

COMMITTEE REPORT

Date: 16 June 2011
Team: Householder and Small Scale Team
Ward: Micklegate
Parish: Micklegate Planning Panel

Reference: 11/00039/LBC
Application at: 136 The Mount York YO24 1BW
For: Demolition of part of boundary wall and erection of new relocated wall
By: Mr Donald Salter
Application Type: Listed Building Consent
Target Date: 26 April 2011
Recommendation: Refuse

1.0 PROPOSAL

1.1 This application seeks permission for the creation of hardstanding to provide two car-parking spaces within the rear garden. This would involve the removal of the rear boundary wall, and its rebuilding 5 metres further up the garden, along with the replacement of a section of hedging with a boundary wall along the common boundary with No. 138 The Mount. Access is proposed via the existing gates which serve the garage block to the rear.

1.2 This regency three-storey end terrace dwelling is Grade II Listed and sited within the central historic core conservation area, sited along a main route to the city centre.

1.3 This application is to be heard by Committee at the request of Councillor Merrett

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Central Historic Core CONF

Listed Buildings Grade 2; 136 The Mount York YO2 2BW 0319

2.2 Policies:

CYHE4 Listed Buildings

3.0 CONSULTATIONS

Internal

3.1 Design, Conservation and Sustainable Development - Object due to the loss of the garden area to parking, in comparison to the long gardens within this group of listed buildings.

External

3.2 Micklegate Planning Panel - No objection

3.3 The Georgian Group - No comment received

- 3.4 Ancient Monuments Society - No comment received
- 3.5 Victorian Society - No comment received
- 3.6 20th Century Society - No comment received
- 3.7 Council for British Archaeology - No comment received
- 3.8 Society for Protection of Ancient Buildings - No comment received

3.9 13 letters of objection from 8 neighbouring households, and one objection letter signed by 22 neighbouring households raising the following concerns

- Harm to the appearance of the Conservation Area;
- The architectural integrity and cohesiveness of this Georgian/Early Victorian street should be preserved;
- Details submitted are inadequate and possibly misleading
- No site levels shown;
- 'No-dig' technique is inappropriate for car parking
- Risk to adjacent sycamore tree;
- Increased vehicle traffic may damage Yorkstone pavings and kerbs in Mount Parade
- Proposals would harm the special nature of the quiet and green space within area
- Parking of large vehicles such as caravans or mobile homes would spoil the nature of this green space;
- Possible damage to kerbstones and York stone paving;
- Vehicles will block the street – difficult for emergency vehicles and loading/unloading;
- Increased risk to pedestrians due to increased traffic;
- Misrepresentation within supporting statements re consultation with residents;
- Existing garage block should not be used as a precedent for future development.
- Loss of house value to neighbouring properties;
- On-street parking should be accepted as part of modern urban living;
- May set precedent for further car parking within the area.
- Future owners of existing garages may restrict access.
- Loss of outlook
- Reverse traffic flow - no entry from Holgate Road
- Proposals contrary to CYC policies HE2; HE4 and GP10
- Charging point within proposed shed may result in wider range of industrial uses.
- Inappropriateness of divulging private correspondence regarding neighbourhood watch scheme, in support of proposal

One letter of support stating the additional car parking will aid access to the existing garage block to the rear of the site.

4.0 APPRAISAL

KEY ISSUES

4.1 Impact upon the special historic nature of the listed building

4.2 The relevant development plan is The City of York Council Draft Deposit Local Plan, which was placed on Deposit in 1998. Reflecting points made, two later sets of pre inquiry changes (PICs) were published in 1999. The Public Local Inquiry started in 1999 but was suspended by the Inspector for further work to be done on the Green Belt. A Third Set of Changes addressing this further work was placed on deposit in 2003. Subsequently a fourth set of changes have been drafted and approved by Full Council on 12th April 2005 for the purpose of making Development Control Decisions, on the advice of the GOYH

4.3 DRAFT LOCAL PLAN POLICY CYHE4 of the Development Control Local Plan states that with regard to listed buildings, consent will only be granted for internal or external alterations where there is no adverse effect on the character, appearance or setting of the building.

