

extended upwards and also linked to the hotel through a new single storey conference venue. This building is historically significant as one of the series of railway assets developed over the previous two centuries in the northwest corner of the city.

1.4 The majority of the site is within Flood Zone 1 and a small section is within Flood Zone 2 (northern boundary with Leeman Road). The land immediately north of the site, including Leeman Road, is Flood Zone 3.

THE PROPOSAL

1.5 This application seeks permission for the erection of a 4 storey extension building to provide 41 bedrooms, a reception/entrance space and a reconfigured car park with associated landscaping. Parking would be reduced across the hotel site as a whole and re-configured closer to the conference wing. Landscaping would be re-designed in these areas.

1.6 The proposed extension is to be located at the northwest end of the site, close to Leeman Road and would be linked to the existing 1912 'north annex'. From within the site, the extension would appear as a three storey brick structure (York brick) with a fourth floor set back from the parapet and clad in bronze panels. The building footprint would negotiate the change in level between the garden and Leeman Road, where two bays return onto Leeman Road at four floors in height with an upper storey set back at an angle. The reception area is positioned between the existing and proposed structures on site, alongside a courtyard area.

1.7 The scheme is a re-submission of planning permission 19/01322/FULM which lapsed on the 19 December 2022. The following changes have been made to the proposal since the previous approval;

- Reduction in bedrooms from 45 bedrooms to 41 bedrooms (by removing habitable bedrooms from the lower ground floor).
- Meeting rooms on the lower ground floor.
- Slight alteration in the turning head near to the proposed extension.
- Additional landscaping close to where the access from Leeman Road is to be closed off.

2.0 POLICY CONTEXT

National Planning Policy Framework

2.1 The NPPF sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan or, where there are no relevant development plan policies, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.2 In particular, Paragraph 38 states that Local Planning Authorities should approach decision taking in a positive way to foster the delivery of sustainable development. It further references the importance of good design and also ensuring a high standard of amenity for both existing and future users.

2.3 The relevant sections of the NPPF are as follows:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision making

Chapter 6 – Building a strong, competitive economy

Chapter 7 – Ensuring the vitality of town centres

Chapter 9 – Promoting healthy and safe communities

Chapter 12 – Achieving well designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change.

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

Draft Local Plan (2018)

2.4 The Publication Draft Local Plan 2018 was submitted for examination on 25 May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

EC4 – Tourism

SS3 – York City Centre

D1 – Placemaking

D2 – Landscape and Setting

D4 – Conservation Areas
D5 – Listed Buildings
D6 – Archaeology
D7 – The Significance of Non Designated Heritage Assets
D11 – Extensions and Alterations to Existing Buildings
GI2 – Biodiversity and Access to Nature
GI4 – Trees and Hedgerows
ENV2 – Managing Environmental Quality
ENV3 – Land Contamination
ENV4 – Flood Risk
ENV5 – Sustainable Drainage
CC2 Sustainable Design and Construction of New Development
WM1 – Sustainable Waste Management
T1 – Sustainable Access

Section 66 and 72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990

2.5 Section 66 of the 1990 Act requires that in determining planning applications for development which would affect a listed building or its setting the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the 1990 Act refers to any buildings or other land in a conservation area and places a duty on Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Central Historic Core Conservation Area Appraisal

2.6 The site lies within character area 22 (Railway Area) of the Central Historic Core Conservation Area. The Hotel is noted as one of the grandest buildings within the character area.

3.0 CONSULTATIONS

INTERNAL CONSULTEES

ARCHAEOLOGY

3.1 Recommends conditions following receipt of additional information.

ECOLOGY

3.2 No objections subject to conditions, following receipt of additional information regarding bats

FLOOD RISK MANAGEMENT TEAM

3.3 Recommends conditions in line with the Environment Agency and Yorkshire Water, following further clarification from the Agent.

HIGHWAYS

3.4 Recommends conditions with regards to method of works/traffic construction management plan which will include construction vehicle routing, avoidance of network peak hours and provision for contractor parking as well as a dilapidation survey and wheel wash provision on site to avoid mud on the highway.

3.5 The adopted highway on Leeman Road which goes onto the Principal site will need to be stopped up. Recommends a condition for the existing dropped kerb to be reinstated.

3.6 Requests conditions for cycle parking and Station Road access to include replacing existing crossover with York stone paving. Recommends an informative regarding the conflict with York Central Development Traffic.

PUBLIC PROTECTION

3.7 Recommend conditions regarding noise, a construction environmental management plan, construction working hours, unexpected land contamination and details of plant, machinery or equipment to be installed.

EXTERNAL CONSULTEES

ENVIRONMENT AGENCY

3.8 The Flood Map for Planning shows the site lies largely in Flood Zone 1 with parts of the site in Flood Zone 2 and 3. The proposed development will only meet the NPPF requirements in relation to flood risk if a planning condition is included to

state the development shall be carried out in accordance with the flood risk assessment.

