

## COMMITTEE REPORT

**Committee:** West/Centre Area                      **Ward:** Guildhall  
**Date:** 28 August 2007                              **Parish:** Guildhall Planning Panel

**Reference:** 07/01566/FUL  
**Application at:** 42 Monkgate York YO31 7PF  
**For:** Change of use of offices to 5no. residential units and erection of 4no. flats with car parking after demolition of existing office building  
**By:** MODA Developments Ltd  
**Application Type:** Full Application  
**Target Date:** 28 August 2007

### 1.0 PROPOSAL

1.1 This application relates to a terrace of (originally) dwellings - 42-48 Monkgate and the associated land behind. The buildings are all grade II listed and in the Central Historic Core Conservation Area. Permission has been granted for a row of three-storey residential units on the land behind the site, reference 06/00795/FUL.

1.2 No.'s 42-48 Monkgate were last used as offices. This application proposes to restore the units to dwellings. No 48 would be divided into a 1-bed flat at ground floor level (because there is no outdoor amenity space), with a 4-bed unit on the upper floors. At no.'s 42, 44 and 46 an existing rear extension will be demolished and the buildings will be restored to houses with gardens. Replacement single storey rear extensions are proposed for no.'s 44 and 46. No.'s 42, 44 and 46 would be 5-bed houses. The application also proposes a 'stable block' that would be located behind 40 Monkgate. This would provide a further 4 1-bed flats. 7 parking spaces are proposed, 2 of these would be in garages behind No 44. (No off-street parking onsite is allocated for 2 of the 1-bed units in the stable block.)

1.3 The application and companion listed building application; reference 07/01564/LBC are brought to committee at the request of Councillor Watson.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Central Historic Core 0038

City Boundary York City Boundary 0001

Listed Buildings Grade 2; 40 Monkgate York YO3 7PF 0935

Listed Buildings Grade 2; 42A Monkgate York YO3 7PF 0936

Listed Buildings Grade 2; 44 Monkgate York YO3 7PF 0937

Listed Buildings Grade 2; 46 Monkgate 0938

Listed Buildings Grade 2; 58 Monkgate York YO3 7PF 0939

Schools St. Wilfrid's RC Primary 0230

## 2.2 Policies:

CYGP1

Design

CYHE3

Conservation Areas

CYHE4

Listed Buildings

CYH3C

Mix of Dwellings on Housing Site

CYH4A

Housing Windfalls

CYH5

Residential densities over 25 per ha

CYH12

Conversion of redundant offices

CYE3B

Existing and Proposed Employment Sites

CYL1C

Provision of New Open Space in Development

## 3.0 CONSULTATIONS

Internal

3.1 Highway Network Management - awaiting comments.

3.2 Design, Conservation and Sustainable Development - UDC consider the proposal would improve the appearance of the conservation area by adding a pitched roof to no.48, removing no.42's setback, re-introducing entrances to each house and removing the single storey flat roof extension at rear of no.'s 44 and 46. It is considered that although the workshop building at the back of no.42 is of some

interest, its loss is mitigated by the creation of private garden space. UDC consider the stable block to be in-keeping with the grain of development in the area although ask that space for cycles and bins be provided and that these units should have their own outdoor amenity space.

3.3 Lifelong Learning and Culture (LLL) - (LLL) stated that as no open space on site, contributions for open space should be sought , which would go toward improving local sites such as Monk Bridge Gardens, Clarence and Glen Gardens and facilities within the East Zone active leisure strategy.

3.4 Economic Development Unit - No response.

3.5 Environmental Protection Unit - No response.

3.6 Education - There is surplus space in schools in the catchment area of the site thus no contribution is required towards education.

External

3.7 Planning Panel - No objection.

3.8 The application was publicised by site notice, press notice and letters of neighbour notification. The deadline for comments was 09.08.07. No written representations have been made.

