



Notice of meeting of

West & City Centre Area Planning Sub-Committee

To: Councillors Bartlett (Vice-Chair), Sue Galloway, Horton, Livesley (Chair), Macdonald, Reid, Simpson-Laing, Sunderland and B Watson

Date: Tuesday, 1 August 2006

Time: 12.00 pm

Venue: The Guildhall, York

AGENDA

1. **Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. **Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding specific planning applications, other agenda items or matters within the remit of the Sub-Committee can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Monday 31st July 2006 at 5.00pm.

3. Plans List

Members will consider a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to planning applications with an outline of the proposals and relevant policy considerations and the views and advice of consultees and officers.

- a) **Shepherd Homes Ltd, 89 The Mount, York, (Pages 3 - 20)
YO24 1BL (06/01341/FULM)**
- b) **Shepherd Homes Ltd, 89 The Mount, York, (Pages 21 - 28)
YO24 1BL (06/01345/LBC)**
- c) **41 Station Road, Upper Poppleton, York, (Pages 29 - 38)
YO26 6PX (06/00662/FUL)**
- d) **The Raylor Centre, James Street, York, (Pages 39 - 48)
YO10 3DW (06/01171/FULM)**

4. Any other business which the Chair considers urgent under the Local Government Act 1972

Democracy Officer

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting on the details above.

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

WEST AND CITY CENTRE PLANNING SUB COMMITTEE**Tuesday 1 August 2006****Index to items**

SITE	ITEM	VISIT
89 The Mount, York (Planning Application)	3A	V
89 The Mount, York (Listed Building Consent)	3B	V
41 Station Road, Upper Poppleton	3C	V
The Raylor Centre, James Street, York	3D	

**WEST AND CITY CENTRE PLANNING SUB COMMITTEE
SITE VISITS**

Monday 31 July 2006

Coach departs Memorial Gardens at 11:00hrs

TIME (Approx.) SITE ITEM NO.

11.10 89 The Mount, York 3A

11.50 41 Station Road, Upper Poppleton 3C

COMMITTEE REPORT

Team:	Central Area	Ward:	Micklegate
Date:	1 August 2006	Parish:	Micklegate Planning Panel

Reference: 06/01341/FULM
Application at: Shepherd Homes Ltd 89 The Mount York YO24 1BL
For: Use as a hotel including single storey and two storey pitched roof extensions (with rooms in the roof) and erection of new two storey (with rooms in the roof) pitched roof bedroom block
By: Stephen Rodwell
Application Type: Major Full Application (13 weeks)
Target Date: 14 September 2006

1.0 PROPOSAL

1.1 The application relates to the conversion, extension and development of the former offices of Shepherd Homes Ltd., together with an adjacent coach house and the associated curtilage, which extends to approximately 0.55 hectares. The proposed development would create a 44 bedroom hotel including a lounge bar, bistro and two small meeting/conference rooms. The principle building on the site is listed as being of special architectural and historic interest (Grade II) and a separate application for listed building consent has also been submitted in respect of the proposal. The site is located at the junction of The Mount and Scarcroft Road, which is enclosed by an existing brick boundary wall, and is located within the Central Historic Core conservation area. The site contains a number of mature trees which provide an attractive landscaped setting to the existing building. This proposal is a resubmission of an application which was withdrawn in May 2006 prior to a decision being made, and has been the subject of considerable pre-application discussion between the applicant, agent and Council officers.

1.2 In February 2005 planning permission was granted for the conversion of the former offices to six apartments, the erection of one detached house, a three storey block of five town houses and the conversion/extension of the coach house to form a detached dwelling (13 dwellings in total), following a previous refusal of planning permission for a more ambitious scheme, which included the erection of a separate block of 14 two bedroom apartments within the site. An earlier, unimplemented planning permission granted in August 1999 involved the erection of an elongated two storey extension to the southwest side of the existing building (fronting The Mount) to form additional office accommodation, attached to the existing building by means of a glazed link.

1.3 The application now submitted would include the demolition of a single storey extension of relatively modern origins on the rear elevation of the principal building, this having already been approved as part of the planning permission granted in February 2005 and for which separate conservation area consent was also granted at that time. The submitted scheme would also involve the conversion of the ground floor of the principal building to a reception area, lounge bar, toilets, billiards room, two meeting rooms and two private dining areas. The bistro would be partially housed within the ground floor of the coach house, with all existing internal sub-divisions retained forming a series of alcoves, and partially within a new single storey flat roof extension on the southwestern side of the coach house, attached to the principal building by a glazed link. The extension would occupy an area which is already enclosed by boundary walls. The first floor of the principal building would be converted to seven guest bedrooms with en-suite facilities, with two further en-suite rooms being provided on the first floor of the coach house. The proposal would involve the creation of a limited

number of new internal openings in order to provide functional links between various parts of the accommodation.

1.4 The bulk of the guest bedrooms would be accommodated in two locations, the first being within a two storey "L" shaped extension attached to the rear of the coach house and arranged around a courtyard, providing thirteen en-suite rooms, three of which would be within part of the roof space. Part of the ground floor of this extension would also contain the kitchen and refuse storage area associated with the new bistro. Twenty-two further en-suite rooms would be provided within a separate two storey building on the corner of The Mount and Scarcroft Road, with two of the rooms within the roof space. This predominantly rectangular building would be located in the same approximate position as the block of five town houses forming part of the previously approved residential scheme for the site (which remains extant), but would be 2.2 metres closer to the boundary with The Mount. The building also has a generally greater depth than the originally approved block, and has been completely re-designed with a strong neo-Georgian theme.

