

COMMITTEE REPORT

Date: 16 February 2011 **Ward:** Acomb
Team: Major and Commercial **Parish:** Acomb Planning Panel
Team

Reference: 10/02524/FUL
Application at: Decorative Plaster 136 Boroughbridge Road York YO26 6AL
For: Conversion of first floor flat and roof space to create 2no flats with first floor rear extension to comprise a self contained office, new pitched roof to existing side extension, rear dormer and conservatory and external alterations including new shop front and rear windows (resubmission)(retrospective)
By: Mr Michael Beaufoy
Application Type: Full Application
Target Date: 11 January 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 No. 136 Boroughbridge Road comprises a disused brick built two storey shop unit with flat above dating to the 1920s. It forms part of a wider parade lining the north eastern edge of Boroughbridge Road. Planning permission is sought for conversion of the roof space and existing first floor flat to provide two flats with a first floor rear extension, rear dormer, conservatory an new shop front. The proposal is a revised resubmission of earlier proposals for three flats(ref:10/01389/FUL) and later two flats(ref:10/01822/FUL) which were withdrawn following concerns in respect of the availability of amenity space, design and location of cycle and bin storage and also over development. The application is in part retrospective as work on the development has already commenced. The application has also itself been subsequently been amended to remove the access to amenity space at the rear of the site across neighbouring land and at the same time the bin and cycle storage associated with the proposed flats has been relocated inside of the building.

1.2 The application is being dealt with by Committee to ensure consistency with the handling of other applications at the site.

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

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

2.2 Policies:

CYGP1 Design

CYH8 Conversion to flats/HMO/student accom

CYT4 Cycle parking standards

3.0 CONSULTATIONS

INTERNAL:-

3.1 Highway Network Management express concern in respect of the location and size of the proposed bin and cycle storage but feel that this would not be viable grounds for refusal.

3.2 Lifelong Learning and Leisure raise no objection to the proposal subject to the payment of a commuted sum in respect of on site open space.

EXTERNAL:-

3.3 Acomb Planning Panel object to the proposal on the grounds of the location of the parking spaces to service the property and also creation of an access to the amenity space to the rear of the property through land not within the application area.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- * Availability of on-site car and cycle parking space;
- * Impact upon the available amenity space for the occupiers of the proposed properties;
- * Impact upon the residential amenity of nearby properties.

AVAILABILITY OF ON-SITE CAR AND CYCLE PARKING SPACE:-

4.2 Policy H8 of the York Development Control Local Plan sets a firm policy presumption that permission for conversions into flats will only be given where the internal layout is such as to be suitable for prospective occupants and their future amenity, adequate provision is available for the storage and collection of refuse and recycling and adequate on and off street parking and cycle parking can be provided. The current proposal caters for two flats which in a densely built up street frontage would be considered acceptable. However the proposed off-street parking would be accessed via the restricted area adjacent to a pedestrian crossing and cycle parking and bin storage would be provided within the building. To provide secure cycle

parking elsewhere within the site would have involved construction of building at the front of the site which would have caused significant harm to the visual amenity of the street scene or the establishment of a clear route to the rear of the property which has not currently proved possible. Whilst not ideal the proposed arrangements would provide secure storage and would not result in the construction of unsightly structures within close proximity to the main street elevation or the identification of a fixed route to the rear of the property. On balance it is felt that the proposed bin and cycle storage arrangements would not give sufficient reason to refuse the proposal.

IMPACT UPON ON-SITE AMENITY SPACE:-

4.3 The application site as currently laid out incorporates a modest rear yard area accessible by both the ground floor business holder. The proposal indicates that the rear yard would be partially infilled by a glazed conservatory for use by the business holder. The scheme as amended clearly indicates a separate route enabling the two flat occupiers to gain access to the rear yard as amenity space. This effectively deals with earlier objections to the scheme in terms of safeguarding the amenity of future occupiers.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEARBY PROPERTIES:-

4.4 Policy GP1 of the York Development Control Local Plan sets a firm policy presumption in favour of new development which respects or enhances the local environment, is of a scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, provide and protect private, individual or communal amenity space for residential developments and ensure that residents living nearby are not unduly affected by overlooking, overshadowing or dominated by overbearing structures. The current proposal envisages the extension and conversion of the upper floor including roof space of the property into two flats with the continued use of the ground floor as business premises. Concern has previously been expressed in relation to the creation of additional bedrooms in the roof space adjacent to 138 Boroughbridge Road and lit by roof lights in close proximity to the habitable rooms of the adjacent property. The roof lights have been deleted from the scheme as amended and on balance it is felt that the proposed conversion would not give rise to an issue of loss of amenity through overlooking or loss of privacy to nearby properties. The terms of Policy GP1 of the Draft Local Plan would thus be complied with.

5.0 CONCLUSION

5.1 136 Boroughbridge Road comprises at present a two storey brick built shop with flat above forming part of a wider shopping parade along the eastern side of Boroughbridge Road. Planning permission is once again sought in respect of a scheme to convert and extend the existing first floor flat to provide an additional two bedroom flat with accommodation in the roof space. A ground floor conservatory extension would also be provided as additional accommodation for the shop unit. A single car parking space exists on the site frontage to service the needs of the property and a rear yard area serves the needs of present flat occupier for amenity space. By reconfiguring the available space it would be possible to create an additional space for the second flat occupier. Cycle parking and bin storage would

take place in a dedicated area within the building itself rather than as a separate structure on the main street elevation. The scheme as previously submitted removed the current direct link between the upper floor of the property and the rear yard area for use as amenity space. The amended scheme restores that link at the same time as dealing with the previous concerns in respect of the proximity of roof lights to habitable rooms in the adjacent property No 138. The proposed parking, bin storage and external amenity space is minimal, however it is felt that on balance a refusal of planning permission on these grounds would not be sustainable and approval is therefore recommended.

6.0 RECOMMENDATION: Approve

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

Drawing Ref:- B1(p) Date Stamped 12th January 2011.

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

2 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority within 28 days of the date of this permission and the works shall be carried out in accordance with the approved details.

i) The timber shop front including sections and detailing;

Reason: So that the Local Planning Authority may be satisfied with these details.

3 VISQ4 Boundary details to be supplied

4 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

5 Notwithstanding the application details hereby approved, full details of the amenity areas to the rear of the site and the street elevation including surfacing materials, layout and planting shall be submitted to and approved in writing by the Local Planning Authority within 28 days of the date of this permission. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the visual amenity of the site and to secure compliance with Policy GP1 of the York Development Control Local Plan.

6 Prior to the commencement of development, full details of a renewable energy

strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include (i) the dwelling's proposed renewable energy generation, which shall be at least 5 % of total energy generation (ii) measures to reduce energy demand (iii) measures to reduce CO2 emissions to a level lower than required under Building Regulations Part L. The development shall then be carried out in accordance with the approved assessment.

Reason: To ensure that the proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

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 availability of on-site car and cycle parking space, impact upon available amenity space for occupiers of the proposed properties and impact upon the residential amenity of nearby properties. As such the proposal complies with Policies GP1, H8 and T4 of the City of York Development Control Local Plan.

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