

COMMITTEE REPORT

Date: 25 August 2011 **Ward:** Micklegate
Team: Major and **Parish:** Micklegate Planning Panel
 Commercial Team

Reference: 11/00436/FULM
Application at: Holgate Villa 22 Holgate Road York YO24 4AB
For: Erection of part 3 part 4 storey hotel with associated parking
 and landscaping following demolition of existing office building
By: The Villas Venture
Application Type: Major Full Application (13 weeks)
Target Date: 16 June 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 This application was deferred at planning committee in June to allow for further public consultation. Following the deferral a meeting was held at Holgate Villas on 6 July. The meeting was attended by 24 persons, who were invited to discuss the scheme. The comments made are summarised in 3.19.

1.2 The application is for demolition of the Holgate Villas office building, and replacement with a hotel building that would have 95 guestrooms. The proposed building would be predominantly 4-storey in height, but would step down to 3-storey at the south end where it would front onto Holgate. It would predominantly be of brick although the south end elevation would in part be clad in copper brown coloured metal panels. The existing building dates from the mid C20, it is 5-storey at the south end, where it overlooks Holgate and drops to 3-storey as it runs parallel to Lowther Terrace. The building has flat roofs and is of concrete construction, with curtain walling to the elevations. The building is raised almost 1m from street level and is surrounded by hardstanding which accommodates car parking.

1.3 Along Holgate the streetscene is characterised by terraced buildings of domestic appearance, typically of brick and 2 or 3 storey in height. To the east of the application site is the rear of The Crescent, a curved terrace, with taller 3-storey domestic buildings (compared to those on Holgate) fronting the street and outbuildings at the rear, some of which have been converted to residential use. There are 4-storey high residential blocks on the west side of Lowther Terrace. North of the site are single storey buildings, the one to the immediate north is in office use.

1.4 The site is within the city centre area of archaeological importance, but otherwise it is not allocated in the Local Plan. It is just outside the city centre area and the Central Historic Core Conservation Area (although Holgate and The

Crescent are within the conservation area). The land to the immediate north of the site is within the York Central site. The Draft Core Strategy, that is intended to replace the Local Plan, describes the vision for the area. York Central is intended to be a new piece of city that complements and enhances the historic core, retains and promotes the qualities of York and connects and integrates into the surrounding built and natural form. The site will provide employment land and make a key contribution to meeting the City's housing needs.

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

Contaminated Land GMS Constraints:

York North West Boundary GMS Constraints: York North West Boundary CONF

2.2 Policies:

CYV1

Criteria for visitor related development

CYSP7

The sequential approach to development

CYGP1

Design

CYHE10

Archaeology

CYT4

Cycle parking standards

CYE3B

Existing and Proposed Employment Sites

CYV3

Criteria for hotels and guest houses

3.0 CONSULTATIONS

CITY DEVELOPMENT

3.1 Advise that the site now lies outside the York Central site boundary (but within the York Northwest corridor) as defined in the draft Submission Core Strategy approved by Council 7th April 2011.

3.2 The proposed development would not conflict with the Draft Core Strategy. Given its scale, nature and location, the proposed development would not be spatially prejudicial to the comprehensive development of the York Central site, or the wider development of the corridor. Given the nature of existing uses on the site, the development would not be prejudicial to the comprehensive approach to transport mitigation. The development would help to deliver aspirations in terms of "enhancing York's commercial, retail, leisure and tourism offer" and "holistic, integrated and innovative approach to sustainable living in an urban setting".

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

Design

3.3 Original scheme - the proposed building appeared too dominant due to its continuous height/massing and roof design. It was added that the building materials and setting back of various elements did not succeed in breaking up the apparent mass of the building. The palette of materials and design of the building also did not respect, and integrate with, the surrounding area. A public face to the building, from Holgate Road is desirable.

