

COMMITTEE REPORT

Date: 20 January 2011 **Ward:** Guildhall
Team: Major and Commercial **Parish:** Guildhall Planning Panel
Team

Reference: 10/02646/FULM
Application at: Hungate Development Site Hungate York
For: Conversion of 7no. townhouses (unit numbers 22, 23, 24, 25, 26, 47 and 48) to 14no. duplex apartments within Phase 1 of the Hungate redevelopment scheme
By: Hungate (York) Regeneration Ltd
Application Type: Major Full Application (13 weeks)
Target Date: 14 February 2011
Recommendation: Approve subject to Section 106 Agreement

1.0 PROPOSAL

THE SITE

1.1 This application relates to the Hungate development site, which is located between the Stonebow to the northwest and the River Foss to the south. This particular application relates to Phase 1, which comprises the eastern third of the development site with the Kings Pond Nature Reserve occupying the north easternmost part. The regional headquarters for DEFRA adjoins the north western boundary of Phase 1 with the River Foss running alongside its south eastern boundary.

THE OUTLINE AND RESERVED MATTERS APPROVAL

1.2 The original outline approval for this mixed use development (02/3741/OUT), issued in July 2006, included detailed consideration of the siting of buildings (except for the landmark office building and Block H) and means of access, excluding car and cycle parking routes. The excluded matters formed the basis of conditions requiring the submission and approval of details on a phased basis. This approval was superseded by permission 08/00737/FUL, which amended the siting of the focal building.

1.3 The outline application proposed the erection of 720 dwellings, of which 122 would be provided within Phase 1. The proposed housing mix at outline stage for phase 1 was as follows;

12 No. one bed flats
69 No. two bed flats
6 No. 3 bed flats
35 No. four bed flats and houses
= 122 units

1.4 The reserved matters application for Phase 1 was approved in February 2007. This scheme detailed the following mix of units:

52 No. one bed flats
67 No. two bed houses
11 No. three bed flats
33 No. four bed houses
= 163 units

1.5 The outline application was considered on the basis of 720 units, both in terms of its implications for housing supply and in order to calculate the S106 contributions for affordable housing, highways, education and leisure provision. Therefore the increase in the number of units approved in Phase 1 was only considered to be acceptable on the basis that this would not lead to an increased number of units in the scheme overall.

THE PROPOSAL

1.6 This application seeks permission to convert 7 of the existing townhouse units to form 14 No. duplex apartments. The number of units in Phase 1 would therefore total 170. The agent confirms that whilst there is an increase in numbers, the overall scheme content of 720 units and the associated agreed affordable housing provision for the site as a whole will remain in place courtesy of the outline planning permission and numbers will be regularised as subsequent phases of the scheme are progressed.

OTHER CURRENT HUNGATE PLANNING APPLICATIONS

1.7 In addition to this proposal, there are 2 current planning applications relating to Hungate. The first is an application to vary the conditions of the Phase 2 Reserved Matters approval to allow revisions to the elevations, to increase the number of residential units from 154 to 175 and to reduce the amount of commercial floorspace. The second application relates to the outline permission and seeks to revise the approved plans and documents to allow the above revisions to the Phase 2 building. It is anticipated that these applications will be considered by the Members at the February meeting.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

Contaminated Land GMS Constraints:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: Central Area 0002

2.2 Policies:

CYH3C

Mix of Dwellings on Housing Site

CYGP1
Design

CYHE2
Development in historic locations

3.0 CONSULTATIONS

Internal

Highway Network Management

3.1 The townhouses, as approved, have 2 car spaces each assigned to them. This is in line with CYC Annex E maximum standards. The proposed duplex apartments only require 1 car space each so the creation of 14 apartments instead of 7 townhouses will result in 1 car space per apartment being provided.

3.2 Therefore the proposals will not lead to any change in the highway layout/traffic generated by the site, over that previously considered and approved. No highway objections.

Environmental Protection Unit

3.3 Discussions with the applicants representatives have established that the floor/ceiling construction shall be of the same acoustical properties as to the other apartments already occupied within Phase 1, and therefore Officers do not foresee any future problems as a result of noise. The EPU have no objections to this application.

Design, Conservation and Sustainable Development / Renaissance Team

3.4 No objections with the intentions to convert to duplexes or the way it is proposed to achieve it. As a minor point, two of the townhouses have missing spandrel glazing hatch on the second floor. This can be conditioned.

