

COMMITTEE REPORT

Date: 27 April 2011 **Ward:** Holgate
Team: Major and Commercial **Parish:** No Parish
Team

Reference: 11/00515/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 2no flats (revised scheme from 10/02360/FUL)
By: Mr Chris Cook
Application Type: Full Application
Target Date: 9 May 2011
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 flats both containing two bedrooms. The existing mono-pitched single storey rear extension would be part demolished and replaced with a boundary wall to create two individual cycle parking and bin storage areas. The existing shop windows are proposed to be bricked up with windows of a typically domestic scale being added to the ground floor of the property.

1.4 This application has been brought before Sub-Committee, with a site visit, at the request of Cllr. Alexander due to concerns of overdevelopment.

1.5 At December Planning Sub-Committee members approved an application (Ref. No. 11/00515/FUL) to convert the site into two dwellings including the demolition of existing extensions and the erection of a two storey rear extension.

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

CYGP15 Protection from flooding

CYL1C Provision of New Open Space in Development

CYS9 No loss of local or village shops

CYH8 Conversion to flats/HMO/student accom

CYGP4A Sustainability

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 Third parties - No correspondence received at the time of writing the report.

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 due to concerns about overdevelopment of the site. At present the site is a vacant shop unit with three bedroom living accommodation to the rear and upstairs. The proposal would provide an additional unit of living accommodation by making use of a redundant retail area. It is officer opinion that the conversion of this to 2 two-bedroom flats does not constitute overdevelopment and the proposal makes efficient use of this site. The previously approved application for two houses containing two bedrooms was considered acceptable. It is Officer opinion that splitting the unit up horizontally rather than vertically makes better use of available space. The area predominantly consists of houses and it is considered that the two flats proposed would add a greater mix of accommodation. Overall 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. This change was also considered acceptable as part of application 10/02360/FUL. The proposed window openings on the ground floor are generally in keeping with the character of this residential area in terms of location, proportion and design.

4.6 The existing single storey rear extension is not in keeping with the property or character of the area. It is proposed to remove the roof of the extension and to reduce the extensions height, creating the appearance of a 2m high boundary wall. Part of the rear wall of the extension would be removed so that its height is only 2.9m above ground level as opposed to 3.8m at present. It is considered that the proposed changes to the rear of the property improve its appearance within the street scene. Overall it is considered that the physical alterations proposed are generally in keeping with the existing property and the character of the area.

RESIDENTIAL AMENITY

4.7 The proposed development does not include a significant amount of outdoor amenity space. The downstairs flat has a small area close to the front door, whereas the upstairs flat has no usable amenity space. However, this is not uncommon

within high density residential areas. Many residents in this area have built over their rear yard and the proposal does not significantly change the current arrangement in terms of the amount of private outdoor amenity space. The site is close to a number of formal and informal outdoor amenity areas and it is not considered unduly harmful to residential amenity that little private space is provided within the proposal. A contribution is to be made towards improving and upgrading existing public open space in the area which future occupiers could take advantage of. The revised plan received gives each household access to a private bin and cycle store. Each dwelling has an enclosed and secure area for two bicycles to be stored as well as space to store refuse and recycling boxes. It is considered that each flat provides adequate internal space and outlook for future occupiers.

4.8 The proposed development would not have a significant impact on neighbouring amenity. No new windows are proposed which could harm privacy and the level of built development on site is being reduced a little by the part demolition and alteration to the single storey rear extension. The premises last operated with a shop on the ground floor with living accommodation consisting of three bedrooms on the first floor. It is not considered that the activity one would associate with 2 two-bedroom flats would cause any level of noise or disturbance over and above that of its existing lawful use.

SUSTAINABILITY

4.9 A sustainability statement was submitted 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. The site is within walking and cycling distance of a number of local services and facilities including the city centre.

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 planning policy.

COMMITTEE TO VISIT

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:-

Proposed plans and elevations drawing number 10:49:10 revision A received by CYC 8th April 2011

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 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.

5 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 £1242.

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.

7.0 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, H8, L1c and S9 of the City of York Development Control Local Plan.

Contact details:

Author: Michael Jones Development Management Officer

Tel No: 01904 551339