

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Holgate
Date: 18 October 2007 **Parish:** No Parish

Reference: 07/02105/FUL
Application at: 218 Salisbury Terrace York YO26 4XP
For: Conversion of existing church hall to 3 no. 1 bed apartments and external alterations (resubmission)
By: Rev Karen Burnett-Hall
Application Type: Full Application
Target Date: 26 October 2007

1.0 PROPOSAL

Application site

1.1 The application relates to St Barnabas Church Hall that is located within a terrace of houses on Salisbury Terrace. The church hall is used as a community facility, which hosts dance classes three days a week and Brownies on Wednesday evenings. The site is within an area where the risk of flooding is deemed to be high (flood zone 3).

Proposal

1.2 The application is for planning permission to convert the building into three 1.bed residential dwellings. It is proposed to consolidate the activities which take place at the church hall at St Barnabas' Church (160 metres to the east), which is already in community use. A schedule of works are established for improving facilities at the church, to improve access and enlarge the size of the community space. The works are subject to the sale of the church hall, which would generate the required funds.

Background

1.3 This is a resubmission of application 06/02777/ful which was refused by the planning committee in January 2006. The reason for refusal was that the application failed to adequately demonstrate that the existing facility was surplus to requirements or that alternative sites have been provided.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Schools St. Barnabas' CE Primary 0224

2.2 Policies:

CYGP1 Design
CYGP4A Sustainability
CYGP15 Protection from flooding
CYH4A Housing Windfalls
CYC3 Change of use of community facilities
CYL1C Provision of New Open Space in Development

3.0 CONSULTATIONS

Internal

3.1 Highway Network Management - No response. At pre application stage stated that there would be no objection to the development and car parking spaces would not be required, but covered secure cycle spaces would be.

3.2 Drainage - No response.

External

3.3 Planning Panel - No response to date.

3.4 Environment Agency - No objection. Ask that if permission is granted that it is subject to conditions that the finished floor levels are 300mm above ground level (which is proposed) and that flood warning notices are placed in the building.

3.5 The application was publicised by site notice and letters of neighbour notification. The deadline for comments was 4.10.07. To date one letter has been received. This raises the following points -

- the building seems to be in use at present. If it is to be converted, it should be a condition of approval that a new facility is provided.
- car parking is becoming increasingly difficult in the area, and potentially 3 more flats would make this problem worse.

4.0 APPRAISAL

4.1 Key issues

Loss of the existing community facility
Principle of residential use
Residential amenity
Flood risk
Sustainability
Highways

Loss of the existing community facility

4.2 Chapter 13 of the City of York Draft Local Plan has the objectives of promoting new community facilities and the protection and enhancement of existing facilities. Policy C3 states permission will only be granted for the change of use of community facilities where the proposed development is of a scale and design appropriate to the character and appearance of the locality and when it can either be demonstrated that the existing facility is no longer needed or that alternative sites can be provided. It is not a requirement that facilities are provided prior to the closure of an existing facility.

4.3 The Church Hall is used on Monday, Thursday and Saturday for ballet classes and for Brownies on Wednesdays. Previously the hall was more active, being used by a playgroup, toddler group, as a polling station and by the neighbourhood forum and ward committee. The playgroup and polling station have now relocated to St Barnabas School. The toddler group ceased in 2006 and the forum/committee is now held at St Barnabas Church. The church is also used by the National Childbirth Trust, for English classes and by a mothers and toddlers group. The Brownies and Ballet class were consulted over the proposed relocation. There was concern by the ballet class over the suitability of the church; whether its floor would be suitable for ballet. The proposed church floor would be timber, with a vinyl cover, similar to the floor at the church hall. While this is not the optimum surface for ballet practice, it is versatile and considered to be more appropriate given that the proposed facility would not be exclusive to ballet.

4.4 The development proposed complies with policy C3 of the draft Local Plan in that it is demonstrated that alternative facilities are available at the church and school; these are around 160m from the application site. The school provides a modern facility for community use. It is proposed that the church facilities would be enhanced, by using funds generated from the sale of the application site. The applicants have suggested a condition which requires such and advise that any surplus money would also go toward ecclesiastical purposes, which are defined as works to any church and also includes 'providing facilities for the spiritual moral and physical training of persons residing in or near the parish'. Compliance with such a condition would go beyond the requirements of policy C3.

Principle of residential use

4.5 H4a of the City of York Draft Local Plan 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.

4.6 The application proposes the conversion of an existing building. The location is sustainable; a built up residential area with local shops and services nearby, and on a public transport route to the city centre. The existing building is of an acceptable scale and adds variation to the terrace. The minor external alterations proposed would improve the condition and appearance of the host building, to the benefit of the visual amenity of the area. In principle the application site and building are suitable for residential use.

4.7 Internal space for bin and cycle storage is proposed. Bin storage is located conveniently as refuse is collected from the rear of the dwellings on Salisbury Terrace.

Residential amenity

4.8 There is no outdoor amenity space on site, hence the proposal for single bed units opposed to family sized dwellings. The applicant has agreed to a contribution of £1,080 toward upgrading existing open space in accordance with Local Plan policy L1c. There is adequate outlook for potential residents.