HISTORIC ENGLAND

3.9 This proposal is a re-submission of a scheme that we have commented on and has previously been granted permission twice. 15/02596/FULM, granted permission on 10 June 2016, our reference P00504042, our letters dated 11 April 2016 and 3 May 2016). The same proposal was granted permission three years later - 19/01322/FULM, granted permission on 19 December 2019, our reference P01102630, our letter dated 2 September 2019.

3.10 We remain broadly comfortable with the principle of an extension in this position. Once again this is subject to the impact of the proposed development upon views from the City Walls being unharmed. Your Authority should also be satisfied that the proposal is of sufficient quality to respond to the character and appearance of the Conservation Area. This is in order to ensure that the proposal meets the requirements of paras. 199, 200, 202 and 206 of the National Planning Policy Framework (NPPF).

3.11 There is the possibility of extensive Roman remains in the area and therefore a thorough mitigation strategy needs to be agreed with your Archaeologist. We also recommend that any consent is conditioned to cover agreement of landscape details and the detailing and materials for the new block.

MICKLEGATE PLANNING PANEL

3.12 Objects. The overall design is disappointing and does not fit the context. Any lost trees should be replaced on the site.

NORTH YORKSHIRE POLICE

3.13 The overall design and layout of the proposed scheme is acceptable. Recommendations regarding access control, CCTV and physical protection.

YORKSHIRE WATER

3.14 Recommend a condition with regards to development in accordance with the flood risk assessment and drainage strategy.

4.0 REPRESENTATIONS

4.1 Two objections have been received on the following grounds;

- Negative impact on the existing surroundings within the vicinity of the site
- Further restrict views of/from the bar walls.
- Application does not propose any site-specific mitigation for the impact on local residents.
- Extension not in keeping with the existing Grade II Building
- Reduces the green space within the Conservation Area.
- Already 3 hotels within 100 yards of each and occupancy is not 100%
- Ad hoc building creep needs to stop
- Leeman Road access is terrible to exist and close to sharp bend
- Will add further congestion
- Only entrance via Station Road
- Close proximity to residential apartments on Westgate
- Noise disturbance
- Lack of car parking

5.0 APPRAISAL

PRINCIPLE OF THE PROPOSED DEVELOPMENT

5.1 This proposal represents the resubmission of a scheme granted planning permission in June 2016 (15/02596/FULM) and December 2019 (19/01322/FULM). Minor changes are proposed from the 2019 scheme to include; a reduction in the number of bedrooms from 45 bedrooms to 41 bedrooms, due to removing sleeping accommodation from the lower ground floor. Meeting rooms are proposed on the lower ground floor. In terms of landscaping, there is a slight change to the turning head and planting near the current access from Leeman Road. Structurally the scale, siting and design of the extension is the same as previously approved.

5.2 The local plan context has changed since the original submission in 2015 and 2019. The application site is within the defined city centre, as designated in the 2005 Draft Local Plan. As such the proposed hotel use, in terms of location, is compliant with the NPPF, which states that Local Plans should 'support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation" and Draft Local Plan policy SS3 which states

that the city centre “will remain the focus for main town centre uses”. Policy SS3 is now given significant weight in decision-making taking into account the status of the Draft Local Plan. The policy has recently been modified although this was to allow for an update to the use classes within the policy, in line with the 2020 Use Class Order amendments.

5.3 The extension to the hotel at this city centre site would also be compliant with Draft Local Plan policy EC4 (Tourism), which states that proposals that relate to maintaining and improving the choice and quality of business, conferencing and events facilities to encourage business visitors, will be supported. Policy EC4 is given significant weight in decision-making due to the current status of the Draft Local Plan.

5.4 The site is in the city centre, within walking distance of the railway station and tourist attractions. The site is suitable for a hotel extension in location terms. The visual impact of the development and amenity are assessed in the other sections of the report.

IMPACT ON HERITAGE ASSETS

5.5 The Principal Hotel is a Grade II listed building located within the Central Historic Core Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, referred to earlier in this report, imposes a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Section 66 of the same Act requires that in determining planning applications for development which would affect a listed building or its setting the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.6 The Courts have held that when a local planning authority finds that a proposed development would harm a heritage asset the authority must give considerable importance and weight to the desirability of avoiding such harm to give effect to its statutory duties under sections 66 and 72 of the Act. The finding of harm to a heritage asset gives rise to a strong presumption against planning permission being granted. The current application must be judged on this basis.

5.7 In the NPPF listed buildings and conservation areas are classed as 'designated heritage assets'. When considering the impact of proposed development on such

assets local authorities should give great weight to the asset's conservation. Any harm or loss should require clear and convincing justification (paragraph 200 of the NPPF).

5.8 As previously stated, this proposal is the resubmission of a scheme granted planning permission in 2016 and 2019 with some minor changes relating to the use of lower ground floor rooms and landscaping to accommodate a revised turning head. The massing, materials and design of the new wing are as per the 2016 and 2019 approved scheme.