3.4 Revised scheme - the scale of the building feels a lot better adjacent to existing terraces on Holgate Road. Officers asked for further details on the plant room on the roof (preference is that this is not prominent) and details/colour samples of the proposed copper cladding to the end elevation.

Sustainable Construction

3.5 It is asked that before works commence on-site details of how the development will achieve a suitable BREEAM ('very good') rating and renewable energy be submitted to the Local Planning Authority. Also as demolition is proposed the developer should, in accordance with the requirements of the councils planning statement on sustainable design and construction, maximise the reclamation of materials so they may be re-used and recycled.

3.6 The proposed source of renewable energy has not been specified, nor has the expected energy demand for the hotel. Of the considered options it is also noted that Government incentives to install certain types of renewable technologies, such as photovoltaic panels, has not been considered in their financial appraisal.

Countryside Officer

3.7 The site is situated within close proximity to foraging habitat and commuting corridors, and there are records of bat activity within the overall surrounding area, including several records of known roost sites close by. However the host building has been inspected and there is no evidence of recent use by bats and officers consider a bat survey is not required. It is asked that the roof be removed with care, in the case that bats are/have been present. This can be covered as a condition.

3.8 It is asked that bat habitats, such as bat tiles and bricks be included in the new building and that the overall wildlife value of the site be enhanced. The latter could be achieved by the planting on the green roof, recommended is a mixture of sedum and drought tolerant wildflowers, which can provide extra interest both in terms of ecology and colour, and can still be a lightweight and low maintenance option if this is required.

Archaeology

3.9 An archaeological evaluation of the site has been carried out. Two trenches were excavated. These demonstrated that the site contains archaeological features and deposits dating to the Romano-British period. The proposed development will have a significant impact on archaeological deposits that are preserved on this site. It will be necessary therefore to mitigate the impact of the development through (a) an archaeological excavation of those areas of ground disturbance which lie outside the footprint of the existing building; (b) an archaeological excavation of the location of the lift-pits for the new development; (c) an archaeological watching brief on all other ground disturbances.

HIGHWAY NETWORK MANAGEMENT

3.10 No objection to the scheme. Following observations made:

- As a consequence of the proposed development, 2 resident's parking spaces (respark) would be lost. This is not objected to as the res park is deemed not to be under pressure; there are currently 38 spaces and 41 permits plus attendance permits and authorisation cards (for visitors) have been issued. The applicants will be required to fund the required traffic order, required as a direct consequence of the proposed development.

- Cycle parking needs to be covered and secure, using Sheffield type stands or similar.

POLICE ARCHITECTURAL LIAISON OFFICER (ALO)

3.11 Advise that officers have not been consulted by the applicants at the design stage, which is recommended. Advise that overlooking and lighting of the car

parking area in this location is desirable and the cycle store should be covered and secure.

DRAINAGE

3.12 Pending

VISIT YORK

3.13 Pending

ECONOMIC DEVELOPMENT UNIT

3.14 Secondary office accommodation at a reasonable rent close to the city centre enhances the offer to businesses in York. This type of premises provides a valuable offer in terms of "choice and churn". The host building also benefits from being DDA compliant, unlike much of the smaller office spaces above ground floor level in historic buildings in the city centre. It will be unfortunate for the smaller and voluntary sector businesses if Holgate Villas ceases to be available. It should therefore be demonstrated there are alternative sites available in a sequentially similar or preferable location.

CONSERVATION AREA ADVISORY PANEL

3.15 Original plans - regard the scheme as a missed opportunity to enhance the appearance of this part of the conservation area. A building that respects its context, in terms of massing (stepping down toward Holgate Road) and materials (predominantly brick) was suggested.

ENGLISH HERITAGE

3.16 The existing building on site is out of scale with its surroundings and its removal is not objected to. Officers were concerned the original scheme which was of similar commercial proportions to the existing building. In their opinion redevelopment of the site should include building(s) of a domestic scale, to consolidate the historic form of this part of the city.