## **4.0 APPRAISAL**

### 4.1 Key issues

Principle of development

Design

Impact on listed building and setting / conservation area

Sustainability

Residential amenity

Open space

Policy

4.2 Policy E3b states that the standard employment sites identified in schedule 2, and any other sites or premises, either currently or previously in employment use, will be retained within their current use class. Planning permission for other uses will only be given where a) there is a sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms; b) unacceptable environmental problems exist; c) the development of the site for other appropriate uses will lead to significant benefits to the local economy; or d) the use is ancillary to an employment use.

4.3 Policy H12 states planning permission will be granted for the conversion of redundant office space to residential use where there is sufficient supply of offices to meet both immediate and long term requirements over the plan period; the proposal

will not have an adverse impact on the vitality and viability of the City and District centres; and when there is no adverse impact on residential amenity.

4.4 Policy H4a pertains to new housing development. It states that proposals for land not already allocated on the proposals map will be granted permission where: the site is within the urban area and is vacant, underused or it involves infilling, redevelopment or conversion of existing buildings; the site has good accessibility to jobs, shops and services; and it is of an appropriate scale and density to surrounding development and it would not have a detrimental impact on existing landscape features. Policy H3c states that a mix of new house types, sizes and tenures will be required on all new residential development.

4.5 The proposal relates to listed buildings within a conservation area, as such policies HE3 and HE4 of the City of York Draft Local Plan are also relevant. Policy HE4 states that listed building consent will only be granted where there is no adverse effect upon the character, appearance or setting of the building. Policy HE3 states that within conservation areas, proposals will only be permitted where there is no adverse effect on the character or appearance of the area.

#### Principle of development

4.6 The houses on Monkgate were last used for offices, thus in order to comply with E3b and H12 proposals are required to demonstrate that there are adequate other similar office spaces available in the city. The applicant has advised that this site has been vacant for three years and has been unsuccessfully marketed as office space for at least one year. This suggests there is either no demand for this type of office space, or that more preferable sites are available. Furthermore the layout and listed building status of the buildings mean there are restrictions which make it less suited to office space in comparison to modern custom built buildings. The buildings were originally built as houses. The rooms are small and legibility is poor for disabled persons, for example access to the upper floors. Because of the design of the listed buildings, the agent advises it would be difficult to comply with modern building regulations standards required. As such it is considered the buildings are better suited to, and would be easier to keep occupied as their original residential use. The Council's Economic Development Unit have been consulted, to enquire whether they would object to this loss of office space and no objection has been made. Overall it is considered that the conversion to residential is acceptable in principle and there is no conflict with policies E3b and H12 of the Local Plan.

4.7 The site is on the edge of the city centre. The application proposes the re-use of buildings and development of brownfield land. As such the principle of residential on this site is consistent with Local Plan policy H4a and national guidance in PPS3: Housing.

#### Design

4.8 The application proposes a mixture of dwelling sizes, five 1-bed, one 4-bed and three 5-bed, the mix is somewhat dictated by the size of the existing buildings which

are being converted. It is considered there is an acceptable mix of house types and sizes proposed in accordance with policy H3c.

4.9 The stable block would be a rectangular unit, in keeping with the layout and form of other developments behind Monkgate - the approved development behind the application site and Country House Mews behind 38 Monkgate, for example. The buildings would be a single storey in height, with a second floor in the roofspace, thus the development would be subordinate to the taller listed buildings on Monkgate. The windows would have a vertical emphasis, as per the listed building. The walls and roof materials can be conditioned to be agreed by officers. The plans of the stable block have been revised, there is now allocated cycle and bin stores (the finish of which can be agreed by condition) and 3 rooflights have been added to the south west elevation to provide additional light into rooms, this will enhance the amenity of potential residents. For communal areas the hard and soft landscaping can be secured by a condition to ensure these areas are acceptable.

#### Impact on listed building and setting / conservation area

4.10 The alterations proposed, associated with bringing the units on Monkgate back into occupation and restoring them to their original use, are considered to enhance the appearance of the buildings and the conservation area. This is appraised in more detail in the listed building application. Further comment from conservation officers regarding the revised plans (internal changes) are pending and members shall be updated at committee.