1.5 The previously submitted application (withdrawn in May 2006) incorporated an ambitious proposal for a bridge link between the principle building and the new block on the corner of The Mount and Scarcroft Road, but this has now been deleted from the proposal. The applicant has also made a number of other significant amendments to the proposal, in particular a reduction in the size, scale and massing of the extension to the side and rear of the coach house, fewer internal alterations, and the incorporation of greater separation distances between the new build proposals and the adjacent mature trees.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

Schools Multiple (Spatial)

Conservation Area Central Historic Core 0038

Areas of Archaeological Interest City Centre Area 0006

DC Area Teams Central Area 0002

2.2 Policies:

CYE3

Retention of existing employment sites

CYV3

Criteria for hotels and guest houses

CYHE2

Development in historic locations

CYGP1

Design

CYHE11
Trees and landscape

CYGP4
Environmental sustainability

CYGP11
Accessibility

CYT4
Cycle parking standards

3.0 CONSULTATIONS

3.1 INTERNAL

HIGHWAYS (NETWORK MANAGEMENT)- The proposed hotel is to be served by an existing access and egress system from The Mount. The site is well served by public transport, close to both the city centre and the railway station. On site valet car parking for seventeen cars will be provided however guests will be encouraged to make use of public transport. One onsite car parking space is to be designated for the duty manager but there will be no other staff car parking. Secure cycle parking will be provided for staff. The applicant has agreed to provide and implement a Green Travel Plan. All servicing is to take place within the site. It should be noted that although the site falls within Respark Zone R2, there are no business permits associated with this zone.

This proposal is likely to reduce the total number of vehicle movements associated with the site and spread those movements throughout the day thereby reducing vehicle movements in the peak hours.

There are no highway objections to this application subject to the following conditions:

HWAY 10 - vehicle areas surfaced.

HWAY 18 - cycle parking details to be agreed. As the staff cycle parking is not directly overlooked it should be fully enclosed with a lockable door or gate. Sheffield stands within the shelter should be laid out according to details in the highway design guide.

HWAY 19 - car and cycle parking laid out.

HWAY 31 - no mud on the highway during construction.

HWAY 35 - servicing within the site.

HWAY 39 - method of works.

HWAY 40 - dilapidation survey.

Green Travel Plan - Within six months of occupation of the site, a full company travel plan, developed and implemented with national guidance and guidance currently published by the City Of York Council, shall have been submitted and approved in writing by the Local Planning Authority.

CONSERVATION ARCHITECT - 89 The Mount is listed grade 11 and is situated within the central historic core conservation area. The building was built as St Stephen's children's home and it dates from 1810 with further significant additions in 1835. It occupies an open corner site on the main approach road into the centre of York and the long low stature of the stuccoed building with its garden setting and mature trees contributes greatly to the character and appearance of the conservation area. The stable block is a curtilage listed structure. Until recently the house was used as offices.

The RCHME volume (City of York SW of the Ouse vol 111) refers to the building as "a detached house of 2 storeys, stucco rendering concealing a complicated building history". The two main early 19th C periods of development are apparent either side of the longitudinal spine wall. There have been other internal alterations including the addition of a new wing in the late C20th (attached at 45 degrees to the NE corner), new railings and gates and adaptations to the lower part of the coach house. In addition there has been an unimplemented approval for a significant but low extension towards the corner and, presumably based on this approval, there has been a recent approval for conversion to residential accommodation which included an independent terrace of houses on the corner with Scarcroft Road.

The hotel scheme would intensify development towards The Mount and Scarcroft Road. Principles of development agreed at strategic planning stage were based on the requirements of the new hotel use - its function and viability - and the parameters set by the recently approved scheme for dwellings which allowed additional accommodation to be attached to the rear of the stable block and a new independent block to be sited at the corner of The Mount and Scarcroft Road. The submitted scheme appears to have worked within those parameters whilst adopting a more historicist approach for the general architectural expression of the new elements of work. We are pleased to see that the various historic walls on site have been retained and used to delineate separate functions. This includes the former coach yard walls which would allow the existing use to be interpreted.

The hotel is designed as a collection of independent structures (some connected at low level), which allow the garden with its mature landscaping to be seen from outside the site. It is of benefit to the setting of the listed building and the character and appearance of the conservation area that the rear of the site would not be built on. Similarly the hotel use is more sympathetic to the size of rooms and spatial arrangement of the listed building and our previous concerns have been addressed within the submitted scheme.

Please note the following comments some of which I hope could be covered by suitable conditions:

GENERAL

1) The Green Hotel report should be turned into specific proposals for this site.

MAIN BUILDING

2) The principle of the demolition of the NE wing has been agreed it is a 20th century building of low architectural value.

3) The new bar lounge has been enlarged by removing the earlier external wall and proposals show that the nib wall and downstand beam have been retained. A lining should be provided and large scale details should be submitted

4) A door schedule should be provided showing existing, new and relocated doors. Measures for upgrading fire resistance must be incorporated.

5) Existing fireplaces must be retained and any measures for their repair must be agreed

6) We note that the fire escape door has been removed from the rear façade allowing the windows to be consistent once again. Details of new work must match existing windows and their surrounds.

7) The existing fire screen at the head of the staircase is modern. Large scale details of its replacement should be provided.

8) Details of measures to prevent sound transmission and improve performance in case of fire should be submitted to avoid unnecessary impacts on floors, ceilings, doorways, and fireplaces in particular.

9) Before any work commences on site plans should be provided marked up to show location of remaining fixtures and fittings such as fireplaces, decorative plasterwork and coving (reflected on plan), shutters, cupboards, historic doors and doorcases (in addn to

schedule req'd above). The plan should assist in preventing the inadvertent removal of important elements.

COACH HOUSE

10) Details of adaptations to the coach house walls should be provided. This must include a large scale section through the new restaurant showing typical abutment details, copings and the details of the new window/door and its reveals.

11) Details of screen wall and canopy link to main building to be provided (there appears to be a discrepancy between the plan and the elevation here)

12) Details of flues, grills and other servicing requirements to be provided

NEW BLOCKS

13) Large scale details of typical windows and window surrounds to be provided, including those for dormer windows. Glazing bars must retain a slim section. Windows must be true sash windows.

14) Door schedule to be provided showing large scale details of doors and door surrounds.

15) Large scale details of bicycle shelters to be provided

16) Large scale details of new courtyard canopy to be provided including sections at fixing positions onto existing structures.

17) Large scale sections through external walls showing plinth, string courses and eaves details

LANDSCAPE

Please ensure that additional screening is included between the new block and the houses on Scarcroft Road.