Parks and Open Spaces

3.5 On the basis that there appears to be no change in the number of bedrooms, no comment.

External

Environment Agency

3.6 No objections

Guildhall Planning Panel

3.7 Object. We believed at the time that Hungate was already an over development, the current proposed amendments would further lead to an increase in density.

Publicity

3.8 The application was publicised by site notice, press notice and letters of neighbour notification. The deadline for comments was 5.1.2011. No written representations have been made.

4.0 APPRAISAL

4.1 Key Issues

- Principle of loss of townhouses and replacement with duplex apartments
- Design and external appearance
- Vehicular / cycle parking

PROPOSAL

4.2 Phase 1 of the Hungate development was completed and available for sale in July 2009. The development comprises a mix of 1, 2 and 3 bedroom apartments together with a number of 4 bedroomed townhouses. As a result of the townhouse units which front onto Palmer Street and Foss View proving difficult to sell, permission is sought to convert seven of the properties into 14 No. two bedroomed duplex apartments.

4.3 Two no. apartments would be provided within the existing shell of each 4 storey townhouse proposed for conversion. The position and proportion of all external openings would remain as existing, however at first floor level, whilst the approved scheme details two identical juliet balconies side by side, the proposed scheme replaces one of the double door set with a window unit so as to accommodate a bathroom. The top half of the new window unit would match the glazing geometry of the existing door and the lower half would be formed out of a glass faced opaque spandrel panel to match the glazing. This principle applies in the same way at second floor level to the same window position in order to accommodate a kitchen space to the top duplex apartment.

4.4 Access into the apartments is via a communal entrance with one per apartment block and 1 shared entrance lobby per 2 duplex apartments. Each of the townhouse units proposed for conversion has a private rear deck/patio of 3 x 5 metres in size defined by low level railings and has balconies to front and rear at first floor. These private external spaces would be available for the occupants of the ground/first floor duplex. The occupants of the second/third floor duplex would have access to the semi private communal courtyard, which has controlled access via two gated entrance points per courtyard.

4.5 The parking strategy would not be affected as a result of the proposal. There are currently 2 No. parking spaces allocated to each townhouse property within the basement. Each duplex apartment would have the use of 1 No. parking space.

JUSTIFICATION FOR THE PROPOSAL

4.6 The applicant has provided the following background information to explain the reasons for this application:

- 28 No. townhouses were launched for sale in September 2007. One unit was sold from plan. Built and completed in June 2009, seven have been sold in an 18 month period. Pricing was initially from £500,000 and is now from £400,000.
- The townhouses have been advertised regularly (at least 3 adverts per month) in the York Press and the Yorkshire Post. The houses are advertised nationally in the Sunday Times and Telegraph. Regional media has been tested on numerous occasions such as Yorkshire Life and free local publications. The townhouses are advertised on property portals such as RightMove, Prime Location, Find a property. Two local agents have been instructed, Your Move and Carter Jonas on the townhouses in addition to having a marketing suite on site which is open daily. There are 2 showhomes on site to demonstrate the properties. One by the river and one on the boulevard. Part exchange is offered; one party has used this facility.
- The agent states that the reason the properties have not been popular is that parties who are looking to purchase a house in this market segment require larger rooms. Whilst the properties offer a large amount of square footage - average 1800 sq foot - this is spread over 4 floors. Parties feel that the kitchen and living rooms are not large enough. The agent states that they are flexible and will change layouts; for instance it has been demonstrated in the showhomes that the kitchens can be upstairs or downstairs.
- The apartments have been popular and there is a demand for apartments in the city. Whilst the living room/ kitchen sizes are considered small for a townhouse they are generous for an apartment and therefore would be received better by this sector of the market. The last sale was in September 2010

NUMBER OF UNITS, MIX OF HOUSE TYPES AND AFFORDABLE HOUSING

4.7 Draft Local Plan Policy H3c states that a mix of new house types, sizes and tenures will be required on all new residential development sites where appropriate to the location and nature of development. Residential developments must demonstrate that the range of type, size of units (including number of bedrooms), design and layout of the plot and tenures and pricing meets local housing needs.

Housing mix

4.8 Although Officers welcomed the number of larger units as proposed in the outline and reserved matters schemes in terms of addressing the range of demands for different types of houses within the overall strategic target, the difficulties of selling such large units, with little private amenity space in this location are accepted. The background information provided by the applicant, detailed above, indicates the widespread marketing undertaken and the reasons behind the lack of sales. With the proposed conversion of the townhouses to two bedroomed units, the proposal could be argued to respond to the 2007 Strategic Housing Market Assessment (HMA) which highlights a demand for 2 bedroomed dwellings.