#### Sustainability

4.11 There is limited reference to sustainable development associated with the application, as it relates mainly to the conversion of listed buildings. With regards to sustainability, the location (proximity to services, jobs for example) is sustainable and the scheme involves the introduction of garden spaces. It may also be possible to recycle some of the materials on the building behind No.42 that is to be demolished, one of the windows can be used on the front of No.42 and possibly materials could be used in building the stable block.

#### Residential amenity

4.12 There is adequate outlook and space for potential residents of the buildings and there are no concerns regarding overdominance, overbearing or overshadowing of the surrounding buildings.

#### Open space

4.13 In accordance with policy L1c of the Draft Local Plan, should the application be approved the applicant / developer would be required to make a contribution toward the provision of open space. Based upon the City of York Commuted Sum

Payments document, the contribution for this development would be £16,470, which the applicant has agreed to.

4.14 There is currently adequate space in the schools within the catchment area of the site to accommodate the possible extra demand caused by this development. As such a contribution toward education facilities is not required.

## 5.0 CONCLUSION

5.1 The scheme is supported by officers, as it would bring listed buildings back into use, for their original intended use. In association with this there are external alterations that would enhance the appearance of the buildings and their setting. Approval is recommended.

## 6.0 RECOMMENDATION: Approve

1 PLANS2 Apprvd plans and other submitted details

2 TIME2 Development start within three years

3 A sample panel of the brickwork to be used for the rear extensions to no.'s 44 and 46 Monkgate, the garages and the stable block building (including its bin and cycle stores) shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used. Details shall be required to be approved in writing by the Local Planning Authority prior to the commencement of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved developments have been completed in accordance with the approved sample.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location.

4 The materials for the covering of the roof of no. 48 Monkgate, the garages and the stable block shall match those of the existing buildings (42-46 Monkgate) in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

5 All new rooflights shall be 'conservation' type rooflights. Prior to commencement of development hereby permitted, the design and type of the rooflights shall be submitted to and approved in writing by the Local Planning Authority. The rooflights shall be inserted in accordance with the approved details and thereafter be so retained.

Reason: To achieve a visually acceptable form of development.

6 The infill brickwork within the front facade of 42 Monkgate, shall match the existing brickwork in all respects i.e., bonding, size, colour and texture of bricks and finished treatment of mortar joints, to the satisfaction of the Local Planning Authority. The new window shall be sourced from the building at the rear (which is to be removed) unless agreed otherwise by the Local Planning Authority.

Reason: To ensure that the finished appearance is to the satisfaction of the Local Planning Authority.

7 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials and finish to be used for the balconies and new entrance gates shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

8 Prior to the development commencing details of the area for cycle and bin storage (including elevations, materials and means of enclosure if proposed) for the stable block shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the stores have been provided within the site in accordance with the approved details, and these areas shall not be used for any other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate space for cycles, waste recycling and litter collection in accordance with policy GP1 of the City of York Draft Local Plan.

9 Fully detailed drawings illustrating the design and materials of roads, footpaths and communal soft landscaped areas shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site and the development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and visual amenity

10 S106OS IN Section 106 Open Space

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no development under Schedule 2, Part 2 Class H shall be permitted within the curtilage of the dwelling(s) hereby approved.

Reason: In order to protect the residential amenity of surrounding residents, and the visual character of the area.

12 PD1 IN Rem of specific Perm Dev rights (A-H removed)

13 Notwithstanding the hereby approved development no new window openings

shall be formed in any external elevation or roof slope of no.'s 42 to 48 Monkgate or the new 'Stable Block'.

Reason: In the interests of neighbours' amenity and visual appearance.

## **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 the special historic interest of the listed buildings, the character and appearance of the conservation area, visual and residential amenity. As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, HE3, H3, H4, H12, E3 and L1c of the City of York Local Plan Deposit Draft.

#### **Contact details:**

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