptable. A recommendation for refusal could not be substantiated on a perceived shortfall in parking spaces. A fence should be erected adjacent to the public footpath to avoid cars parking on it.

Environmental Protection Unit - No objections subject to an informative in respect to contamination and construction noise.

### 3.2 External

Planning Panel - We support the application.

Neighbours - None received.

## 4.0 APPRAISAL

### 4.1 Key Issues

- site history
- size of dwelling and quality of accommodation
- car and cycle parking
- impact on residential amenity

### 4.2 Site history

The design and footprint of the proposed extension to the house is identical to an extension to the house that was approved in 2007 (06/02389). The scheme proposed to create a 5 bedroom house. It has not been built. The current application differs only in respect to the internal layout. The ground floor rooms for the extended house show a play room and study. It is intended to replace these with two bedrooms with en suite facilities. All 7 bedrooms are proposed to have en suite facilities and a communal lounge, dining room and kitchen is included on the ground floor. No accommodation is proposed in the roof space.

4.3 Given the recent planning history it is not considered appropriate to assess the visual merits of the scheme or the impact of the built development on neighbours' living conditions. The key consideration relates to the acceptability of the use of the site (incorporating the extension) as a HMO. The appropriate Local Plan policy is H8 (conversions). The planning issues relating to the proposal are considered below:

### 4.4 Size of dwelling and quality of accommodation.

It is considered that the house with the approved extension is an adequate site to meet the needs of future occupiers. Policy H8 states that dwellings should have at least 4 bedrooms - given that consent has been granted for a larger dwelling the proposal does not conflict with this criteria. Although the application is for a HMO the degree of shared facilities and lack of kitchen areas within the bedrooms would suggest that there would be a degree of communal living within the property.

### 4.5 Off-street car and cycle parking

The scheme proposes two off-street car parking spaces and a cycle store within the rear garden. This is considered acceptable in respect to local and national parking standards for such uses.

#### 4.6 Impact of the development on residential amenity

It is not considered that the scale of usage of the proposed extended dwelling and associated garden would be out of proportion with the internal or external space. Neither is it considered that the proposed use would be out of place within a residential area. It is proposed to accommodate seven persons within the extended property. If six persons occupied the property as a single household, planning permission would not be required. No objections have been received from local residents in respect to the proposed use. Five local residents were sent letters notifying them of the proposal and a site notice erected on Wycliffe Avenue.

#### 4.7 Refuse and Recycling provision

There is adequate space at the rear of the property for the storage of refuse and recyclables.

### 5.0 CONCLUSION

5.1 For the reasons given above it is recommended that the application be approved.

### 6.0 RECOMMENDATION:

1 TIME2 Development start within three years

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

Drawings 592.001 and 592.02 E received by the Local Planning Authority on 26 February 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 VISQ1 Matching materials

4 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the egress of water and loose material onto the public highway.

5 HWAY18 Cycle parking details to be agreed

6 HWAY19 Car and cycle parking laid out

7 Prior to the occupation of the extension, an enclosure shall be erected between the adjoining public footpath and the side of the front garden of 65 Wycliffe Avenue in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The enclosure shall remain as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent encroachment onto the adjacent public footpath

8 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.	

## **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 amenity and living conditions of adjacent occupiers, parking and highway safety, and the effect on the character of the local area. As such the proposal complies with Policy GP1 and H8 of the City of York Local Plan Deposit Draft.

### 2. FOR INFORMATION

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 scheme remediation 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.

3. The developer's attention should also be 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, the following guidance should be noted and acted upon. Failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(i) 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".

(ii) 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.

(iii) 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.

(iv) 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.

(v) There shall be no bonfires on the site

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