

Conservation Area Fulford Road 0039

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYH11

Conversion of upper floors to housing

CYHE2

Development in historic locations

CYHE3

Conservation Areas

CYT4

Cycle parking standards

CYH8

Conversion to flats/HMO/student accom

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections.

3.2 External

Cllr D'Agorne as ward councillor - support the applications that relate to the retention of the former Dawson's newsagents as a shop premises. This includes the principle of the proposal to convert the two maisonettes into a HMO as part of the plan to provide independent access external to the shop premises. Requests cycle parking to rear as on street parking is at a premium, condition that the forecourt to Fulford Rd is not used for parking and bin storage.

Fishergate Planning Panel - No objections. Comment that need to ensure that no extra parking requirements are generated by change.

Publicity: The application has been advertised by site notice, press notice and neighbour letter to which no public response has been received.

4.0 APPRAISAL

4.1 Key issues:

- effect on visual amenity
- effect on character and appearance of Fulford Road Conservation Area
- effect on setting of adjacent listed building, 200 Fulford Road
- effect on residential amenity of future occupiers and surrounding residents
- parking provision
- refuse and recycling storage

4.2 Policy Context - The relevant planning policy is contained in Planning Policy Statement 3: Housing (PPS3), Planning Policy Guidance Note 13: Planning and the Historic Environment (PPG15) and in the City of York Draft Local Plan. PPS3 (Housing) outlines the Government's key housing goals, including the aim to create sustainable, inclusive, mixed communities in all areas. PPG15 confirms the Council's special duty to preserve or enhance the character and appearance of conservation areas. North Yorkshire Structure Plan Policy E4 (Historic Environments) is of relevance. The Draft Local Plan policies are set out in Section 2.2. In particular, Policy H8 states that planning permission will only be granted for conversion of a dwelling to multiple occupation where:

- the dwelling is of sufficient size (min 4 bedrooms) and with a suitable internal layout for the proposed number of occupants and will protect residential amenity for future occupiers;
- external alterations would not harm the character or appearance of the building or area;
- there is adequate car and cycle parking;
- it would not create an adverse impact on neighbouring residential amenity, particularly through noise disturbance or the residential character of the area by virtue of the conversion alone or cumulatively with a concentration of such uses;
- adequate provision is made for the storage and collection of refuse/recycling.

4.3 The main change between the existing form of accommodation and that proposed is that the upper two floors would have one shared access rather than two and seven bedrooms with shared kitchen/living facilities rather than two units with three and four bedrooms respectively. No further internal sub-division is proposed to create any additional bedrooms. Therefore, despite one of the units only having three bedrooms, it is considered that the resulting HMO would provide an acceptable standard of accommodation in order to protect the residential amenity of future occupiers.

4.4 No external changes are proposed other than the infilling of the two rear windows. Given this, and as the upper floors would remain in residential use, there would be a negligible effect on visual amenity, the character and appearance of the conservation area would be preserved and the proposal would not detract from the setting of the adjacent listed building.

4.5 There is currently no car or cycle parking facilities to serve the maisonettes and none are proposed, though the applicant has confirmed that cycle storage could be provided. The Council's Highway Engineer raises no objection. Likewise, refuse and recycling facilities could be provided within the rear yard of the properties. Further details would be required by condition.

4.6 The properties are part of a mixed use area, where there are various types of residential accommodation, visitor accommodation and commercial uses, including the ground floor units of 196 and 198. As a result, the proposal would not adversely impact on the residential character of the area. It is unlikely that the amenity of surrounding residents would be adversely affected by the proposal, given that the layout of the proposed accommodation would remain as existing.

4.7 Councillor Simpson-Laing has called the application to Committee partly due to concern about maintenance of the property. However, the applicant also has control over the ground floor retail units, one of which is occupied by his daughter's business. It is therefore likely that the buildings would be regularly maintained for commercial reasons and as a presence would be at the site. Regardless of this, this issue is not a material planning consideration.

5.0 CONCLUSION

5.1 The proposal would be unlikely to cause demonstrable harm to visual amenity, the conservation area, setting of the adjacent listed building, residential amenity of both future and surrounding occupants and highway safety. Therefore, it accords with national and local planning policy and is recommended for approval.

6.0 RECOMMENDATION: Approve

1 TIME2

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

Unnumbered location plan, drawing no. 1375/03 Rev.A and drawing no. 1375/04, received 5 July 2007;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

3 Prior to occupation details of cycle parking facilities, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

4 Prior to occupation, details of refuse/recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the storage facilities have been provided

within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the storage of refuse/recycling.

Reason: In the interests of visual and residential amenity.

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 visual amenity, the conservation area, setting of the adjacent listed building, residential amenity of both future and surrounding occupants and highway safety. As such the proposal complies with national advice in PPS3 (Housing) and PPG15 (Planning and the Historic Environment, Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies HE2, HE3, T4, H8 and H11 of the City of York Draft Local Plan.

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