18) Please ensure that details of any work to the perimeter walls, railings and gates is submitted for approval

CONSERVATION AREA ADVISORY PANEL - The Panel had no objections to this revision and commended the applicant on meeting previous concerns. The Panel were concerned however that there be a landscape buffer between the new build and the boundary.

ARCHAEOLOGIST - Conditions are recommended requiring the implementation of an approved programme of archaeological work (an archaeological excavation and subsequent programme of analysis and publication by an approved archaeological unit), and also an archaeological watching brief. (ARCH1 and ARCH2)

ENVIRONMENTAL PROTECTION UNIT - No objections in principle but recommend conditions in relation to the following:

- working hours restriction;
- sound insulation for bedrooms fronting The Mount and Scarcroft Road;
- appropriate treatment of any suspect contaminated materials detected during site works.

STRUCTURES AND DRAINAGE - As previously stated, the development is in low risk Flood Zone 1 and will not suffer from river flooding.

Although no proposed drainage layout has been provided, the applicant has shown a commitment to attenuating additional flows from the re-development, via the use of grey water collection, rainwater harvesting and flow attenuation.

The application should be conditioned as normal (i.e. full drainage details to be approved before commencement), along with a condition that run-off from the re-development should not exceed the existing flows, in order to prevent downstream flooding from the combined sewer.

Yorkshire Water should be consulted regarding the capacity of the existing sewerage system.

3.2 EXTERNAL

MICKLEGATE PLANNING PANEL - No objections

YORKSHIRE WATER - Recommend three conditions relating to:

- separate systems of drainage for foul and surface water to be used
- details of surface water drainage to be submitted and approved prior to commencement
- no piped discharge of surface water to take place prior to completion of the approved works

SAFER YORK PARTNERSHIP - Make the following comments:

- although cycle storage has been shown, the store is isolated and not directly overlooked. It is recommended that it should be positioned where it will achieve the maximum level of surveillance and thus help to reduce the fear of crime and encourage use.
- the use of CCTV and overhead lighting for the car parking area is recommended. Casual intrusion into the car park could be discouraged by use of a barrier control or similar.
- appropriate lighting should cover high risk areas around the site. This will deter intruders and reduce the fear of crime.

LOCAL RESIDENTS - Four letters have been received, making the following points:

- i) the siting, scale and design detract from the original listed building.
- ii) the proposal would have an adverse effect on the character of the area.
- iii) existing privacy levels and absence of traffic noise would be lost if the development proceeds.
- iv) problems are already experienced with the existing Jarvis Abbey Park Hotel including inadequate parking for guests, coaches and delivery vehicles, often resulting in illegal parking or the partial/complete blocking of Park Street.
- v) other problems include noise from deliveries/collections, especially bottle collections, and noise from discos. Deliveries should be kept to a minimum and respect the residential character of the area.
- vi) these problems would be exacerbated by an additional hotel in the area.
- vii) there appears to be little if any room for coaches to be manoeuvred off the highway, and parking on the highway would impede both cycle lanes and pedestrians.
- viii) the proposal would result in a concentration of hotels in a small area.
- ix) the fact that other hotels in the area have recently closed (e.g. The Ambassador) questions the need for another hotel.
- x) there is potential for light pollution from the car parking areas, destroying the amenity of adjacent dwellings. Any lights should be directed downwards so as not to shine into windows.
- xi) there is the potential for the hotel to hold marquee type events with music in the courtyard area or in the garden, resulting in noise pollution.
- xii) the informal use of the garden for additional parking would exacerbate noise problems.
- xiii) when the building was used as offices the car park was mainly used during the day whereas with the hotel use parking could continue into the evenings with car stereos, car doors shutting, car boots being slammed shut etc. There is no obvious way to attenuate the potential noise problem.
- xiv) there is potential for noise from service vehicles and coaches using the car park early in the morning or later in the evening - reversing beepers and flashing orange beacons would be intrusive in this environment.

xv) there appears to be no plan to manage the trees and hedges within the site. Existing leylandii trees on the boundary have been badly neglected and should be removed in favour of a more appropriate treatment.

xvi) the mature trees on the site have not been well managed causing excessive shading of adjacent properties. Proper management of the trees should be made a requirement of the new owners.

xvii) it is hoped that the applicant abides by the statements and intentions to enforce a "good neighbour" policy.

xviii) restricted times for waste collection and deliveries should be a condition of planning permission.

xix) it is reassuring that the applicant intends to limit the incidence of external events, as even quiet al fresco dining could be disturbing to residents - this must be controlled by condition, especially during the week

xx) the best materials must be used in order to screen and suppress noise.

4.0 APPRAISAL

4.1 Key Issues

- principle of hotel use
- design issues, impact on character and appearance of the conservation area
- impact on mature trees
- traffic, parking and access issues
- impact on residential amenity
- sustainability
- other issues, e.g. disabled access, archaeology, drainage, crime prevention

4.2 The application relates to the conversion, extension and development of an existing (listed) building together with an adjacent coach house and the associated curtilage to form a 44 bedroom hotel. The site was previously used for employment purposes, being the former offices of Shepherd Homes Ltd. Policy E3b of the City of York Draft Local Plan (Fourth Set of Changes - April 2005) seeks to retain land and premises either currently or previously in employment use within their existing use class. However, the principle of the site being used for alternative purposes has already been established by virtue of the granting of a residential planning permission in February 2005, which is still extant. Planning permission for residential use was granted primarily on the basis that the internal layout of the building was not considered appropriate for modern offices, the previous occupier having already relocated to more suitable premises within the City boundary. It is not considered, therefore, that an objection to the proposal could be made on the basis of Policy E3b, particularly bearing in mind that the hotel itself would generate 40 to 50 jobs on the site, with the likelihood that the use would also generate additional work for ancillary services (e.g. laundry services, catering supplies etc)

4.3 In terms of the principle of the proposal, Policy R1 of the Approved North Yorkshire Structure Plan states that provision will be made for the development of recreational, leisure and cultural facilities in locations accessible to both public and private transport where this is not detrimental to local interests. Policy V3 of the Draft Local Plan states that planning permission will be granted for new, and extensions to existing, hotels and guest houses within defined settlement limits, provided the proposal is compatible with its surroundings in terms of siting, scale and design, would not result in the loss of residential accommodation which when originally built had less than four bedrooms, would not have an adverse effect on the residential character of an area, and is well related in terms of walking, cycling and access to public transport in relation to York City Centre and other tourist attractions.