5.9 Policy D4 of the Draft Local Plan states that proposals within or affecting the setting of conservation areas will be supported where they are designed to conserve and enhance the special character and appearance of the conservation area. Policy D1 (Placemaking) states that development proposals will be supported where they improve poor existing urban and natural environments, enhance York's special qualities and better reveal the significances of the historic environment.

Development proposals that fail to take account of York's special qualities, fail to make a positive design contribution to the city, or cause damage to the character and quality of an area will be refused.

5.10 In terms of significance, the hotel was designed by the architects of the adjacent railway station in 1878. The building is symbolic of the importance of the railway industry to York, especially in relation to the burgeoning tourist and business trade. It is also significant for its powerful large scale aesthetic which was influenced both internally and externally by successive phases of technological development in the industrial and motor ages. The hotel is regarded as a landmark within the Central Historic Core Conservation Area. At the time of its construction, it was probably the largest building in the city with the exception of the Minster, and its stature increased after the west wing (Klondyke) was re-designed and enlarged to seven stories in 1896. The hotel is located within its own grounds just outside the city walls, where the large garden with its mature trees contributes to the open setting of the building, allowing unobstructed views directly towards the Minster and from the city walls. To the north of the hotel adjacent to Leeman Road is the "north annex" or "garden wing". This building was introduced in 1912 to serve as offices and stores for the catering division of the railway complex. It is more utilitarian in character and it was converted for use as a bedroom annex for the hotel in the late C20th and later extended upwards and also linked to the hotel through a new single storey conference venue. This building is historically significant as one of the series

of railway assets developed over the previous two centuries in the northwest corner of the city.

5.11 The new wing has been located such that its mass would not be considered to intrude on the primary aspect and setting of the main hotel building. At its closest, it would be 45 metres away from the Klondyke wing (the seven-storey west wing of the hotel) and it therefore would not only respect the dominance and setting of the Victorian hotel building but would preserve important views out of the public rooms across the gardens towards the Minster, which informed the original layout of the hotel's public spaces and dining room. The formal part of the garden layout was also centralised on the original plan and this relationship would be retained.

5.12 The proposed new wing would be located over 150 metres from the city walls from where there is a vantage point overlooking the hotel grounds. In views from the city walls, it is considered that the new wing would be seen as subsidiary and separate to the hotel building as there would be a wide separation gap (45m) and its roof level would be 2 ½ main floors plus attic floor lower than the Klondyke wing and it would be just below the upper string course of the central part of the hotel building. The primacy of the hotel building would not be challenged by the proposed development.

5.13 In terms of the massing, materials and design of the new wing, it is considered that it would represent a contemporary addition to the suite of buildings on site. The majority of the building would be in a matching yellow/buff brick with multi-pane windows and doors set back deeply from the face and framed in bronze. Windows would be grouped to respond to the larger scale of windows in the Victorian hotel. The new entrance would be set at the lower level of the conference foyer. It would be a small glass box with bronze effect cladding over and a projecting draught lobby. This separate simple form is welcomed as a low level device to link the disparate forms of this particular grouping of buildings.

5.14 The proposed building would be one floor higher than the extended 1912 wing which lies adjacent to it. As the top floor would be set back by 3 metres on the garden side and angled away from the road in views from Leeman Road the new building would not be considered to over-dominate its neighbour. The proposed glass bridge linking the two buildings would allow views through into the small courtyard at upper levels and it would be recessed between the two structures.

5.15 Furthermore, views from the service access off Leeman Road towards the Grade II* listed railway shed with its distinctive arched end canopies, would be preserved as the footprint of the new block would protect the viewing corridor.

5.16 On the basis of the above considerations, the proposed development is considered to accord with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant chapters of the NPPF and policies D1, D4 and D5 of the Draft Local Plan (2018). The development would preserve the character and appearance of the Conservation Area and would respect the Listed Building and its setting.

LANDSCAPING

5.17 Policy D2 (Landscape and Setting) of the Draft Local Plan states that proposals will be encouraged and supported where they conserve and enhance landscape quality and character, and the public's experience of it and make a positive contribution to York's special qualities and recognise the significance of landscape features such as mature trees, hedges, and historic boundaries and York's other important character elements, and retain them in a respectful context where they can be suitably managed and sustained.

5.18 The existing trees within the application site are a mix of species, namely Hawthorn, Lawson cypress, Swedish Whitebeam and, predominantly Lime. All of the trees are located within the conservation area; and all of the Limes and Sorbus are covered by a tree preservation order. The trees within the site are part of the intrinsic character of the garden and they contribute to the setting of the hotel and to the character of the wider area of mature green landscape in this part of the conservation area.

5.19 The footprint of the new block has been set out to have a short two-bay elevation onto Leeman Road to help preserve part of the stand of trees, which aid in softening the harsh environment of Leeman Road close to the railway bridge. Previous applications on this site in relation to this scheme acknowledge the loss of the majority of the group of trees between Leeman Road gate and the annex building. Out of the line of 11no. semi mature Limes trees alongside Leeman Road and the gable end of the existing annex, 4no trees would be retained although the Landscape Architect previously advised that it may be appropriate to thin these down to 2no.