4.9 The amenity of neighbouring residents would potentially be enhanced by the proposed use as there would be less activity and noise associated with residential use opposed to a community facility.

4.10 The host building's outlook would remain as existing; no new windows are proposed. None of the existing windows directly look into the rooms of surrounding residential properties, although the first floor side windows on the west elevation would serve a kitchen / living room and face the rear yard of No.220. A similar level of overlooking into rear yards is common in terraced areas where first floor windows are close to side boundaries. As such levels of overlooking would not be undue. No windows are proposed on the east elevation, so no overlooking would occur over No.216. It is considered unnecessary to prevent any new windows being inserted in the east elevation because of the internal layout; stairs are proposed on that side of the building, opposed to habitable rooms and the two-storey rear extension present on No.216 would block views into the rear rooms of that dwellinghouse.

Flood risk

4.11 The application site falls within an area where the risk of flooding is high. In accordance with policy GP15a of the Draft Local Plan an assessment of additional flood risk as a consequence of the development and measures to mitigate risk in the proposed development have been submitted.

4.12 Flood defences in the area provide an effective barrier up to 10.91 metres AOD (Above ordinance datum), the Environment Agency consider that the 1 in 100 chance of the area flooding could potentially see levels rise to 10.94 AOD. The ground level on the Salisbury Road frontage of the terrace is 10.38 AOD. The ground floor levels proposed in the building would be set at 10.7 AOD, 300mm above ground level and higher than other dwellings in the terrace (An increase to 10.94 cannot be achieved). The Environment Agency consider that this finished floor level is acceptable and thus do not object to the application. The development will include flood protection measures such as the use of air bricks, one way valves on outlet pipes, water resilient seals to openings, the insertion of a damp proof course and the occupants would be expected to sign up to the Environment Agencies local flood warning service.

4.13 Proposed is a conversion of an existing building, and it is regretful that the finished floor level cannot be inline or above the worst case potential flood level. However the increase in floor level and the proposed measures to mitigate harm

from flooding meets the requirements of policy GP15a. The applicant's flood risk assessment also demonstrates that although water discharge from the site may be increased, the occupation of the building for residential use would not increase the risk of flooding in the area.

Sustainability

4.14 GP4a states all proposals should have regard to the principles of sustainable development. A sustainability statement has been submitted which identifies the following measures that could be implemented that would enhance the sustainable performance of the building

4.15 Design - the proposal will conserve and improve the appearance of the building, which is distinctive in the terrace

4.16 Materials - wall and roof insulation of the building can be implemented, along with secondary glazing, this would reduce heat and energy loss.

4.17 Bat and bird boxes could be included in the development in accordance with policy NE7 of the local plan which seeks to encourage new habitats for wildlife.

4.18 Recycling - space would be provided internally within the allocated bin stores.

Highways

4.19 The host building is in an area reliant upon on-street parking. The location is near to services and public transport routes, and the proposed provision of cycle parking on site encourages occupants to use modes of transport alternative to the car, which is in accordance with the thrust of National planning guidance note PPG13: Transport. There is no requirement to provide further car parking and there is no objection to the scheme on highways grounds.

5.0 CONCLUSION

5.1 The proposal would have an acceptable impact on residential amenity, highway safety and flood risk, and it has been demonstrated the development can be sustainable and that there are existing community facilities nearby, at the school and the church. The latter would be enhanced should this development go ahead. As such the proposal is compliant with policy.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- | | | |
|---|--------|--------------------------------------|
| 1 | PLANS1 | Approved plans |
| 2 | TIME2 | Development start within three years |

3 The bricks to be used externally shall reasonably match those of the existing building in colour, size, shape and texture and samples of the railings on the rear elevation (including their finish) shall be submitted to the Local Planning Authority for approval prior to development commencing and the development implemented in accordance with the approved details.

Reason: To achieve a visually acceptable form of development.

4 S106OS IN Section 106 Open Space

5 The development shall be implemented in accordance with the Flood Risk Assessment, received on 03.09.2007.

Reason: To prevent and manage flood risk.

6 Details of how the building shall incorporate sustainable design features (as suggested in the sustainability statement, submitted on 3.10.07) shall be submitted to the Local Planning Authority, agreed, and implemented in accordance with the agreed details prior to occupation of the first dwelling.

Reason: To ensure high quality development through good and inclusive design, and the efficient use of resources in accordance with policy GP4a of the Draft Local Plan and PPS1: Delivering Sustainable Development.

7 Prior to the commencement of the development, a timescale for the implementation of the schedule of works to upgrade the community facilities in the St Barnabas Church building, as detailed in the supporting statement shall be approved in writing by the local planning authority and thereafter implemented in accordance with that timescale.

Reason: To provide and enhance community facilities in accordance with the objectives of the City of York Draft Local Plan.

7.0 INFORMATIVES:

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, residential amenity, provision of community facilities, flood risk and highway safety. As such the proposal complies with Policies GP1, GP4a, GP15, H4, C3 and L1c of the City of York Local Plan Deposit Draft.

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