

COMMITTEE REPORT

Date: 15 December 2010 **Ward:** Holgate
Team: Major and Commercial **Parish:** No Parish
Team

Reference: 10/02360/FUL
Application at: Bright Street Post Office 37 Stamford Street East York YO26 4YE
For: Conversion and alterations of existing post office and dwelling to create 2 dwellings
By: Mr Chris Cook
Application Type: Full Application
Target Date: 14 December 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 The application relates to a two storey end terrace property which is located on the corner of Stamford Street East and Livingstone Street. The premises was last used as a Post Office with living accommodation to the rear and on the first floor. To the rear sits a single storey and separate two storey mono-pitch extension which are used as living accommodation. The surrounding area is predominantly characterised by terraced housing with associated shops and public houses.

1.2 The site lies within Flood Zone 2.

1.3 This application seeks planning permission to convert the property into two dwellings. The rear extensions are proposed to be demolished with a new pitched roof two storey rear extension added. The existing shop windows are proposed to be bricked up with windows and doors of a typically domestic scale being added to the ground floor of the property. Each dwelling would be two bedroom in size with a separate rear yard incorporating an enclosed cycle parking/refuse store.

1.4 This application has been brought before Planning Committee at the request of Cllr. Alexander in view of the retention of family sized housing in the Leeman Road area.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

Schools GMS Constraints: St. Barnabas' CE Primary 0224

York North West Boundary GMS Constraints: York North West Boundary CONF

2.2 Policies:

CYGP1 Design

CYGP4A Sustainability

CYGP15 Protection from flooding

CYH4A Housing Windfalls

CYL1C Provision of New Open Space in Development

CYS9 No loss of local or village shops

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management - No objections subject to a condition requiring the cycle parking to be laid out prior to the first occupation of the dwelling.

3.2 Leisure - No on site open space is provided, therefore a commuted sum should be sought.

EXTERNAL

3.3 Site Notice (posted 08/11/10) and Neighbour Letters - No correspondence received.

4.0 APPRAISAL

4.1 Key Issues:

- Principle of Development
- Design
- Residential Amenity
- Sustainability
- Flood Risk

PRINCIPLE OF DEVELOPMENT

4.2 Policy S9 relates to the loss of local shops. It states that permission will only be granted for a change of use where it can be demonstrated that a need for the local shopping facility no longer exists or where appropriate facilities exist within the local area. The ground floor of the application site is thought to have been last used as a Post Office, the applicants advise that it has been vacant since June 2009, it was marketed from 2008 but there was no strong interest in taking on the premises as an A1 retail unit. There are a number of premises in the surrounding area which provide

goods and services to the local community. It is not considered that the proposed development would result in a lack of local facilities in the area.

4.3 The application site is within the urban settlement and is considered to be in a sustainable location. The land is previously developed and the proposal makes efficient use of land.

4.4 The application was called in to Committee in the interest of retaining family sized housing in the Leeman Road area. The existing property consists of a redundant retail unit with three bedroom owners accommodation. The majority of dwellings in the surrounding area are modest terraced houses, typically consisting of two bedrooms. Although the proposed alterations would result in the loss of a three bedroom dwelling, the Strategic Housing Market Assessment shows a strong need for new two bedroom dwellings. Given that new two bedroom houses are needed as well as three bedroom houses and the proposal results in the net gain of one house, it is Officer opinion that the loss of a three bedroom dwelling does not warrant refusal of this application. It is considered that the principle of development is acceptable.

DESIGN

4.5 The main frontage of the premises has the character and appearance of a local retail unit. The premises has a shop window on both the Livingstone Street and Stamford Street East elevations, there is a door between these, on the junction between the roads. The windows are traditional in design and scale and it is considered that their removal would alter the character and appearance of the building. However, there is a precedent for alterations and the loss of shop windows in other premises in the area. The proposed window and door openings on the ground floor are generally in keeping with the character of this residential area in terms of their locations, proportions and design.