4.4 The site is within a designated conservation area (Central Historic Core), wherein the Council, when determining planning applications, is under a statutory duty to consider the desirability of preserving or enhancing the character and appearance of the area. This duty is referred to in Planning Policy Guidance Note 15: "Planning and the Historic Environment" (paragraph 4.14), and is reflected in Policy E4 of the Approved North Yorkshire Structure Plan, which states that buildings and areas of special townscape, architectural or historic interest (e.g. conservation areas) will be afforded the strictest protection. Policy HE2 of the Draft Local Plan relates to development in historic locations and states that within or adjoining conservation areas, or in locations which affect the setting of listed buildings, development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

4.5 Policy GP1 is a general policy relating to design and 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 building materials, and avoid the loss of open spaces, important gaps within development and other features that contribute to the quality of the local environment. Policy GP1 also stipulates that nearby residents should not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.6 The site contains a number of mature trees which provide an attractive landscaped setting for the existing buildings. Policy HE11 states that existing trees and landscape which are part of the setting of conservation areas and listed buildings will be required to be retained, and provision made for planting within new development, where appropriate. Where consent is granted for the removal of protected trees, the policy provides that conditions will be imposed to ensure replacement with appropriate specimens.

4.7 Policy GP4a requires proposals for all development to have regard to the principles of sustainable development and requires all commercial and residential developments to be accompanied by a sustainability statement. Policy GP11 requires all planning applications to demonstrate that suitable provision will be made for the disabled, including parking facilities and pedestrian routes to and from those parking facilities. Policy T4 requires all new developments to provide cycle parking in accordance with standards set out in the Local Plan.

4.8 In terms of its location, the proposed use is considered to be acceptable, being within walking distance of the city centre and a wide range of tourist and other attractions. The site is also on a main arterial route into the city which is well served by public transport, and is within relatively easy walking distance of the railway station. It is considered that the main issue in this case relates to the detailed siting and design of the new extensions to the principal building, which is a grade II listed building, and the ancillary coach house, which is a curtilage structure and thus benefits from the same protection as the principal building. The building occupies a prominent location at the junction of The Mount and Scarcroft Road, and a significant proportion of the new development, in addition to the effects on the listed building, would be in the public domain and would thus also have a direct impact on the character and appearance of the wider conservation area.

4.9 The proposed extension accommodating the bistro would be attached to the side of the coach house and would consist of a single storey flat roof addition to the building, attached to the principal listed building by a glazed link. At the present time the coach house has a significant degree of physical detachment from the principal building, which is entirely appropriate to its role as a curtilage structure forming part of the setting of the main house. The new extension would maintain that separation by virtue of occupying an area already enclosed by existing boundary walls, with the glazed link to the principal listed building providing the necessary "light touch", preserving the separate identity of the two buildings.

4.10 The extension immediately at the rear of the coach house would be two and a half stories in height, and would be of a similar scale and height to the extension approved by virtue of the previous planning permission. However, it would be set further back within the site, with a corresponding reduction in its visual impact. The covered verandas which formed part of the original (withdrawn) proposal have been omitted in favour of a simplicity of design which for the most part would maintain existing views of the coach house from The Mount. The extension would extend beyond the rear of the principal building and would consist of two separate elements linked at ground floor level, forming an "L" shape wrapping around a central courtyard. The sub-division of the extension into two separate elements would reduce its overall massing and would provide a separate identity to the various parts of the hotel, contrasting with the original proposal, in which the existing and new buildings tended to merge together into a single large mass.

4.11 There are a number of mature trees at the rear of the site, which make a significant contribution to the amenity of the area and to the setting of the listed building. The trees are located within the conservation area and thus have the same protection as if covered by a Tree Preservation Order. Although the rear wing of the extension would be located in the same approximate position as the new dwelling which formed part of the February 2005 planning permission, it would be sited approximately 2.5 metres further away from the protected trees and bearing in mind this greater separation distance, it is considered that the proposal would have no greater impact on the health, safety or amenity value of the trees.

4.12 The proposal would involve the creation of a number of new internal openings in order to provide functional links between various parts of the accommodation. The implications of these internal alterations are addressed in a separate report relating to the application for listed building consent. The application also includes the erection of a separate two storey building with a predominantly rectangular footprint (27m x 12m approx) fronting Scarcroft Road, accommodating twenty two guest bedrooms. This building would be located in the same approximate position as the block of five town houses forming part of the previously approved residential scheme for the site, and would maintain the same alignment, but would be 2.2 metres closer to the boundary wall at the corner of The Mount and Scarcroft Road. However, even at its closest point (where the wall angles around the road junction) the building would still be 3 metres from the boundary wall, and in general a gap of 5 metres would be maintained. It should also be borne in mind that the wall itself is located approximately 4 metres back from the edge of the carriageway. Notwithstanding the variation in the siting of the building, it is considered that the visual impact of the new block in the streetscene would not be significantly greater than with the previously approved scheme.

4.13 The previously approved block of town houses was sited so as to be within the building line set by 89 The Mount and the adjacent dwellings in Scarcroft Road in order to ensure a harmonious appearance in the streetscene. Although the proposed block would be sited approximately 2 metres forward of the principal listed building, there would be a separation distance of 12 metres between the two buildings and as such it is not considered that the proposed siting would detract from the streetscene or be detrimental to the setting of the listed building. The new block would, however, maintain the existing building line formed by the adjacent dwellings in Scarcroft Road. The new building has been designed with a neo-Georgian theme, incorporating a hipped roof with dormer windows in the design. This more restrained "historicist" approach to the architectural expression of the new block is considered to be acceptable in this location and preferable to an overtly contemporary approach, which would perhaps afford the building undue prominence in the streetscene. It is considered that the building is sited sufficiently far back into the site so as not to conflict with a large mature plane tree, which is located within the highway close to the junction of The Mount and Scarcroft Road and which is an attractive feature in the streetscene.