PLANNING PANEL

3.17 Asked for further public involvement to occur before the scheme be progressed. The application contained inadequate information on traffic management, for example how coaches will access the site, site management, for example how the access to the station would be managed. Also report that the panel consider a building of comparable massing to the existing would be out of character with the area and is objected to.

PUBLICITY

3.18 Eight objections have been received. Objections are as follows:

- Loss of (affordable) office space.
- The proposed building would be an eyesore - design and materials out of keeping with the area. It would be unduly large and appear over-dominant.
- Disruption caused during building works (road closed for access)
- Impact on amenity of residents due to noise as a consequence of the proposed use which would involve guests coming and going / 24 hour nature of hotel, rather than offices that operate 9-5 during the week only (in particular on race days and weekends) and traffic noise. There would also be detriment to the community in this respect. Residents and office workers are familiar with, and respect, each other. Due the transient nature of guests at a hotel, it is considered this would detract from the community. There would also be harm to guest houses in the area. Children would loose playing space on the streets due to extra traffic.
- Overshadowing and overlooking of surrounding houses due to height of the building, in particular over single storey premises at the rear of The Crescent. Loss of privacy due to the intensified use of the building.
- Increased congestion/traffic that would have an adverse impact on highway safety. In particular if cars and service vehicles are unable to pass on Lowther Terrace. In conflict with pedestrians using the street.
- Not enough car parking on-site to accommodate demand, where would overspill go?
- Whether drains in the area will have the capacity to accommodate the proposed development.

FOLLOWING PUBLIC MEETING IN JULY

3.19 At the public meeting residents discussed the scheme and were also shown details of an alternative scheme, which proposed the end elevation facing Holgate finished in white render and 5-storey in height. We have been advised the following issues were discussed:

- It was suggested that the road be made wider. This would delete the footpath proposed along the east side of Lowther Terrace and part of the road could be allocated as a cycle path.

- There was concern the raised planter would encourage people to congregate, i.e. it would be a place to sit out on. The planter will therefore be altered in its design.
- People would use the area outside the main entrance as a smoking area, and it was asked if a smoking area could be allocated at the rear of the building.
- Concern about disturbance from delivery lorries and loss of car parking spaces.
- The design was dull and there was a preference for the alternative design which included white render to the elevation facing Holgate.

3.20 Written comments (x4) submitted were as follows:

- The original scheme, which has now been superseded (5-storey throughout with butterfly shaped roof, using re-constituted stone, brick, metal panels and aluminium curtain walling as external materials) and the alternative scheme shown at the meeting are preferred to the scheme before members. The red brick and brown copper colouring would appear ugly and oppressive and lighter colours were preferred. These comments were made by an objector who originally objected to the height of the proposed building.
- The design should be modern and fit with the area.
- Children will not be able to play out due to the extra traffic, because of overlooking and due to the type of clientele the hotel would attract.

4.0 APPRAISAL

4.1 The key issues regarding this planning application are deemed to be:

- Whether a hotel on this site fits with planning policy.
- Design
- Amenity of surrounding occupants.
- Sustainable design and construction.
- Highway network management.
- Drainage and flood risk.
- Archaeology.

Principle of the proposed use

Loss of office space

4.2 The Planning for Growth ministerial statement issued on the 23rd March 2011 states that the Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs, in line with PPS4. Government's

clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy. The statement adds that in determining applications LPA's are expected to take into account the need to maintain a flexible and responsive supply of land for key sectors.

4.3 National policy document PPS4 seeks to promote sustainable economic development. Hotels are classed as tourism related development which, as offices, are deemed to be economic uses. PPS4 advises that the Government's objective is to locate economic uses in town centres and locations which reduce the need to travel by car. At local level PPS4 advises LPA's use an evidence base to plan positively. LPA's are expected to assess the need for floorspace for types of economic development and assess current and future land supply. York does not have an evidence base regarding the supply and demand for hotel uses. York does have an employment land review which identifies the current supply and predicted demand for office space up to 2029.

