

COMMITTEE REPORT

Date: 4 September 2014 **Ward:** Dringhouses and Woodthorpe
Team: Major and Commercial Team **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 14/01480/FUL
Application at: 1 Northfield Terrace York YO24 2HT
For: Change of use from residential dwelling (use class C3) to bed and breakfast (use class C1) with two storey rear extension (resubmission)
By: Mr Paul Smith
Application Type: Full Application
Target Date: 27 August 2014
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application seeks permission for the erection of a two storey rear extension and the change of use of the existing dwelling to an eight bedroom guest house.

RELEVANT HISTORY

1.2 14/00753/FUL - Change of use from residential dwelling (use class C3) to bed and breakfast (use class C1) with two storey rear extension. Withdrawn 20.05.2014

1.3 The application has been called to committee by Cllr Anna Semlyen on the grounds of the number of objections received.

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: Dringhouses Primary 0193

2.2 Policies:

CYGP1 Design
CYV3 Criteria for hotels and guest houses

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

3.1 Request a bat survey due to the location of the property and the works being proposed to the roof

Highway Network Management

3.2 The application is for a conversion of five bedroom house into a guest house. No off street parking is associated with the existing or proposed development. The property is flanked by existing parking restrictions to allow free flow of traffic at the junction of North Lane. The existing property could expect to have 2 on street parking spaces associated with it. The proposed building shows 8 bedrooms. It is not clear whether any are for residential staff, however the maximum allowed by annex E CYC standards would be 4 car spaces. This generates an increase of 2 parked vehicles which can be accommodated in the surrounding unrestricted streets. No cycle parking has been detailed. Please provide details of covered secure parking for 1 bike per 2 bedrooms to satisfy CYCs Annex E cycle parking standards.

Planning and Environmental Management

3.3 The purpose of criterion b) is to protect against the loss of accommodation from the domestic housing stock. Our most up to date evidence base set out in the North Yorkshire Strategic Housing Market Assessment (SHMA) (2011) identifies the need for 2, 3 and 4 bedroom dwellings across the City, particularly in the suburban area. The application site comprises of a 5 bedroom dwelling. As such, provided that the rest of the criteria in Policy V3 are met there is no policy objection.

EXTERNAL

Dringhouses/Woodthorpe Planning Panel

3.4 Do not object but feel the parking survey is not considered to be credible as none of the photographs have times on.

Neighbour Notification/Publicity

3.5 31 letters of objection received raising the following point:

- Inadequate on street parking
- Parking spaces may be available during the day but in the evening and weekends there is limited on street parking
- Residents are often forced to park on North Lane which creates a blind junction and bottle neck
- It is unclear when the submitted parking photographs were taken
- Parking problems are more difficult on race day
- Parking would take place on the entrance to Hob Moor nature reserve where access is required frequently

- No dedicated off road parking space
- Any available parking places are utilised as passing places as the road is technical single lane due to parked cars
- Parking is likely to take place along the back lane which is privately owned by residents
- On occasion cars park on the double yellow lines at the junction
- Noise disturbance caused by visitors arriving and departing 24 hours a day 7 days a week
- Construction of the extension would create additional noise disturbance and highway obstructions
- Extension would result in a loss of light and amenity to the adjoining neighbour
- Extension would be overpowering and out of character
- Does not meet the policy requirement in relation to the number of bedrooms when originally built
- Due to the proposed internal alterations it would be unlikely to be resold as a private dwelling
- May become a hostel
- General loss of amenity to the area
- Inadequate bin storage
- Inadequate drainage facilities
- No outside amenity space

4.0 APPRAISAL

4.1 Key Issues:

- Impact upon neighbours amenity
- Principle
- Parking

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. The framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. A principle set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.3 Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. The NPPF states that there are three dimensions to sustainable development - an economic role, a social role and an environmental role.

4.4 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.5 The relevant City of York Council Draft Deposit Local Plan Policies are GP1 and V3. Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.6 Policy V3 'Hotels and Guest Houses' states that planning permission will be granted for new and extensions to existing hotels and guest houses within defined settlement limits where it is compatible with its surroundings in terms of siting, scale and design; and it would not result in the loss of residential accommodation which when originally built had less than four bedrooms; would not have an adverse effect on the residential character of the area and is well related in terms of walking, cycling and access to public transport in relation to York City Centre.

SCHEME

4.7 The application site comprises of a double fronted end terrace property which is located at the junction of Northfield Terrace and North Lane. Northfield Terrace comprises of the properties located along the North Western side of the street with the properties lying to the South Eastern side of the street being known as Railway View.

4.8 The property is relatively large and consists of five bedrooms, three at first floor and two located within the roof. Permission is sought for the change of use to a guest house following the erection of a two storey rear extension. The extension would project from the rear elevation by 5.2m and would have a width of approximately 4.5m. It would be located along the boundary with number 2 Northfield Terrace and would run through at eaves and ridge heights. The extension would provide two additional bedrooms. The use as a guest house would provide seven guest rooms and a room for a member of staff. A small courtyard would be retained to the rear. No off street parking is to be provided.