4.14 The Conservation Architect is satisfied with the resubmitted proposal, pointing out that the hotel is designed as a collection of independent structures (some connected at low level), which allow the garden with its mature landscaping to be seen from outside the site. In terms of its massing and scale, the scheme works within the parameters set by the previous planning permission for residential development on the site. It is of benefit that to the setting of the listed building and the character of the conservation area that the rear of the site would not be built upon. Similarly, the hotel is more sympathetic to the size of the rooms and spatial arrangement of the listed building, and previous concerns have been addressed within the submitted scheme. A number of conditions have been recommended (conditions 7 - 15 inclusive), including the submission and approval of large scale architectural details, in order to safeguard the historic character of the building.

4.15 The application is accompanied by a Transportation Statement, which concludes that in comparison to the previous office use, the proposed hotel would result in a net decrease of seven vehicles during the weekday morning peak hour, whilst the evening peak hour two way traffic would increase by one vehicle. The Statement concludes, therefore, that the proposal would have a negligible impact on the local highway network in terms of traffic generation. The submitted layout plan indicates that eighteen parking spaces would be provided at the rear of the site, five less than were provided in association with the previous office use. Additionally, three disabled parking spaces would be provided. Other than the duty manager, who would require access to a car at all times, it is not intended that any of the car parking spaces would be routinely available to hotel staff. Secure staff cycle parking would be provided adjacent to the new block fronting Scarcroft Road, within which the hotel offices and other staff facilities would be located. The proposed level of parking provision equates almost exactly to the standards set out in the Draft Local Plan, which stipulate a maximum standard of one space per two bedrooms (i.e. 22 spaces) with, additionally, one space for each resident member of staff. A condition is recommended preventing any increase in the number of parking spaces to be provided on site, in order to avoid any expansion of the parking area and thus a breach of the Council's maximum parking standards, in addition to protecting the amenity of adjacent residents.

4.16 The residential streets to the north of the site are covered by "Respark" restrictions and the issue of illegal parking would be a matter to be addressed through enforcement powers. The site is relatively close to the railway station and within walking distance of the city centre and a range of tourist and other attractions, and it is likely that some guests may choose not to travel by car. The applicant has indicated that at the booking stage guests will be generally be discouraged from travelling to the hotel by car. The layout plan makes provision for all servicing to be carried out within the site, with adequate parking and turning facilities being provided. The applicant has indicated that the proposed style of hotel operated by the Hotel du Vin Group does not cater for coach parties or organised tour groups of any kind, and thus does not consider that specific provision for coaches is required at the site.

4.17 The application site incorporates a large area of land to the rear of the principal building, which abuts the rear gardens of a number of residential properties in Park Street and Scarcroft Road, and where the proposed parking bays would be located. It is considered that the proposed extensions and new build proposals would not have any direct impact on the amenity of adjacent residents. Although the extension at the rear of the existing building would extend close to the northeastern boundary of the site, it would be adjacent to a car parking area forming part of the Jarvis Hotel and would not directly affect residential properties in Park Street. The eaves height of the new block at the junction of The Mount and Scarcroft Road would be approximately one metre less than the previously approved town houses, with a slightly reduced ridge height. As submitted, the new block would be further away from the nearest adjacent property in Scarcroft Road and thus would have less of an impact.

4.18 The proposed parking area would be located in the same approximate position as that which would have served the previously approved residential development. and would be set away from the boundaries with the adjacent residential properties. It is considered that the traffic movement associated with the proposed 18 parking spaces would not be significantly different in quantity or type in comparison to the 23 parking spaces which would have served the 13 residential units previously approved on the site. Any lighting of this area could be controlled by an appropriate condition. Concern has been expressed by a local resident that the open area at the rear of the site could be used for marquee type events such as wedding receptions and parties, resulting in noise and disturbance. Again, such activities could either be controlled or prevented by conditions. Both the refuse storage area and the delivery area to the kitchens are within the courtyard formed by the proposed extension to the coach house, and the buildings that would enclose the courtyard would provide a degree of screening of these activities from surrounding residential properties. The Environmental Protection Unit have recommended conditions which would control construction hours, delivery hours and details of any kitchen extracts and ventilation systems. It is considered, therefore, that any potentially harmful effects of the development on residential amenity could be controlled by condition.

4.19 The proposal seeks to have regard to the principles of sustainable development, not least through the principle of re-using the existing buildings on site as part of the proposal. Recycling of bottles, paper and plastic together with the use of recycled paper products are part of the business mandate. Both heating and water supply would follow energy efficient and cost effective practices. A condition is recommended to ensure that the sustainability proposals submitted by the applicant are developed and translated into positive actions at the implementation stage (condition 32). Significant consideration has been directed at access provisions for the disabled and a specialist audit has been carried out by independent consultants. Three disabled accessible rooms would be provided offering a range of room types, including a low cost option. All of these rooms and their associated en-suite bathrooms would be fitted with approved disabled fixtures and fittings. Three dedicated disabled parking bays would also be provided.

4.20 The Council's Archaeologist has recommended that conditions be attached requiring the implementation of an approved programme of archaeological work (an archaeological excavation and subsequent programme of analysis and publication by an approved archaeological unit), and also an archaeological watching brief. Previous excavations both on this site and on adjacent sites have revealed findings of significant archaeological interest. In terms of drainage, Yorkshire Water have recommended standard conditions requiring surface water discharges to be restricted to the level of run-off as for the previous use of the site, and have also pointed out that on-site storage/balancing (or some other form of attenuation) of the surface water is likely to be required before any discharge to the public sewer network is permitted. The Police Architectural Liaison Officer has recommended the use of CCTV and overhead lighting for the car parking area, and also the use of an appropriate barrier on the access road to deter casual intruders. Good quality lighting covering high risk areas around the site would deter intruders and reduce the fear of crime. These matters could be controlled by condition, in order to ensure that an appropriate level of lighting is provided without adversely affecting the amenity of surrounding residents.