5.20 The scheme involves the removal of 24 car parking spaces on site (from 60 to 36) and removes all of the parking immediately in front of the original hotel facade. The remaining number of spaces would be concentrated in front of the Klondyke Wing, Conference Centre and proposed bedroom extension such that the Klondyke Wing would become more directly related with the car parking spaces created by the bedroom extension and replacement planting to which it will form the end vista.

5.21 This proposed parking arrangement and associated planting extends considerably into the open space which currently extends the full length of the main elevation of the hotel. Whilst this results in a loss of a generous area of open garden space, by consolidating the garden space around the formal planting areas, it would provide a strong structure to this side of the garden and dimensionally would create symmetry either side of the formal garden. Furthermore, views would be improved along the main access from Station Road where a broad grassed margin would be introduced and the access road would be reduced from 13 metres wide to 6 metres. The replacement of the car parking to the front of the hotel with lawn, hedging and trees would create an improved visual and physical connection between the hotel and formal, central garden thereby improving the setting of the Grade II listed building.

5.22 In seeking to compensate for the loss of trees, the proposed landscaping scheme and planting plan details the planting of 28no. new trees. The proposed planting plan also offers a range of shrubs, herbaceous material, bulbs and lawn, all of which are given structure with a range of clipped hedges. In summary, it is considered that the landscape scheme would form an attractive setting for the proposed extension and provide a suitable attractive edge and foil to a smaller, symmetrical, formal central garden.

5.23 The loss of mature trees would erode the landscape character of the area whilst new trees establish themselves. Whilst the group of trees along Leeman Road would be significantly reduced, a group would be maintained where it would have the greatest effect next to the service access and the new site layout would strengthen the hotel's relationship with the garden area and this would preserve the character and appearance of the conservation area.

5.24 The landscaping and its impact is similar to the previously approved schemes, albeit there is a slight change to the turning head near the extension and additional planting is proposed near Leeman Road. An updated tree survey has been provided (dated 18th January 2023), alongside a landscape masterplan and planting plan. The Landscape Architect confirms the plans can be conditioned as compliance conditions, although an AMS is still required via a separate approval of details application.

ARCHAEOLOGY

5.25 Policy D6 of the Draft Local Plan states that proposals that affect archaeological features and deposits will be supported where they are accompanied by (i) an evidence based heritage statement, (ii) designed to avoid substantial harm to archaeological deposits; and where harm to archaeological deposits is unavoidable, detailed mitigation measures have been agreed with the Council.

5.26 The proposed site of the Royal York Hotel extension is within the Central Area of Archaeological Importance and on the site/edge of a mixed Roman cemetery. An archaeological evaluation was undertaken by On-Site Archaeology Ltd in October 2015 as part of a limited archaeological investigation to inform a proposal similar to the current application. The evaluation consisted of the excavation of two trenches which revealed a subsoil horizon of probable Roman date that was cut into by three pits of a similar date. Stratigraphically above the pits was a sequence of buried soil horizons the earliest layer may have Roman origins with later disturbance from post-medieval and early modern activity.

5.27 The depth of archaeological levels in this area are difficult to determine due to the large-scale landscaping works which have taken place. Following the submission of this application a request was made for further evaluation to take place. It was agreed that this would be limited to a borehole survey given the access issues and tree coverage.

5.28 Four boreholes were sunk in an attempt to further understand what the extent of the archaeological impact of this proposal would be. Natural deposits were present across the site at 10.5-10.85m AOD although the ground level in this area varies considerably. Three of the boreholes revealed a brown silt clay silt containing fragments of Roman and medieval pottery and animal bone. There was no evidence that this deposit represented 19th century landscaping and is considered to be archaeological in origin. This was overlain by a garden soil between 0.75-1.5m thick.

The information from the boreholes and previous phases of evaluation and excavation indicate that there were other activities taking place in this area during the Roman and post-Roman period aside from burial. No human remains were found during the 2015 or 2023 investigations.

5.29 The impact of the proposed scheme, which includes a lower ground floor, will remove any archaeological resource present within the proposed lower ground floor footprint. The evidence from previous and recent evaluation and excavation suggests that the proposed hotel extension footprint may lie just outside the cemetery boundary. However, the possibility of encountering human remains within the extension area cannot be discounted.

5.30 The proposed car parking area and realigned driveway may impact upon human remains. Excavation in 1999 immediately adjacent to the proposed parking area did reveal human remains and the robbed out remains of structures (possibly funerary related). Natural/non archaeological levels were recorded in these trenches at 13.50m AOD. The additional car parking and any works to the garden at the front of the building will need to be archaeologically stripped and excavated.