4.4 Policy E3b of the Local Plan makes a presumption in favour of retaining office space in its existing use. A change of use may only be permitted where there is a sufficient supply of alternative office space, in terms of type and size, to meet immediate and longer term requirements.

4.5 Holgate Villas was designed to be accommodated by a single user. Overall it provides 30,265 sq m floorspace. However due to a lack of demand it has been let to a number of occupiers as low cost office space on short term agreements. The employment land review advises that the majority of the existing office supply within the city centre is poor quality space above retail units, in particular in historic buildings, and larger spaces from the 1960's/70's and 80's. The review advises there is an undersupply/demand for modern and high quality space.

4.6 York Enterprise data shows that there are presently office spaces of a similar size and type available in sequentially preferable locations (i.e. within the defined city centre) examples being Hudson House, Rowntree Wharf, Stonebow House, Ryedale House on Piccadilly, 54 Micklegate, 5 Clifford St, 9 St Saviourgate and 31 Bootham.

4.7 In the long term, the Council's Employment Land Review predicts that between 2006 and 2029 around 200,000 sq m of office floorspace will be required in the city. The employment review lists a portfolio of sites, their size and type of use they'd be suitable for. Based upon this data, loss of the host site could occur without compromising the amount of office space needed in the city. There would be adequate office space to meet demand, at sites which are either sequentially preferable, or comparable to the host site (for example York Central and the remainder of the Hungate site).

4.8 The site does presently provide low cost office space in a sequentially preferable central location. Whilst this loss is regretful, evidence base documents show there are comparable alternative sites within the city centre available and there is adequate land designated for office use to meet future demand. As such the loss of office space would not conflict with national and local planning policy.

Proposed hotel use

4.9 PPS4 advises that hotels should only be located outside the defined town centre when it is demonstrated that alternative, sequentially preferable sites are not available, suitable or viable, or when sites are designated for such use in an up to date development plan. The site is regarded as edge of centre as it is immediately outside the city centre as defined in the Local Plan.

4.10 Of the Local Plan Policy V3: Visitor related development prefers that hotels are at sites which are well related in terms of walking, cycling and access to public transport in relation to York City Centre or other visitor attractions. In the Local Plan the site is within the York Central site, which is identified in the Local Plan for mixed uses. Policies YC1 and V4 of the Local Plan advise that hotels would be appropriate on the site. However the Core Strategy, which will replace the Local Plan, does not include the site within the York Central Site. The Core Strategy has not yet been adopted though.

4.11 Due to the proximity of the site to the train station the application site is favourably located in terms of access by public transport. It is also within walking distance of the city centre. The principle of the proposed hotel is not objected to considering PPS4 as the site is sequentially suitable and as it is allocated for hotel use in the Local Plan. In addition alternative sites in the defined city centre are either unavailable at present or unsuitable. Hungate and Piccadilly are unavailable and are being comprehensively re-developed, other vacant sites, which are allocated for housing in the local plan, such as Trinity Lane, Lord Mayor's Walk and Peel Street would not be suitable for a hotel of around 100 bedrooms due to the shape/size of the plots and their historic surroundings.

Design

4.12 PPS1 states that it is the Government's objective to 'ensure high quality development through good and inclusive design'. It goes on to state this applies to all development and that good design should contribute positively to making places better for people. Design which is inappropriate to its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. Because of PPS1 requirements, the existing building does not set a precedent for re-development of the site and the replacement scheme should be appropriate to its context. Such requirements are

established also in building for context, which is design guidance endorsed by Central Government.

4.13 The Local Plan policy GP1 refers to design, for all types of development. It states that development proposals will be expected to, respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area; using appropriate materials; avoid the loss of open spaces, vegetation and other features which contribute to the quality of the local environment; retain, enhance, or create urban spaces and other townscape features which make a significant contribution to the character of the area; provide and protect amenity space; provide space for waste storage. These principles are re-iterated in policy V3, which relates to hotel proposals.