EXTENSION

4.9 Concerns are raised in connection with the proposed rear extension. It is proposed to erect the extension along the shared boundary with number 2 Northfield Terrace. Whilst a single storey element is currently present to both properties it is considered that the first floor element would have a detrimental impact upon the amenities of the adjoining neighbour. The proposed extension would lie to the north east and as such there would not be any direct loss of light. However, the first floor bedroom window is located close to the shared boundary and is the only source of light to this small room which is used as a bedroom and study. The proposed extension would be clearly visible from this window and would present a harsh and overbearing structure which would clearly result in the loss of ambient light and present a harsh and overbearing structure. It is considered that this element of the scheme is unacceptable and is contrary to policy GP1 of the City of York Council Draft Local Plan.

CHANGE OF USE

4.10 The relevant policy in connection with the change of use to a guest house is V3. The policy states that the proposal should be compatible with their surroundings in terms of siting, scale and design. The existing property sits comfortably within the area and compliments adjacent properties and the streetscene. The proposed extension itself would not detract from the character of the area and the principle of a two storey extension to the property may be considered acceptable. However, the size and location of the scheme before Members would clearly result in the loss of amenity to neighbouring residents.

4.11 Concerns have been raised that the change of use would result in the loss of a dwelling which when originally built had less than four bedrooms as outlined in Policy V3. This aspect of the policy is aimed at reducing the pressure on the main housing stock by ensuring that only large properties are converted. The Local Plan dates back to 2005. The most recent up to date evidence base set out in the North Yorkshire Strategic Housing Market Assessment identifies the need for 2, 3 and 4 bedroom dwellings across the city, particularly within the suburban area. Whilst the property may have had three bedrooms when originally built it now comprises of a five bedroom property for which there is not an identified need. As such it would be difficult to refuse the application on the loss of this property from the housing stock.

4.12 The policy also states that the change of use should not have an adverse effect on the residential character of the area.

Concerns have been raised that the change of use would result in a potential noise disturbance as a result of the visitors entering and leaving the property '24/7'. It is considered that a guest house in this location would be unlikely to be operating at capacity throughout the year and its location away from the city centre would be unlikely to attract large groups of people. The property at present is a five bedroom dwelling which in itself could have the potential to generate noise by the occupiers.

The applicant has stated that they are aware of this concern and as there will be a member of staff present on site potential noise disturbance can be managed accordingly.

4.13 The policy goes on to state that there will be a presumption against new guest houses where it is considered that the concentration is too high within an existing residential area and a detrimental impact on amenity may result from additional visitor accommodation. The location of the proposed guest house is within a predominantly residential area with no guest houses within the immediate vicinity.

4.14 Policy indicates that the site should be well related in terms of walking, cycling and access to public transport in relation to York City Centre and other tourist attractions. The site is located adjacent to Hob Moor which would allow easy access to York Racecourse and a number of buses which travel to the city centre along Tadcaster Road. In addition a regular bus service travels past the end of Northfield Terrace every 7-8 minutes during the day and every 30 minutes during the evening with the last bus leaving York Station at 23:24. Whilst the site is not located within the city centre good transport links exist.

PARKING

4.15 The application site is located at the end of a short row of terrace properties. Concerns have been expressed by neighbours that there is insufficient on street parking to accommodate the additional visitors as no off street parking is to be provided at the application site. At present the property could be expected to have two on street car parking spaces. The change of use, according to annex E of the City of York Council Draft Deposit Local Plan parking standards, the maximum allowed for an eight bed guest house would be 4 spaces. This generates an additional two spaces which would have to be provided on the highway.

4.16 A short distance of parking restrictions is present at the junction of Northfield Terrace and North Street in order to protect the junction and retain visibility. There are no additional highway parking restrictions within the vicinity. Objections submitted state that there is insufficient parking within the area for the existing properties and demand is high for the few spaces which arise. Photographs submitted by the applicant indicate that free parking spaces are present although the timing of the photographs has been questioned by objectors who are concerned that they were taken during the daytime when the majority of the occupiers of the area are at work.

However, photographs have been submitted at 23:58 and 21:00 indicating parking spaces along Northfield Terrace and North Street. Alternatively, photographs have been submitted by a number of objectors which indicate no free parking spaces within the vicinity at various times of the day.

4.17 Three site visits by officers during the early afternoon on a week day has shown parking for more than one car has been available along Northfield Terrace.

It is also worth noting that the majority of the properties along Northfield Terrace appear to have garages or car parking spaces to the rear which are served off the back lane. A smaller number of properties along Railway View also have garages served off a back lane.

4.18 It is apparent that car parking spaces within the vicinity vary throughout the day with conflicting information being submitted by both parties. However, the parking standards only require the provision of two additional spaces in connection with the change of use and it is considered that these can be accommodated within the vicinity.

5.0 CONCLUSION

5.1 Whilst local residents have concerns in connection with the application and in particular parking, it is considered that the principle of the change of use is acceptable. However, it is considered that the proposed extension would have an adverse impact upon the amenities of the adjoining neighbouring property. As such officers recommend refusal.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 It is considered that the proposed two storey extension, by reason of its height, length and proximity to the boundary with number 2 Northfield Terrace, would have an overbearing and oppressive impact upon the neighbouring property resulting in an unacceptable loss of amenity. The application therefore conflicts with guidance contained within the National Planning Policy Framework, which states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. It would also conflict with Policy GP1(i) of the City of York Council Draft Deposit Local Plan, which states that development proposals will be expected to ensure that residents living nearby should not be dominated by overbearing structures.

Contact details:

Author: Heather Fairy (Mon - Wed) Development Management Officer

Tel No: 01904 552217