5.31 Further archaeological evaluation, excavation and monitoring is required across the site. Archaeological evaluation is required on the footprint of the proposed lower ground floor. Here, archaeological trenches must be dug, once the trees have been felled, which will provide a much clearer picture of impact and therefore, the scale of mitigation excavation. The applicant should be prepared for an expensive archaeological excavation to take place across the footprint of the proposed lower ground floor.

5.32 Across the rest of the scheme an archaeological watching brief will be required with select areas of excavation taking place as and when necessary. Excavation will be required within the proposed parking areas in the current garden area. This area has a high likelihood of containing human remains. Provision will also need to be made for any subsequent analysis, archiving and publication if appropriate across the scheme. The Archaeologist recommends conditions to cover these aspects and would result in the proposal according with Policy D6 of the Draft Local Plan and national planning guidance.

ACCESS AND HIGHWAY ISSUES

5.33 Car parking within the grounds of the Principal Hotel on site has expanded into the gardens and is available alongside the main access road throughout the site. The proposed scheme involves a reduction in the number of car parking spaces to 35 spaces available on site (for short stay and disabled guests only) with valet parking taking cars to private car parks close by as required. This approach is supported in this highly sustainable location. The site is located adjacent to the station and within a short distance of a large number of bus stops which are served by high frequency services.

5.34 Access to the car park will be managed by a barrier at the entrance to the site and the Leeman Road access will need to be stopped up by a separate statutory process. The applicant has reviewed the design of the access road, car parking spaces, and turning head since the previous approval to ensure that they offer adequate space for vehicles (including delivery vehicles) to manoeuvre without overrunning onto landscaped areas.

5.35 Although the proposed extension will not result in an increase in staff numbers, the applicant has agreed to increase the number of staff cycle spaces from 10 to 15 spaces (enclosed and covered) to support staff sustainable travel and the existing visitor cycle parking facility will be improved. This element is to be conditioned.

IMPACT ON FUTURE USERS AND NEIGHBOURING RESIDENTS

5.36 One of the core principles of the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is supported by Policy ENV2 and policy D11 of the Draft Local Plan.

5.37 The nearest residential dwellings are located to the northeast (Westgate Apartments). Due to the separation distance and relationship between the two buildings the extension will not result in harmful overshadowing or overlooking. However the Environmental Health Officer recommends conditions with regards to a Construction Environmental Management Plan, construction working hours and details of plant, machinery or equipment to be installed. These conditions are considered reasonable in the interests of protecting residential amenity in the area, in terms of noise, vibrations etc.

5.38 The hotel rooms will overlook the grounds of the hotel or Leeman Road. Although there is the potential for noise from traffic along Leeman Road and from the railway and from existing businesses such as the Royal Mail depot, considering

the proposed end use as hotel accommodation rather than residential, there are no objections on amenity grounds. Conditions are proposed to achieve specified internal noise levels within bedrooms. In the event that unexpected contamination is detected during the development works, a condition relating to the reporting of unexpected contamination is recommended.

FLOOD RISK

5.39 Draft Local Plan Policy EN4 states that new development shall not be subject to unacceptable flood risk and shall be designed and constructed in such a way that mitigates against current and future flood events.

5.40 The majority of the site is within Flood Zone 1 and a small section is within Flood Zone 2 (northern boundary with Leeman Road). The land immediately north of the site, including Leeman Road is Flood Zone 3. The existing hotel is at a higher ground level and not in a flood risk area.

5.41 The NPPF classifies sites used for hotels as “more vulnerable” development, which is considered appropriate in Flood Zone 3a if the Exception test is passed. In paragraph 164, the NPPF advises that for the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall

5.42 In undertaking the sequential test, the NPPG advises "a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere". This is the only practical site for the expansion of the existing hotel to occur. In conclusion, the sequential test is passed as there is not an alternative location for the development.

5.43 The site specific Flood Risk Assessment (dated 15 December 2022, at section 7.6) demonstrates that the development would be safe from flooding and would not increase flood risk elsewhere and therefore accords with Draft Local Plan Policy EN4.

5.44 The ground floor level of the extension would be set at 12.25m AOD to match the existing hotel. It is not practicable to raise the lower ground floor level of the extension above the 1% + 30% CC flood level of 11.19m, in order to tie in the existing Lower Ground floor (LGF) level of 9.62m. However, it should be noted that no sleeping accommodation is proposed at LGF level. The lower ground floor will be used for conference rooms and there would be freely available internal stair access to the upper levels of the extension to provide safe refuge for staff and guests during a storm event. An informative can be added to the decision to advise the operators to sign up to the EA's flood warning service. Appropriate measures are proposed within the FRA with regards to mitigation measures.

ECOLOGY

5.45 Policy GI2 of the Draft Local Plan relates to biodiversity and access to nature. Paragraph 174 of the NPPF seeks to ensure development minimises impacts on and provides net gains for biodiversity.

