

## COMMITTEE REPORT

**Date:** 8.5.2014  
**Team:** Major and Commercial Team  
**Ward:** Fishergate  
**Parish:** Fishergate Planning Panel

**Reference:** 14/00169/FULM  
**Application at:** Blue Bridge Hotel 39 Fishergate York YO10 4AP  
**For:** Conversion of hotel to 11no. flats and 1no. dwelling with part single/part two storey extension to rear  
**By:** Charles Asam Developments Ltd  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 16 May 2014  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application relates to the Blue Bridge hotel, which is situated on the corner of Fishergate and Melbourne Street. The hotel occupies nos. 39 and 41 Fishergate and nos. 1 and 2 Melbourne Street. Nos. 37 and 39 Fishergate are a pair of 3-storey townhouses, with basements, of gaunt white brickwork and detailing. The remainder of the buildings are lower - 2/2.5 storey, and of a redder/orange brick which ties in with the terrace of houses along Melbourne Street. The covered entrance with rooms above, which connects nos. 1 and 2 Melbourne Street was added in the mid 1980's.

1.2 The site is within the Central Historic Core Conservation Area, where it has been extended out, to include the application site and the Tower House office building (identified as a landmark building of merit in the conservation area appraisal) on the opposite side of Melbourne Street. There is currently off street parking in front of the hotel along Melbourne Street.

1.3 Planning permission is sought to convert the buildings to residential. No.2 Melbourne Street would be restored as a single dwelling. There would be 11 flats within 39 Fishergate and 1 Melbourne Street, where a garden would be restored rather than car parking in the rear courtyard.

1.4 The application is reported to Sub-Committee for decision because it is a Major Application.

## 2.0 POLICY CONTEXT

### 2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

### 2.2 Policies:

CYH4A Housing Windfalls

CYHE3 Conservation Areas

CYL1C Provision of New Open Space in Development

## 3.0 CONSULTATIONS

### INTERNAL

#### Communities, Culture and the Public Realm

3.1 As there is no on site open space ask commuted sums be paid to the Council for

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- amenity open space - which would be used to improve a local site such as Low Moor allotments
- sports pitches - would be used to improve a facility within the South Zone of the Sport and Active Leisure Strategy.

#### Education Officers

3.2 No education contribution required.

#### Environmental Protection Unit

3.3 No objection. Recommend that an electric vehicle charging point be provided, in accordance with the Council's Low Emission Strategy and the National Planning Policy Framework (NPPF).

#### Highway Network Management

3.4 Officers recommended changes to the original scheme. It was asked parking in the courtyard be omitted; as this would lead to vehicles needing to reverse long distances onto the road and for omission of the parking spaces in front of the bay windows; the spaces are of inadequate length and would lead to parked cars blocking the footpath.

## EXTERNAL

### York Civic Trust

3.5 The Trust raised issue with the proposed use of Upvc windows, which would not be suitable to the host building, which is late C19, and would harm the appearance of the conservation area. There was also concern the roof-lights proposed would break-up the roofslope and thus have a detrimental impact on the building's appearance.

### Publicity

3.6 One letter has been received in support of the application, which brings the building back into use. It is considered the development would enhance the appearance of the conservation area.

## **4.0 APPRAISAL**

### 4.1 Key Issues

- Principle of the proposed use
- Impact on the conservation area
- Amenity of future and surrounding occupants
- Sustainability

### Principle of the proposed use

4.2 The proposals in principle are compliant with national and local planning policy. The guest house was developed in the late 1970's and the proposals would restore the buildings to their original residential use. The thrust of the National Planning Policy Framework is to significantly boost housing supply, in particular in sustainable locations. The proposals are compliant with the National Planning Policy Framework in this respect. Local Plan policy H4a relates to housing windfalls. The proposals are compliant with the policy in so far as the location is sustainable and no works are proposed that would harm neighbours amenity. The visual impact is discussed in the following section.

### Impact on the conservation area / visual amenity

4.3 The site is within a designated conservation area (Central Historic Core), which was recently extended out in this area to include Fishergate. Within such areas, the Council has a statutory duty to consider the desirability of preserving or enhancing the character and appearance of the area.

4.4 The guest house has replacement windows on the upper floors, and these are now outward opening Upvc types.

The ground floor windows are timber framed single glazed. The applicants wish to replace the windows with double glazed units. Upvc is the preference due to it being 'lower maintenance'.

4.5 Number 39 Fishergate is the grander of the houses within the site, being 3-storey and with decorative brickwork. It has been agreed that the Upvc windows on no.39 will be replaced with timber windows. On the lower building all the windows would be replaced by Upvc windows with a woodgrain finish. Whilst the Upvc windows do not have traditional characteristics and detailing of timber, overall it is considered there would not be harm to the conservation area. The more prominent building in the conservation area will be enhanced and the windows coherent in appearance. The replacement Upvc windows would be an improvement over the existing ones. This is the only building along this side of Melbourne Street in the conservation area, and there is a mix of windows, in style and material, along the street.