5.0 CONCLUSION

5.1 It is considered that the proposal presents a real opportunity to secure an appropriate use for a listed building which has been vacant for a number of years, in addition to securing a quality hotel for the city, within walking distance of the city centre. It is considered that the proposed hotel use is appropriate to the listed building, and enables the use of existing spaces within the building without unduly compromising its historic character. The new build

proposals have been kept, for the most part, within the parameters set by the previous planning permission, which remains extent. In particular, the existing mature trees, which make a special contribution to both the setting of the building and the character of the conservation area in general, would be retained. It is considered that operational matters (e.g. delivery hours, car parking, restriction on the use of the garden area) can be adequately controlled by condition, thus protecting the amenity of surrounding residents. In conclusion, the principle of the proposal is considered to be satisfactory, and detailed matters can be adequately addressed through appropriate planning conditions.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing number PL07 Rev "A" - Proposed basement floor plans
Drawing number PL08 Rev "A" - Proposed ground floor plan
Drawing number PL09 Rev "A" - Proposed first floor plan
Drawing number PL10 Rev "A" - Proposed second floor plan
Drawing number PL11 Rev "A" - Proposed roof plan
Drawing number PL12 Rev "B" - Proposed front and rear elevations
Drawing number PL13 Rev "C" - Section elevation through courtyard
Drawing number PL14 Rev "B" - Proposed south elevation and sectional elevation
Drawing number PL15 Rev "A" - Proposed site plan at ground floor level
Drawing number PL16 Rev "B" - Proposed elevations (west and north) and north sectional elevation through courtyard
Drawing number 1356/1 - Existing trees on site

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

- 3 VISQ8 Samples of exterior materials to be app
- 4 VISQ7 Sample panel ext materials to be approv
- 5 LAND1 IN New Landscape details
- 6 LAND3 Protection of existing planting
- 7 VISQ3 Boundary walls to be retained
- 8 VISQ4 Boundary details to be supplied

9 VISQ10 Details of External services to be app

10 Prior to the commencement of the development, details of the new screen wall and canopy link between the main building and the coach house shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in complete accordance with the approved details.

Reason: So that the local planning authority may be satisfied with these details.

11 HWAY10 Vehicular areas surfaced, details reqd

12 Prior to the commencement of the development, and notwithstanding the details shown on the submitted drawings, details of cycle parking, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The development 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: In order that the local planning authority may be satisfied with these details, and in order to promote the use of cycles thereby reducing congestion on the adjacent roads.

13 HWAY19 Car and cycle parking laid out

14 There shall be no increase in the number of car parking spaces indicated on the approved drawings, i.e. 21 spaces including three dedicated disabled parking bays, unless the written approval of the local planning authority has first been obtained.

Reason: In order that the level of parking provision within the application site does not exceed the maximum standards referred to in Appendix "E" of the City of York Draft Local Plan

15 HWAY31 No mud on highway during construction

16 HWAY35 Servicing within the site

17 HWAY39 IN Off site highway works, details reqd

18 HWAY40 Dilapidation survey

19 Within six months of the development being brought into use, a full company travel plan, developed and implemented in accordance with national guidance and guidance published by the City of York Council, shall have been submitted and approved in writing by the local planning authority.

Reason: To ensure that the development complies with national planning advice contained within Planning Policy Guidance Note 13: "Transport", and to encourage the use of modes of transport to and from the site other than the private car.

20 ARCH1 Archaeological programme required

21 ARCH2 Watching brief required

- 22 All construction and demolition or refurbishment works and ancillary operations, including deliveries to the site and despatch from the site shall only be carried out between the hours of 0800 hours and 1800 Mondays to Fridays and 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

Reason: To protect the amenity of neighbouring occupiers.

- 23 All deliveries to the site and despatch from the site shall be confined to the following hours:

Monday to Friday	0730 to 1800 hours
Saturday	0900 to 1800 hours
Sundays and Bank Holidays	1000 to 1600 hours

Reason: To protect the amenity of neighbouring occupiers.

- 24 There shall be adequate facilities for the treatment and extraction of fumes so that there is no adverse impact on the amenities of local residents by reason of fumes, odour or noise. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for approval. Once approved it shall be installed and fully operational before the development is first brought into use and shall be appropriately maintained thereafter.

Reason: To protect the amenity of neighbouring occupiers.

- 25 No events or entertainment (e.g. parties, wedding receptions) shall take place within the application site outside of the building envelope, unless first agreed in writing with the local planning authority.

Reason: To protect the amenity of neighbouring occupiers.

- 26 Prior to the commencement of the development, full details of all external lighting within the application site, including the location, height, colour and luminance of all lighting columns/units, shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenity of surrounding residents.

- 27 Prior to the commencement of the development, a full sustainability statement shall be submitted to and approved in writing by the local planning authority. The statement shall be based on the contents of the applicants Design Statement dated 12 June 2006 (pages 9 and 10) and the "Green Hotels - Services Energy Saving Options" report dated May 2006, and shall incorporate the results of further research, feasibility studies, the options chosen and a full written justification. Once approved, the measures referred to in the statement shall be incorporated into the development in their entirety and, where appropriate, shall be thus maintained.

Reason: In order to secure a sustainable form of development.

- 28 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 9.9 metres for the new extension and 10.8 metres for the new block, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any

disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

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

Reason: In the interests of satisfactory and sustainable drainage

- 30 No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the development can be properly drained

- 31 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.

Reason: To ensure that no surface water discharges take place until proper provision has been made for their disposal.

7.0 INFORMATIVES:

Notes to Applicant

1. Demolition and Construction - Informative

The developer's attention should also be 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 attached to any planning approval:

i) 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".

ii) 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.

iii) 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.

iv) 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.

v) There shall be no bonfires on the site.