5.46 The development will be required to provide biodiversity enhancements; in accordance with Paragraph 174 (d) of the NPPF (2021). Ecological enhancements have been recommended in sections 7.3 (Bat boxes) and 8.5 (Biodiversity Gains and Recommendations) of the Preliminary Bat Roost Assessment with the aim of providing biodiversity net gain post construction. This can be conditioned.

SUSTAINABILITY

5.47 Policy CC2 of the Draft Local Plan (2018) (as amended in the recent main modifications) states all new non-residential development with a total floor area of 100m² or greater should achieve:

- i. a 28% reduction in carbon emissions over and above the requirements of Building Regulations (2013) unless it is demonstrated that such reductions would not be feasible or viable; and,
- ii. BREEAM 'Excellent' (or equivalent), where feasible and viable and where development proposals are for 1,000m² or more.

5.50 In the interests of achieving a sustainable development and in accordance with the requirements of Policy CC2 of the Draft Local Plan, a carbon emissions reduction condition is recommended, as well as a BREEAM 'excellent' condition as

the floor area is over 1,000m². The BREEAM condition was also attached to the previous permission.

6.0 CONCLUSION

6.1 This proposal is a re-submission of planning permission 19/01322/FULM which expired in December 2022. Minor changes to the originally approved drawings are proposed to the landscaping and lower ground floor rooms. The local plan context has changed since the original submission, in terms of the weight to be attached to draft policies and the conclusion of the main modifications consultation (March 2023). The relevant policies of the Draft Local Plan have been detailed within the appraisal. It is considered that there have been no significant changes to the policy context in the intervening period to the 2019 approval to warrant a different appraisal of the scheme, apart from the consideration of biodiversity enhancements in line with paragraph 174 (d) of the NPPF (2021). The previous planning permission carries significant weight in the decision making process.

6.2 The application would provide 41 no. additional bedrooms specifically related to the conference facilities of the hotel through a new dedicated reception point. The new building has been carefully designed to complement the existing building group whilst maintaining the dominance, setting and garden aspect of the Victorian hotel building. The development would respect the host Listed Building and its setting. Important views would be preserved and some views, such as along the main access from Station Road and from the city walls, would be enhanced within the Conservation Area. There is considered to be no harm to the setting of the listed building or the character and appearance of the conservation area. All other issues, such as archaeology, amenity, sustainability, ecology, construction and flood risk, are satisfactorily addressed either within the plans or are dealt with via a condition.

6.3 The application accords with national planning policy set out within the National Planning Policy Framework and policies of the Draft Local Plan (2018). The application is therefore recommended for approval subject to conditions.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Location Plan: Drawing No. 220169-3DR-XX-XX-DR-A-08001, Revision B, dated 12/01/2023.

Proposed Location Plan: Drawing No. 220169-3DR-XX-XX-DR-A-08021, Revision A, dated 15/12/2022.

Proposed Lower Ground Floor Plan: Drawing No. 220169-3DR-XX-LG-DR-A-08031, Revision A, dated 15/12/2022.

Proposed Ground Floor Plan; Drawing No. 220169-3DR-XX-00-DR-A-08032, Revision A, dated 15/12/2022.

Proposed First Floor Plan; Drawing No. 220169-3DR-XX-01-DR-A-08033, Revision A, dated 15/12/2022.

Proposed Second Floor Plan; Drawing No. 220169-3DR-XX-02-DR-A-08034, Revision A, dated 15/12/2022.

Proposed Third Floor Plan; Drawing No. 220169-3DR-XX-03-DR-A-08035, Revision A, dated 15/12/2022.

Proposed Roof Plan; Drawing No. 220169-3DR-XX-R1-DR-A-08036, Revision A, dated 15/12/2022.

Proposed Front Elevation: Drawing No. 220169-3DR-XX-ZZ-DR-A-08111, Revision A, dated 15/12/2022.

Proposed North East Elevation: Drawing No. 220169-3DR-XX-ZZ-DR-A-08112, Revision A, dated 15/12/2022.

Proposed Leeman Road Elevation: Drawing No. 220169-3DR-XX-ZZ-DR-A-08113, Revision A, dated 15/12/2022.

Proposed Section AA and BB and FF: Drawing No. 220169-3DR-XX-ZZ-DR-A-08201, Revision A, dated 15/12/2022.

Proposed Section CC: Drawing No. 220169-3DR-XX-ZZ-DR-A-08202, Revision A, dated 15/12/2022.

Proposed Section DD and EE: Drawing No. 220169-3DR-XX-ZZ-DR-A-08203, Revision A, dated 15/12/2022.

Proposed Façade Detail Section: Drawing No. 220169-3DR-XX-ZZ-DR-A-08301, Revision A, dated 15/12/2022.

Parking Strategy: Drawing No. 220169-3DR-XX-XX-DR-A-08042, Revision A, dated 15/12/2022.