4.14 The site is at the edge of the Central Historic Core Conservation Area, therefore policy HE2 applies also. HE2 states that within locations which affect conservation areas development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regards to local scale, proportions, details and materials. Proposals will be required to maintain or enhance existing urban spaces, views, landmarks and other townscape elements, which contribute to the character or appearance of the area.

4.15 The existing building appears out of place along Holgate due to its height and shape. It is 5-storeys high at the south end, whilst Holgate Road is characterised by terraced buildings of a domestic appearance, typically of brick and 2 or 3 storey in height. Some of the buildings along Holgate, for example 24, 26 and 28, which are on the opposite side of the entrance to Lowther Terrace, are grade 2 listed, and the LPA has a statutory requirement to protect their setting.

4.16 The proposed building would sit comfortably in the streetscape. Its massing would be broken up by a variation in building lines and heights, and the prominent southwest corner would step down to 3-storey in height. The building would otherwise be 4-storey. The taller parts of the building would not be prominent along Holgate, and would be seem in context alongside the houses along The Crescent and the 4-storey residential blocks on the opposite side of Lowther Terrace. The building would be predominantly of brick, in-keeping with the streetscape along Holgate. Part of the south end elevation would be clad in copper coloured metal cladding (chestnut brown coloured rather than blue-green). Large scale detailing of the cladding, to clarify dimensions of sheeting and standing seams shall be required as a condition of approval, as would the finish. This element would introduce a different material to the streetscape which would, due to its colour and texture, respect, rather than detract from the character and appearance of the Conservation Area.

4.17 Viewed from the City Walls the skyline of the conservation area, by which the application site is located, is typically of pitched roofs with occasional variations in eaves and ridge heights. To avoid a continuous flat roof, which would be somewhat out of keeping with the area, the solar/photovoltaic panels have been designed to articulate the roof, creating a series of pitched roof structures to the building; there is also a variation in roof heights. As such the profile of the building, when viewed from the City Walls and other elevated viewpoints would not detract from the cities' townscape.

4.18 Policy NE7 of the Local Plan seeks to encourage new wildlife habitats and such features can be installed on the proposed building. These can be required as a condition of approval.

4.19 Public comments in 3.19 and 3.20 refer to the original scheme, which has been superseded by the plans now before members, and an alternative design which has not been formally submitted. Both these schemes, due to their height and materials were deemed inappropriate, contrary to policies GP1 and HE2 of the Local Plan. The scheme before members is recommended for approval. It is of acceptable massing and appearance and the end elevation facing Holgate will be harmonious (rather than dominate, or appear at odds) with the street scene along Holgate, which includes grade 2 listed buildings, in particular at nos. 24, 26 and 28, and is in the Central Historic Core Conservation Area. The building's design is deemed to address the concerns raised by English Heritage and the Conservation Areas Advisory Panel, both of whom objected to the originally submitted scheme (and also the objection from the occupant of 24 Holgate Road).

Amenity of surrounding occupants.

4.20 Policy V3 of the Local Plan advises that in determining applications for hotels consideration should be given as to whether the proposed use would have a detrimental impact on the residential character of an area. Policy GP1 is also relevant and requires that proposed buildings have no undue adverse impact from noise disturbance, overlooking, overshadowing or from overdominant structures.

4.21 The surrounding area is predominantly residential in character, there are residential buildings to the east (The Crescent and buildings behind the terrace have been converted also to residential use), 20 Holgate Road to the south and on the west side of Lowther Terrace, 24/26 Holgate Road and 1-10 Winchester House.