2. 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:

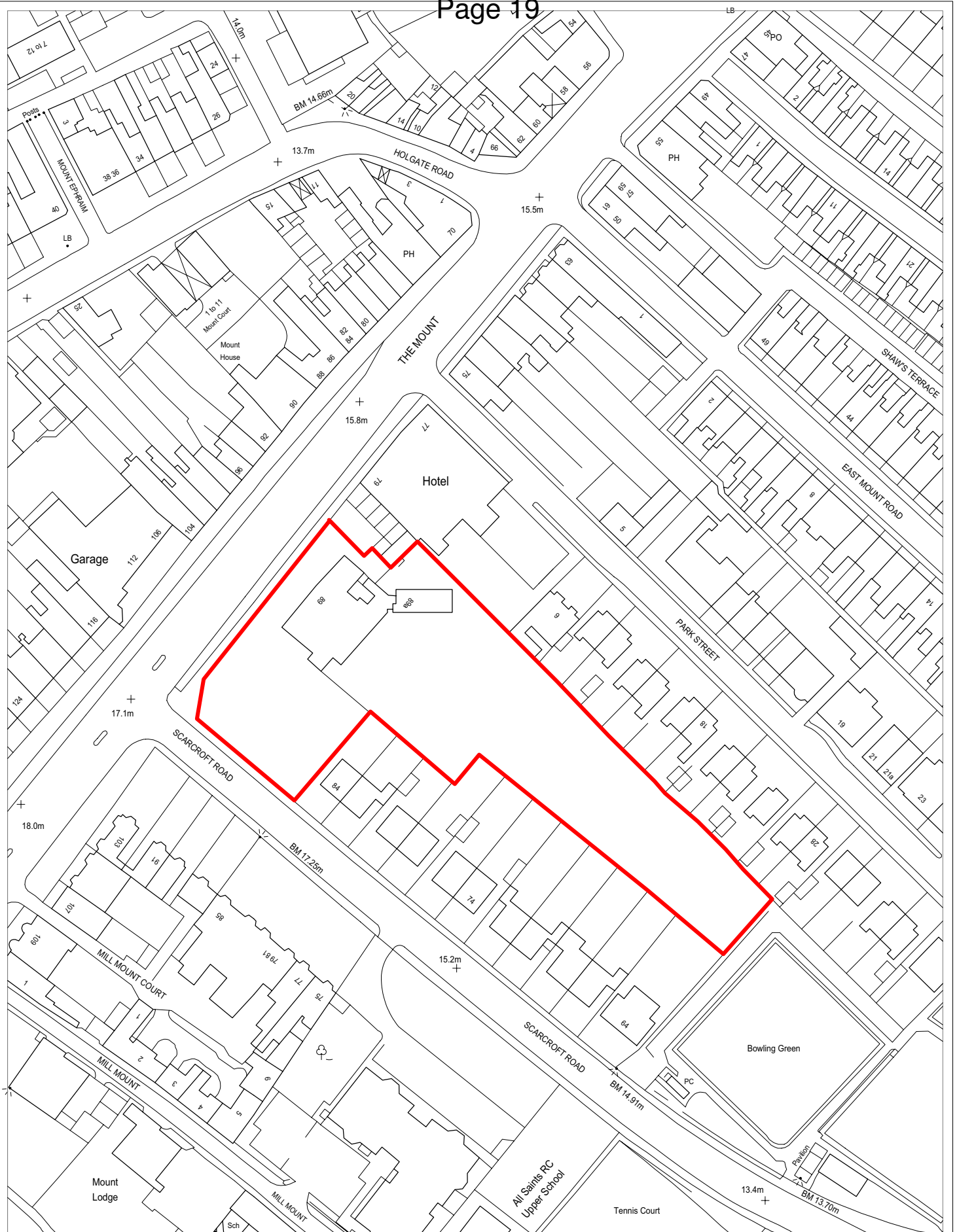
- principle of hotel use
- design issues, impact on character and appearance of the conservation area
- impact on mature trees
- traffic, parking and access issues
- impact on residential amenity
- sustainability
- other issues, e.g. disabled access, archaeology, drainage, crime prevention

As such the proposal complies with Policies R1 and E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies E3b, V3, HE2, GP1, HE11, GP4, GP11 and T4 of the City of York Local Plan Deposit Draft.

Contact details:

Author: Simon Glazier Development Control Officer

Tel No: 01904 551351



89 THE MOUNT, YORK - 06/01341/FUL

SCALE 1:1250
 Originating Group

DRAWN BY PSL
 Project

DATE 17/7/2006
 Drawing No.



9, St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

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COMMITTEE REPORT

Team: Central Area **Ward:** Micklegate
Date: 1 August 2006 **Parish:** Micklegate Planning Panel

Reference: 06/01345/LBC
Application at: Shepherd Homes Ltd 89 The Mount York YO24 1BL
For: Internal and external alterations including erection of a part one part two storey pitched roof extension; demolition of northeast wing (no.89A) and part of the Coach House and erection of two storey pitched roof building in the grounds; all in connection with use as a hotel.
By: Stephen Rodwell
Application Type: Listed Building Consent
Target Date: 10 August 2006

1.0 PROPOSAL

1.1 The introductory comments in relation to application ref: 06/01341/FULM also apply to this parallel application for listed building consent. The application has been appropriately advertised.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Listed Buildings Grade 2; 89 The Mount, York

City Boundary York City Boundary 0001

Schools Multiple (Spatial)

Conservation Area Central Historic Core 0038

Areas of Archaeological Interest City Centre Area 0006

DC Area Teams Central Area 0002

2.2 Policies:

CYHE4
Listed Buildings

3.0 CONSULTATIONS

3.1 INTERNAL

CONSERVATION ARCHITECT - see comments on 06/01341/FULM

CONSERVATION AREA ADVISORY PANEL - see comments on 06/01341/FUL

3.2 EXTERNAL

MICKLEGATE PLANNING PANEL - No objections

ENGLISH HERITAGE - We welcome the changes made to the scheme, and we do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

THE GEORGIAN GROUP - 89 The Mount is an early nineteenth-century stuccoed villa apparently constructed in several builds. It still possesses a number of internal and external historic features of note, including the fine staircase, fireplaces, plasterwork, shutters, sash windows and other joinery. It's local and architectural significance has been recognised in its Grade II listing. The Mount is commonly considered to be one of the finest nineteenth century areas of York.

The Group still have concerns about the large scale of the proposed extension, and total expansion envisaged for the building, although it is acknowledged that efforts have been made to address previous concerns about this. We wish to stress that the façade of the historic building should remain the most prominent architectural element of the property as it faces the mount

We welcome the removal from the scheme of the linked walkway at first floor level which we previously offered objections to. We maintain that it is common practice in fine hotels to have accommodation located away from the main block, with no walkway in between (See Middlethorpe Hall, York).