Flood Risk Assessment dated 15th December 2022 prepared by Simpson (ref: P22-951)

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, 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 construction of the development. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

4 Prior to the construction of any works above foundation level, large scale details (1:20 & 1:5 as appropriate) of the items listed below shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

- i) Full details of the reception area and draught lobby
- ii) Full details of alterations to the existing conference hall where the link would be formed
- iii) Large scale elevation, section and plan of a typical bay of the new wing, including the parapet, balustrade, roof top extension and roof edge detail
- iv) Full details of the bridge link and its abutment with the existing building
- v) Details of the plant screen showing the outline of proposed plant dotted if possible
- vi) Manufacturers' literature of windows and doors supplemented by drawings showing them in context as necessary

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of the setting of the listed building and the wider Central Historic Core Conservation Area.

5 Full details of the hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the occupation of the new building hereby approved. The proposals shall include details of planting plans, gates and

enclosures, cycle parking, waste compounds and external lighting. Existing historic structures shall be noted on the landscape plan and retained in-situ.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of the development in the context of safeguarding the setting of the listed building within the Conservation Area.

6 Before the commencement of development including demolition, excavations, and building operations, an Arboricultural Method Statement (AMS) regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. Amongst others, this statement shall include details and locations of protective fencing, site rules and prohibitions, phasing of works, site access during demolition/construction, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials, locations and means of installing utilities, location of site compound and marketing suite and any other temporary buildings. The document shall also include methodology and construction details and existing and proposed levels where a change in surface material and boundary treatments is proposed within the root protection area of existing trees. The development shall be carried out in accordance with the AMS as approved. A copy of the document will be available for inspection on site at all times.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or are considered to make a significant contribution to the amenity of this area and/or development.

7 The landscaping shall be carried out in strict accordance with the following details and plans:

Landscape Masterplan: Drawing No. EA_1545_PL_100, revision A, dated 14/12/2022.

Illustrative Landscape Masterplan: Drawing No. EA_1545_PL_101, revision A, dated 15/12/2023.

Planting Plan: Drawing No. EA_1545_PL_500, revision A, dated 15/12/2023.

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: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

8 A programme of post-determination archaeological evaluation on the footprint of the proposed lower ground floor and subsequent mitigation is required on this site.

The archaeological scheme comprises 3-5 stages of work. Each stage shall be completed and agreed by the Local Planning Authority (LPA) before it can be approved.

A) No archaeological evaluation or groundworks other than removal of trees shall take place until a written scheme of investigation (WSI) for evaluation has been submitted to and approved by the local planning authority in writing. The WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

B) The site investigation and post-investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report on the evaluation and an assessment of the impact of the proposed development on any of the archaeological remains identified in the evaluation shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

D) Where archaeological features and deposits are identified proposals for the preservation in-situ, or for the investigation, recording and recovery of archaeological remains and the publishing of findings shall be submitted as an amendment to the original WSI. It should be understood that there shall be presumption in favour of preservation in-situ wherever feasible.

E) No development shall take place until:
- details in D have been approved and implemented on site
- provision has been made for analysis, dissemination of results and archive deposition has been secured
- a copy of a report on the archaeological works detailed in Part D should be deposited with City of York Historic Environment Record within 3 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an Area of Archaeological Importance. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ.

9 A programme of post-determination archaeological mitigation, specifically an archaeological watching brief and archaeological excavation is required on this site.

The archaeological scheme comprises 3 stages of work. Each stage shall be completed and agreed by the Local Planning Authority before it can be approved.

A) No groundworks related to construction or landscaping shall take place until a written scheme of investigation (WSI) for watching brief and excavation has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

B) The site investigation and post-investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report (and evidence of publication if required) shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 3 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an Area of Archaeological Importance and the development may affect important archaeological deposits which must be recorded prior to destruction.

10 A biodiversity enhancement plan/drawing shall be submitted to and be approved in writing by the local planning authority prior to the commencement of works. The content of the plan shall include, but not be limited to the recommendations set-out in the Preliminary Bat Roost Assessment provided by Wold Ecology, February 2023, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. The development shall be carried out in accordance with biodiversity enhancement plan/drawing as approved.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 174 d) of the NPPF (2021) to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

11 No vegetation clearance or tree works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended.

12 The building envelope of all the hotel accommodation shall be constructed so as to achieve internal noise levels of 30 dB LAeq (8 hour) and 45dB LAmax inside bedrooms at night (23:00 - 07:00 hrs) and 35 dB LAeq (16hour) in all other habitable rooms during the day (07:00 - 23:00 hrs). These noise levels shall be observed with all windows shut in the particular and other means of acoustic ventilation provided. The detailed scheme shall be approved in writing by the Local Planning Authority and fully implemented before the use approved in is occupied. Thereafter no alterations to the external walls, facades, windows, doors, roof or any openings in the building (s) shall be undertaken (including the closing up or removal of openings) without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of hotel guests and residents.

13 Prior to their installation, details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. 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.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014+ A1 2019, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

14 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) 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. The CEMP must include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the locality.