4.22 The proposed building would not be unduly overdominant or overbearing. The north part of the building would be some 2.5m higher than the existing building in this area. This increase in height would not have a material impact on the surrounding houses though; those to the west are 20m away and the rear elevation of The Crescent over 40m away. CABE: By Design document advises that when building heights are 4-storey a separation distance of 18-30m would be expected. There are

some outbuildings behind The Crescent and behind no.3 these are in residential use. However the proposed building would be further from these outbuildings than the existing structure. The proposed building would be lower than the existing when opposite no.24 (which has no windows on its side elevation that faces the site) and no.26, and the footprint of the proposed building, in relation to the existing building, significantly improves outlook and removes overlooking over the rears of nos. 16-20 Holgate Road.

4.23 The layout has been revised so pedestrian access to the hotel is directly from Holgate. There is a secondary access on the rear, which is more direct for the car park and a pedestrian route through to the railway station. Deliveries will occur at the rear of the building. As such there would not be a material amount of additional activity along Lowther Terrace that would either cause noise disturbance or impact on the residential character of the area. In considering residential character it also has to be remembered that the east side of Lowther Terrace has, and will likely in the future not be in residential use.

Sustainable design and construction.

4.24 The council's interim planning document on sustainable design and construction (IPD) asks that commercial developments of over 500 sq m floorspace achieve a BREEAM rating of at least "very good" and that at least 10% of the projected energy demand be supplied by on-site renewable sources.

4.25 The policy requirements can be secured by condition and there is no reason why a new building cannot meet the standards of BREEAM in terms of construction, water and energy efficiency. The roof design incorporates solar and photovoltaic panels, which it is expected will be able to create over 10% of the buildings energy requirements.

Highway network management.

4.26 Policy SP8 of the LP seeks to reduce dependence upon the car. It is recommended this occurs through locating large scale development close to bus routes, pedestrian and cycle networks and through the provision of cycle parking. The objectives of the Local Plan and PPG13: Transport (national planning policy) are to promote accessibility to jobs by public transport, walking and cycling and to reduce the need to travel, especially by car. Policy T4 of the LP requires appropriate cycle parking provision and T13a requires developments to adopt a travel plan when over 30 employees are likely to be employed.

4.27 A travel plan will be required which will encourage promotion of sustainable travel. Private car use would be discouraged as the site is within walking distance of the train station and bus stops. There would be space for 18 cycles in a covered enclosure onsite, which exceeds the minimum requirements established in the Local

Plan (1 space per 10 rooms). However there would be 25 car parking spaces on-site and guests, if they wished could use private car parks nearby; the proposals take adequate steps to avoid guests parking on-street.

4.28 Local Plan policy T5 asks that developments do not have an adverse effect on road safety and policy V1 of the LP requires that hotel developments have adequate servicing arrangements.

4.29 The proposed development will increase the width of Lowther Terrace, which is presently one way in places, and will allow vehicles, and cycles to pass. A footpath would be introduced on the east side of the road (there is not one presently). These measures will lead to the loss of 2 res-park spaces, but will ease traffic flows and improve pedestrian movement within the street. Guests will be encouraged, through the required travel plan, not to arrive by car. Some guests will travel by car, however they would arrive at variable times and the proposed use, based on highways data, will involve less traffic than the extant use. Delivery vehicles would park off street at the rear of the building and could enter and leave in a forward gear. It can be required through a condition coaches do not enter Lowther Terrace as there is no turning space for such vehicles.

4.30 The proposal accords with PPS13: Transport and policies in the local plan which put pedestrians first in the hierarchy of highway users. The footpath shown is an adequate width for those with mobility problems or push chairs to pass. This is an improvement to the existing infrastructure. The layout as proposed is also acceptable for cyclists. Lowther Terrace is quiet compared to Holgate and the road width of 4.5m is adequate to accommodate vehicles and cycles.