4.4 Planning Policy Statement 5: Planning and the Historic Environment offers advice on development proposals in historic environments and confirms the aim of conserving our heritage assets and utilising the historic environment in creating sustainable places. Para HE9.5 states inter alia that where a proposal has a harmful impact on a heritage asset which is less than substantial harm, then in all cases, the local planning authority should weigh the public benefit of the proposal against the harm.

RELEVANT PLANNING HISTORY

136 The Mount

02/03859/LBC+02.03858/FUL - Installation of timber gates in existing boundary wall. Refused 27.02.03

08/01142/LBC - Rebuild boundary wall using existing bricks. Approved 27.06.08.

10/00214/FUL+10/00216/LBC - Single storey rear extension, internal alterations and rooflights to front and rear. Approved 08.02.10.

11/00966/NONMAT - Non-material amendment to allow alterations to rear roof and internal arrangement. Approved 13.05.11.

20 Mount Parade

Application No. 7/09/4545A/PA+7/09/4545B/LB - Alterations to boundary wall, including erection of gates and creation of terrace and turning area. Refused 03.06.92. Appeal dismissed 17.02.03.

1 Mount Parade

Application No. 7/09/6816/LB - Removal of part of wall to create vehicle access with iron gates. Approved 03.07.89.

134 The Mount

Application No. 7/00/2657/PA - Demolition of existing garage and erection of new garage to rear of site. Refused 23.11.78.

ASSESSMENT

4.6 The host site currently has a long garden to the rear, with brick boundary wall to the side boundary with Mount Parade and rear boundary with the adjacent garage site to the rear. Hedging is in place along the common boundary with No. 138 Mount Parade. Most of the garden is laid to grass, though the rear section is laid to gravel, with raised beds, which is separated from the grassed area by trellis. A large mature Sycamore tree, the subject of a tree preservation order is also sited within this rear garden.

4.7 An existing block of two garages, with turning area, owned by neighbouring residents is sited to the rear of the host site, and is accessed via gates along Mount Parade, which have been in use for some years, and it is this access the applicant now proposes to use to gain access to the rear. A previous request for consent was refused, as mentioned above, for an

new access to be created for access to car parking at the host, though this was refused on the grounds of harm to the appearance of the Conservation Area and the special historic nature of the dwelling.

4.8 When viewed from Mount Parade the appearance of the conservation area would appear the same in public view, though from within the site the increase of enclosure with high brick boundary walls would further change the soft landscape appearance of this group of gardens within this row. The area of hardstanding would significantly be increased with approx. one third of the original garden area being removed. Long gardens within the centre of York are rare and being sited along the public route of Mount Parade and with the lack of cars using this lane, gives this part of the conservation area a tranquil quality with contrasts with the busy main road into the city. This is a key characteristic of the conservation area and the special historic nature of the listed buildings within this row, which would be harmed by this proposal.

4.9 Residents parking is available along the cobbled tree-lined avenue to the front, which serves other properties along Mount Parade (all houses here are also Grade II Listed). A supporting statement for the proposals has been received by the applicant detailing evidence in relation to acts of vandalism to cars when parked in this location, which has been confirmed in correspondence received from North Yorkshire Police. Parking of cars within the rear garden as proposed, would provide some increased security with regards to car crime for the applicant. This argument however, is not considered to be sufficient justification to outweigh the harm to this heritage asset.

5.0 CONCLUSION

On balance, insufficient justification has been demonstrated for increasing the parking area and walling in favour of reducing the garden, to outweigh the harm to the special historic interest of the building. Refusal is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The proposal for increased hard landscaping to provide car parking and increased walling in favour of reducing the garden area would be unsympathetic and visually harmful to the architectural and visual interests of this listed building, and within this group of listed buildings No.s 136-144 (even) the Mount, contrary to Policy HE4 of the City of York Development Control Local Plan and national planning guidance contained in Planning Policy Statement 5 " Planning for the Historic Environment. " It is considered that the applicant has failed to demonstrate sufficient justification that would outweigh the harm to the Grade II Listed Building.

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