4.6 It is proposed to add two roof-lights on the front elevation (an existing one would be removed) and on the side (Melbourne Street) two of the roof-lights would be replaced. The roof-lights would be conservation types and recessed so they would not stand proud of the roof. The roof-lights would be around 140mm by 80mm. The plans have been revised since the initial submission, with the number of roof-lights on the front elevation reduced by two. The roof-lights would not dominate or unduly detract from the roofscape.

4.7 The off street parking area currently detracts from the conservation area, characteristic garden areas and boundary treatment has been removed to accommodate cars. The area will be improved by the introduction of landscaping in front of the bay windows, where there is inadequate length to accommodate a typical car, and the re-instatement of a front garden at No. 2 Melbourne Street.

4.8 The car park to the rear will be replaced by a courtyard/garden for residents. Whilst this will not affect the public realm it will improve the amenity of the site.

### Residential Amenity

4.9 The National Planning Policy Framework asks that developments always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Local Plan policy GP1: Design requires that development proposals ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or from over-dominant structures.

4.10 There would be a part single/part two storey extension at the rear of 2 Melbourne Street.

The original rear building line of No.3 (next door) is around 1m further back than no.2. No.3 also has a 2-storey rear extension, of a similar scale to that proposed, and a single storey extension beyond, which sit next to the boundary. Consequently the proposed extension would not have a material impact over the neighbour. The external environment would be enhanced and this would improve the overall amenity of the area.

4.11 The covered arch would accommodate bin enclosures and cycles. The arch would have a gate and railings, which would provide security and act as a visual screen.

4.12 In accordance with Local Plan policy L1c, a contribution towards open space has been agreed. The contribution of £4,724 would be secured through a unilateral undertaking. A contribution towards education is not required.

### Sustainability

4.13 In accordance with the NPPF the applicants can be asked to install an electric vehicle charging point. This is not recommended as a planning condition, as conditions may only be applied if the development would be unacceptable otherwise. This is not the case here as the NPPF recommends the promotion and facilitation where practical of electric vehicle charging points.

## **5.0 CONCLUSION**

5.1 The proposals are acceptable in principle, providing needed housing in a sustainable location accords with the thrust of national planning policy. The scheme has been revised and now would not harm the appearance of the conservation area and highways issues have been addressed.

5.2 Approval is recommended subject to the completion of a planning obligation under s106 of the Act securing a contribution of £4,724 towards off-site open space.

**6.0 RECOMMENDATION:** Approve subject to S106 Agreement

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans: - revised scheme as shown on 17.2013 – PA 02B, 03A, 04A

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

3 The timber windows hereby approved on the front elevation on no.39 shall be installed prior to the replacement of any timber windows currently in situ on-site.

The timber windows shall match the existing timber windows on the front elevation of nos. 37 and 39 in all respects.

Reason: To preserve the character and appearance of the conservation area.

4 The hard and soft landscaping measures as shown on the approved plans (including a front boundary wall at 2 Melbourne Street) shall be implemented in accordance with the approved plans prior to occupation of the development hereby approved. Cars shall not park on areas identified as 'landscaping'.

A detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs to be planted in the front garden areas shall be approved by the Local Planning Authority prior to occupation of the development hereby approved. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the character and appearance of the conservation area.

#### 5 Cycle/bin storage

The cycle and bin storage as shown on the approved drawings shall be provided prior to occupation of the development hereby approved and retained for such use at all times, unless otherwise agreed in writing by the Local Planning Authority. There shall be secure parking for cycles, using Sheffield type stands or similar.

Reason: To ensure adequate space for such storage, and to promote recycling and sustainable modes of transport in accordance with policies GP4a and T4 of the City of York Draft Local Plan and the National Planning Policy Framework.

#### 6 Large scale details

Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- a) Replacement windows
- b) Railings to boundary walls (to show relationship with adjacent railings at no.37)
- c) Metal gate and 'screen' to covered way

Reason: To preserve the character and appearance of the conservation area and in

the interests of visual amenity.

## 7 Materials

The roof-lights hereby approved shall be conservation type with recessed installation. The rear extension at 2 Melbourne Street and the brick infill shall be in materials which reasonably match the existing in all respects.

Reason: In the interests of visual amenity.

## 7.0 INFORMATIVES:

### Notes to Applicant

#### 1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome: requested revised plans in order to make the scheme acceptable and through the use of planning conditions.

#### 2. LEGAL AGREEMENT

Your attention is drawn to the existence of a legal obligation under Section 106 of the Town and Country Planning Act 1990 relating to this development.

#### 3. ELECTRIC VEHICLE RECHARGING FACILITIES

It is recommended the developer considers the installation of an Electric Vehicle Recharging Point on-site.

Electric Vehicle Recharging Point means a free-standing, weatherproof, outdoor recharging unit capable of charging two electric vehicles simultaneously with the capacity to charge at both 3kw (13A) and 7kw (32A) that has sufficient enabling cabling to upgrade that unit and to provide for an additional Electrical Vehicle Recharging Point.

For further information on how to comply with this condition please contact City of York Council's Low Emission Officer Derek McCreadie.

### Contact details:

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