4.31 Following the June committee officers have queried whether a no waiting box (with yellow markings) could be added at the junction between Lowther Terrace and Holgate Road. The road is already marked 'keep clear' in this area. No waiting boxes are typically only installed at junctions where there are traffic lights, and such an installation would only be considered in this case if there were a problem with traffic backing up to Blossom Street, due to vehicles waiting to access Lowther Terrace. This does not presently occur and as the proposed use would, according to highway network management data, result in less vehicle movements, changes would therefore be unnecessary.

Drainage and flood risk.

4.32 Policy GP15a of the LP advises that in new development, discharges should not exceed the capacity of the sewer system and surface water run-off should not exceed the existing rate.

4.33 The existing site is all hardstanding. The proposed scheme would introduce some areas of planting and there would be a sedum roof above part of the single

storey aspect of the scheme. These elements will reduce surface water run-off in relation to the existing rate. The site is not in a flood risk area. Overall the scheme reasonably complies with policy GP15a. A detailed drainage scheme can be secured as a condition of approval.

Archaeology.

4.34 The site is within the city centre area of archaeological importance. Policy HE10 of the LP seeks to preserve important archaeological remains and requires that applications demonstrate no more than 5% of archaeological deposits are disturbed or destroyed during works. A condition will require an excavation and analysis and a watching brief on all groundworks.

5.0 CONCLUSION

5.1 The proposed use is deemed to be acceptable in principle; there would not be an undue loss of office space in the city, and the proposed use is regarded as economic development, which PPS4 seeks to encourage in sequentially preferable locations, such as the application site.

5.2 The proposed building would improve the appearance of the area. The existing building appears out of place, whilst the replacement, by virtue of its design, massing and materials would be harmonious with the setting. The proposed building would also be more energy efficient and meet current standards for sustainable design and construction.

5.3 There would not be an unacceptable impact in terms of highway safety and the amenity of local residents. Overall officers recommend the scheme be approved.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Drawings 1074 020:

Site plan: 30F

Floor plans: 31E and 32E

Elevations: 33F and 34F

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 of the building hereby approved a formal BREEAM assessment or equivalent, for the design and procurement stages for the building and a post construction review shall be submitted to and approved in writing by the Local Planning Authority. All assessments shall confirm the minimum 'Very Good' rating, or equivalent, and the development implemented accordingly.

Reason: In the interests of sustainable development, in accordance with the requirements of policy GP4a of the Draft Local Plan and the Council's planning guidance Interim Planning Statement (IPS) on Sustainable Design and Construction.

4 At least 10% of the predicted energy requirements for the development hereby approved shall be obtained from on-site renewable resources. Details of how this will be achieved shall be submitted to the Local Planning Authority and approved prior to first use of the development hereby approved and the development carried out accordingly thereafter.

Reason: To ensure that the development is sustainable and accords with Policy GP4a of the Draft City of York Local Plan and the City of York Interim Planning Statement on Sustainable Design and Construction.

5 VISQ7 Sample panel of bricks to be approved

6 Samples of the external materials to be used 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.

7 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 - Canopy to the entrance area, including roof profile with sedum roof, and how it connects to the main building.

b - Windows, cladding panels, doors and their surrounds. Windows to be set well within their reveals as indicated on the approved plans; solid panel curtain wall glazing infill to be cassette type rather than flat panel.

c - Fascia, soffit and roof profile of recessed top floor areas including detailing to demonstrate a thin fascia profile with vision glazing immediately under (no look a like glazing).

d- Solid cladding material with copper like finish - to include dimensions of sheeting, standing seams, flashings & fixings (to be secret fix).

e - Plant room enclosure and housing to solar/photovoltaic panels on the roof.

f - Curved frameless glazing to ground floor main entrance.

g - Louvres to curtain walling.

h - Details of enclosure to prevent access to land between south elevation and shared boundary wall with 20 Holgate Road.

Reason: So that the Local Planning Authority may be satisfied with these details.

8 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed hard and soft landscaping scheme (to include changes to the highway/pavement along Lowther Terrace, the planting bed and boundary wall adjacent 20 Holgate Road, any lighting and the sedum roof). This scheme shall be implemented prior to 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 the appearance of the conservation area and setting of the proposed building.