4.9 The 21 No. affordable homes agreed for Phase 1 (five of which are 4 bed townhouses) would not be affected as a result of this proposal.

Number of units

4.10 As detailed in paragraphs 1.3 to 1.6, the number of units provided in Phase 1 increased by 41 between the outline and reserved matters application, from 122 units to 163 units. This proposal represents a further increase in the number of units to 170.

4.11 Officers raise no objection to the proposed increase in the number of units in phase one. It is accepted that in a large, phased development such as Hungate, flexibility is desirable in order to incorporate up-to-date information on demand over the duration of the whole scheme.

4.12 Although this is a stand alone application, Officers acknowledge that it forms a part of a larger scheme, a scheme which was considered on the basis of 720 units, both in terms of its implications for housing supply and in order to calculate the s106 contributions for affordable housing, highways, education and leisure provision. On the basis of the agents confirmation that the overall scheme content of 720 units will remain in place and numbers will be regularised as subsequent phases of the scheme are progressed, Officers are not seeking additional financial contributions through this application. However, it is recommended that as part of this planning approval, the planning obligation for the Hungate site be updated to reflect this stand alone application so as to ensure numbers across the site are not exceeded without due reconsideration of the key principles and re-calculation of s106 requirements in accordance with site viability.

DESIGN IMPLICATIONS

4.13 Consideration should be given to the requirements of Draft Local Plan Policy GP1 (Design), which states that development proposals will be expected to be of a scale, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate materials. Draft Local Plan policy HE2 states that in areas adjoining conservation areas, development proposals would be expected to respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

4.14 The Hungate Design Statement submitted with the outline application, proposed a number of character areas for the Hungate development with particular design options provided for each area. The design statement described the design concept for the townhouses to be reflective of the grandeur of regency terraces such as St. Leonard's Place, which have a consistency and elegance based on a harmonious composition of horizontal and vertical elements. The characteristics of the town houses would include a building line set back behind railings, a continuous eaves line, gables to create visual interest against sky line, a higher storey introduced as a "book end" element, balconies at first floor to create horizontal emphasis, repetition of components such as windows and doors and an emphasis on end and middle elements.

4.15 The visual impact of converting each of the 7 No. townhouses would be relatively minor with changes to the external elevations limited to alterations to the door and window treatment. Officers consider that the proposed alterations sit comfortably with the Hungate Design Statement.

CAR AND CYCLE PARKING

4.16 On the basis that the townhouses, as approved, have 2 No. car spaces each assigned to them and the proposed duplex apartments require one car space each, the proposal to create 14 No. apartments instead of 7 No. townhouses, would have no implications on the highway layout or the traffic generated by the site. With reference to cycle parking within Phase , 122 resident cycle spaces are provided in the basement car park with a further 20 cycle spaces located at ground level for the use of visitors. Although 7 No. additional cycle spaces would be required as a result of this proposal, officers are satisfied that these can be provided within the basement and recommend a condition requiring further details.

5.0 CONCLUSION

5.1 Officers raise no objection to the proposed conversion of seven of the properties into 14 No. two bedroomed apartments in phase one. It is accepted that there have been difficulties in selling such large units with little private amenity space in this location and acknowledge that in a large, phased development such as Hungate, flexibility is desirable in order to incorporate up-to-date information on demand over the duration of the whole scheme.

5.2 There are no other planning objections as the conversion of the townhouses would not affect visual or residential amenity, highway safety or the appearance of the conservation area and nearby listed buildings.

5.3 It is recommended that the application be approved and that the planning obligation for the Hungate site be updated to reflect this stand alone application so as to ensure numbers across the site are not exceeded without due reconsideration of the key principles and re-calculation of s106 requirements in accordance with site viability.

6.0 RECOMMENDATION: Approve subject to Section 106 Agreement

1 TIME2 Development start within three years

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

Dwg No's 010164_112, 010164_113, 010164_210, 010164_290, 010164_291, 010164_292, 010164_293, , 010164_294, 010164_295, 010164_296 received 12 November 2010

Design and Access Statement November 2010

Flood Risk assessment dated October 2006 (Revision AO1)

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

3 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:

- design of the development
- mix of house types /number of units
- parking provision

As such the proposal complies with Policies GP1, HE2 and H3C of the City of York Local Plan Deposit Draft.

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