15 All construction and demolition works and ancillary operations, including deliveries to and dispatch 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

16 Prior to commencement of development a Method of Works statement shall be submitted to and approved by the Local Planning Authority. The details should include a traffic construction management plan which will include construction vehicle routing, avoidance of network peak hours and provision for contractor parking as well as a dilapidation survey and wheel wash provision on site to avoid mud on the highway. Development shall then be carried out in strict accordance with the approved method of works statement, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the Local Highway Network during the construction period.

17 The development shall be carried out in accordance with the "'Flood Risk Assessment & Drainage Strategy' P22-951 prepared by IHG, dated 15/12/22" and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 12.25 metres above Ordnance Datum (AOD)
- Compensatory storage shall be provided in accordance with Section 8.8 & 8.9 and appendix F of the FRA

- There is to be no habitable accommodation on the lower ground floor of the new extension.
- The flood proof / resilience measures detailed in section 8.6 of the FRA are to be incorporated into the development

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: In the interest of satisfactory and sustainable drainage, to reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

18 The site shall be developed with separate systems of drainage for foul and surface water on site and combined off site.

Reason: In the interest of satisfactory and sustainable drainage.

19 The foul and surface water drainage shall be carried out in accordance with the details shown on the submitted Flood Risk Assessment & Drainage Strategy - Re: P22-951 dated 15th December 2022 and the Preliminary Drainage Layout - Re: P22-951-SK103 dated December 2022, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage

20 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: So that the Local Planning Authority may be satisfied that no foul and surface water discharges take place until proper provision is made.

21 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

22 No part of the site shall come into use until the turning areas have been provided in accordance with the approved plans. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby ensuring the safe and free passage of traffic on the public highway.

23 Details of improvements to the existing cycle parking provision, to include an increase in the number of staff spaces to 15 and improved facilities for visitors (retaining at least 28 spaces), shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads.

24 The areas shown on the approved plans for parking shall be retained solely for such purpose and shall be retained for the exclusive use of the hotel.

Reason: To reduce congestion on the adjacent roads.

25 A plan detailing the siting of the access barrier to the car park entrance, to be set back a minimum of 15 metres from the back of the footway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development and the works shall be carried out in accordance with the approved details.

Reason: To prevent obstruction to other highway users.

26 The development hereby permitted shall not come into use until the following highway works have been implemented in accordance with drawing EA_1545_PL_100 Rev A or arrangements entered into which ensure the same;

1) Removal of kerbed junction site access on Station Road and replacement with a dropped vehicle crossover design surfaced in Yorkstone paving to match adjacent footway and kerbs.

Reason: In the interests of providing a safe means of access to the site by all modes of transport and to minimise disruptions to the free flow of traffic.

27 The development shall be carried out to a BRE Environmental Assessment Method (BREEAM) standard of 'Excellent'. A Post Construction stage assessment shall be carried out and a Post Construction stage certificate shall be submitted to the Local Planning Authority prior to occupation of the building (or in the case of the certificate as soon as practical after occupation) . Where it can reasonably be demonstrated that an excellent is not feasible, full justification for the lower rating shall be submitted to and agreed by the LPA prior to occupation. Should the development fail to achieve a BREEAM standard of 'excellent' or the agreed alternative rating, a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures should be undertaken to achieve the agreed standard. The approved remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of Policy CC2 of the Draft Local Plan.

28 The development hereby permitted shall achieve a 28% reduction in carbon emissions over and above the requirements of Building Regulations (2013) unless it is demonstrated that such reductions would not be feasible or viable.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of Policy CC2 of the Draft Local Plan.

8.0 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 (paragraph 38) 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 additional archaeology information, tree survey and bat roost assessment

2. INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal

action being taken under the Control of Pollution Act 1974:

(a) 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.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

3. In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part 2A of the Environmental Protection Act 1990.

4. Please note that there may be conflict with York Central Development traffic if the site is developed over the next few years.

5. For the access off Leeman Road, an application will need to be made to stop up the small spur of adopted highway which currently goes into the Principal site.

6. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present.

7. When designing external lighting its potential impacts on light sensitive species should be considered. Direct lighting and light spill should be avoided where new bat roosting and bird nesting features are installed, on trees and 'green' linear features, such as hedges. Advice on lighting design for light sensitive species is available from the Bat Conservation Trust (2018) Bats and artificial lighting in the UK guidance: <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lightingcompressed.pdf?mtime=20181113114229&focal=none>

8. Drainage: The applicant should be advised that the Yorkshire Waters prior consent is required (as well as planning permission) to make a connection of foul and surface water to the public sewer network.

9. The applicant/occupants should phone the EA's Flood-line on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings> It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

10. Information regarding the CEMP:

For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may results in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used

for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. All monitoring results should be recorded and include what was found and mitigation measures employed (if any).

With respect to dust mitigation, measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>. The CEMP must include a site specific risk assessment of dust impacts in line with the IAQM guidance note and include mitigation commensurate with the scale of the risks identified.

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk

Contact details:

Case Officer: Natalie Ramadhin

Tel No: 01904 555848