9 No development shall take place until details of measures for bat mitigation and conservation are proposed and have been submitted to and approved by the Council. The measures should include:

a. A plan of how demolition work is to be carried out to accommodate the possibility of bats being present (in particular in the roof area).

b. Details of what provision is to be made within the new building for habitat creation. Features suitable for incorporation for bats include the use of special tiles, bricks, soffit boards, bat boxes and bat lofts.

c. The timing of all operations

The works shall be implemented in accordance with the approved details and timing unless otherwise approved in writing by the Local Planning Authority.

Reason: To take account of and enhance habitat for protected species in

accordance with PPS9, which requires developments to provide a net gain in wildlife value, and policy NE7 of the Local Plan.

INFORMATIVE

If bats are discovered during the course of the work, then work should cease and Natural England consulted before continuing.

Other species such as House Martin and Swift can also be accommodated and would further enhance the biodiversity interest of the development.

10 The space for cycle parking as shown on the proposed site plan 1074/020/030 shall be covered and use Sheffield type stands or similar, spaced at 1m intervals. The facility shall be provided on-site prior to first use of the building and retained thereafter.

Details of the cover/roof to the cycle store shall be submitted to and approved by the Local Planning Authority and installed accordingly prior to first opening of the premises.

Reason: To provide adequate secure and covered cycle parking facilities, as required in the Local Plan and in accordance with the thrust of PPG13: Transport.

11 A travel plan, developed and implemented in line with local and national guidelines (see Department for Transport good practice guidelines), shall be submitted and approved in writing by the Local Planning Authority prior to first opening. The development shall thereafter operate in accordance with the aims, measures and outcomes of said Travel Plan.

The travel plan shall include a strategy for coach parking, to include where coaches will drop off guests.

Reason: To reduce private car travel in accordance with PPG13: Transport, and policy T13a of the City of York deposit Draft Local Plan.

12 ARCH1 Archaeological programme required -

13 ARCH2 Watching brief required -

14 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside the application site, shall be submitted to the local planning authority for written approval. These details shall include maximum ($L_{Amax}(f)$) and average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the Local Planning Authority. The machinery, plant or

equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of local residents and businesses.

15 No external signage shall be applied to the south entrance canopy.

Reason: To preserve the appearance of the building.

16 Prior to first use of the development hereby approved the road and footpath shall be constructed in accordance with the arrangement shown on the site layout drawing 1074/020/030E.

Reason: To ensure appropriate access and egress, in the interests of highway safety and the convenience of the public.

17 There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the Local Planning Authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of future residents and local businesses.

18 Prior to commencement of the development, an Environmental Management Scheme for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority. Construction site management shall occur in accordance with the Considerate Constructors Scheme or equivalent.

Reason: To protect the amenity of local residents and businesses

19 All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

Reason: To protect the amenity of local residents and businesses.

7.0 INFORMATIVES:

Notes to Applicant

1. Secure by design

The applicant's attention is drawn to potential crime reduction by considering the Police 'Secured by Design' Award Scheme for this site. Full details and an application form for the scheme can be found on www.securedbydesign.com

2. The developer is reminded that the development would result in the need to amend existing Traffic Orders in the vicinity of the site, potentially involving the removal of 2 residents parking bays from Residents Parking Zone R3. The costs of undertaking such amendments are expected to be in the region of £2,000 and need to be funded by the applicant.

3. 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 principle of the change of use, visual and residential amenity, highway safety and archaeology.

As such the proposal complies with national policy established in PPS1, PPS4 and PPS5 and Policies SP7A, SP7B, GP1, GP3, GP4A, HE2, HE10, T4, E3B, V1, V3 and V4 of the City of York Development Control Local Plan.

Contact details:

Author: Jonathan Kenyon Development Management Officer

Tel No: 01904 551323