4.6 The existing single storey rear extension is not in keeping with the property or character of the area, it is considered that its removal is of benefit to the street scene. The proposed two storey rear extension is typical of many in terraced areas in the city. The eaves height matches that of the main house with a reduced ridge height so that it appears subservient. The proposed extension protrudes approximately 3.4m from the rear of the main house. Given the presence of an existing two storey rear extension which protrudes the same distance as that proposed, and that the design of the extension is generally in keeping with the existing property, the extension is considered acceptable.

RESIDENTIAL AMENITY

4.7 It is considered that there would be adequate internal space, outlook and space for the external storage of bicycles and bins within both proposed dwellings. Outdoor amenity space is relatively small as is common on many terraced houses in the area. The proposal involves the creation of one additional dwelling and therefore a commuted sum to contribute towards public open space has been agreed with the applicants.

4.8 The neighbours most likely to be affected by the proposed development are those living within the adjoining terraced house, 35 Stamford Street East, and those within the properties to the rear, 40, 42, and 42a Garfield Terrace. The proposed extension protrudes no further from the rear of the property than the existing two storey extension. Unlike the existing extension, the proposal has a dual pitched roof which allows for a lower eaves height to one side than the existing. Other than a rooflight there are no windows proposed for the side elevation of the extension which faces 35 Stamford Street East. It is not considered that the extension or change of use would significantly harm the amenities of residents of number 35.

4.9 The application site sits within a high density residential area where separation distances between properties are short. From main elevation to main elevation, there is a separation distance of approximately 17m between the application site and 42 and 42a Garfield Terrace to the rear. 42 and 42a Garfield Terrace has been extended to the rear at two storey level, the proposed extension would reduce the distance between the two properties at two storey level to around 10m. The extension at Garfield Terrace contains no windows within the rear elevation. For this reason it is not considered that the windows within the rear elevation of the proposed extension would lead to a loss of privacy to an extent which would warrant refusal of the application.

SUSTAINABILITY

4.10 A sustainability statement was provided with the application in line with Development Control Local Plan Policy GP4a. The statement highlights the sustainable location of the site and that cycle storage is to be provided. Renewable materials will be used where possible, such as sheep's wool insulation. Insulation and air tightness is to be of high standard and energy efficient lighting and heating systems are to be utilised. Recycling bins are to be provided and the applicant has confirmed the intention to install solar panels on the roofs of both dwellings to provide renewable energy.

FLOOD RISK

4.11 The application site is within Flood Zone 2, PPS 25 'Development and Flood Risk' states that residential development is appropriate in Flood Zone 2. A Flood Risk Assessment was submitted with the application stating that electrical fixtures are to be raised 450mm above finished floor level and all materials used at ground floor level are to be water resistant where possible and used in a way which makes them easily replaceable.

5.0 CONCLUSION

5.1 As discussed above, it is considered that the proposed development is acceptable in line with local and national planning policy.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing Number 10:49:01 received by The CoYC on 18/10/10

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The bricks to be used externally shall match those of the existing buildings in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no door, window or other opening additional to those shown on the approved plans shall at any time be inserted on the east (side) elevation at first floor level of the extension hereby approved.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

5 The building shall not be occupied until the areas shown on the approved plans for cycle storage have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: To promote sustainable transport choice.

6 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The Open space shall thereafter be provided in accordance with the approved scheme or the alternatives arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1c of the Development Control Local Plan which requires that all new housing sites make provision for the open space needs of future occupiers.

INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £1,242.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the

local planning authority's enforcement powers in this regard.

7 Prior to first occupation of the dwellings hereby approved, solar panels shall be installed on each property to provide renewable energy, unless an alternative form of renewable energy source is agreed in writing with the Local Planning Authority.

Reason: To promote sustainable development

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:

- Principle of Development;
- Design;
- Residential Amenity;
- Sustainability; and
- Flood Risk.

As such the proposal complies with Policies GP1, GP4a, GP15a, H4a, L1c and S9 of the City of York Development Control Local Plan.

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