The other detail of the scheme which was of concern to the Georgian Group, was the timber framing of the veranda on the proposed north east extension, which was thought to be entirely at odds with the simple early nineteenth-century character of the building, and indeed the proposed extension. We welcome its removal from the scheme.

In summary, The Georgian Group maintain their concerns about the scale of the proposed enlargement of 89 The Mount, although we do not wish to offer any objections. We welcome the removal of certain unsatisfactory elements from the previously submitted scheme.

4.0 APPRAISAL

4.1 Key Issues

- impact on the special architectural and historic interest of the building.

4.2 Central Government advice in relation to listed building control is contained within Planning Policy Guidance Note 15: "Planning and the Historic Environment" (PPG15). It states in paragraph 3.3 that whilst the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "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 16 of the "Planning (Listed Buildings and Conservation Areas) Act 1990"). This reflects the great importance to society of protecting listed buildings from unnecessary demolition and from unsuitable and insensitive alteration and should be the prime consideration for authorities in determining an application for consent.

4.3 PPG15 recognises that generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use (para 3.8), and that many listed buildings can sustain some degree of sensitive alteration or extension to accommodate new or

continuing uses (para 3.13). Paragraph 3.15 states that achieving a proper balance between the special interest of a listed building and proposals for alterations and extensions is demanding and should always be based on specialist expertise, and often demands a flexible and imaginative approach by all the parties involved.

4.4 The importance of listed buildings is reflected in Policy E4 of the Approved North Yorkshire Structure Plan, which states that buildings and areas of special townscape, architectural or historic interest (e.g. listed buildings) will be afforded the strictest protection. Policy HE4 of the City of York Draft Local Plan relates specifically to listed buildings and states that consent for development in the immediate vicinity of listed buildings, demolition, internal and external alteration, and changes of use will only be granted where there is no adverse effect on the character, appearance or setting of the building.

4.5 As stated in the report relating to the application for planning permission, the demolition of a single storey extension of relatively modern origins on the rear elevation of the principle building, and which forms part of the proposal, was approved as part of the previous planning permission granted in February 2005, and does not fall to be considered. The majority of the comments made in relation to application ref 06/01341/FULM are considered to be relevant to this parallel application for listed building consent. The new block on the corner of The Mount and Scarcroft Road, although it would affect the setting of the listed building, would not be physically linked to the principal building and thus does not form part of this application.

4.6 The proposal involves the carrying out of a number of internal alterations in order to provide functional links between various parts of the accommodation. The Conservation Architect is satisfied that the submitted scheme addresses the concerns that were expressed previously in this respect. The bridge link between the principal building and the new block, which formed part of the previous (withdrawn) application, has been omitted from the scheme. Members will note that the Conservation Area Advisory Panel have no objections to this revised scheme and indeed commend the architect on meeting previous concerns. English Heritage have not commented specifically on the proposal, stating that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's own specialist conservation advice. Whilst the Georgian Group have concerns in relation to the overall scale of the proposed enlargement of the property, they do not wish to offer any objections. They welcome the removal of certain unsatisfactory elements from the previously submitted scheme. In terms of the scale of the proposal, the proposed new build extensions are considered to be within the parameters set by the previous applications for planning permission and listed building consent, and are thus considered to be satisfactory.

5.0 CONCLUSION

5.1 In listed building terms, the proposal is considered to be satisfactory subject to the conditions recommended by the Conservation Architect, in order to ensure that the special architectural and historic character of the building is protected.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIMEL2 Development start within 3 yrs (LBC/CAC)
- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing number PL07 Rev "A" - Proposed basement floor plans
Drawing number PL08 Rev "A" - Proposed ground floor plan
Drawing number PL09 Rev "A" - Proposed first floor plan
Drawing number PL10 Rev "A" - Proposed second floor plan
Drawing number PL11 Rev "A" - Proposed roof plan
Drawing number PL12 Rev "B" - Proposed front and rear elevations
Drawing number PL13 Rev "C" - Section elevation through courtyard
Drawing number PL14 Rev "B" - Proposed south elevation and sectional elevation
Drawing number PL15 Rev "A" - Proposed site plan at ground floor level
Drawing number PL16 Rev "B" - Proposed elevations (west and north) and north sectional elevation through courtyard
Drawing number 1356/1 - Existing trees on site

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

- 3 VISQ8 Samples of exterior materials to be app
- 4 VISQ7 Sample panel ext materials to be approv
- 5 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.

New ground floor opening to create bar lounge
Replacement fire screen at head of staircase
New first floor window on rear (east) elevation of main building
Adaptations to coach house walls including typical abutment details, copings and details of the new window/door and its reveals
Typical windows and window surrounds to new blocks, including dormer windows
Doors and door surrounds to new blocks
Courtyard canopy including sections at fixing positions onto existing structures
Cycle shelter
Sections through external walls of new blocks showing plinth, string courses and eaves details

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

- 6 VISQ10 Details of External services to be app
- 7 Prior to the commencement of the development a door schedule shall be submitted to and approved in writing by the local planning authority showing details of existing, new and relocated doors. Any measures for upgrading fire resistance shall be included within the schedule. The development shall be carried out in complete accordance with the approved details.

Reason: In order to protect the historic character of the building.

- 8 All existing fireplaces shall be retained in situ and any measures for their alteration or repair shall be agreed in writing with the local planning authority prior to the commencement of the development.

Reason: In order to protect the historic character of the building.

- 9 Details of any necessary measures to reduce sound transmission or improve fire resistance shall be submitted to and agreed in writing by the local planning authority prior to the commencement of the development, and the development shall be carried out in complete accordance with the approved details.

Reason: In order to protect the historic character of the building.

- 10 Prior to the commencement of the development, detailed plans shall be submitted to the local planning authority showing the location of all retained fixtures and fittings including fireplaces, decorative plasterwork and coving, shutters, cupboards and historic doors and doorcases. The development shall be carried out in complete accordance with any details that may be agreed.

Reason: In order to prevent the inadvertent removal of such fixtures and fittings, in order to protect the historic character of the building.

- 11 Prior to the commencement of the development, details of the new screen wall and canopy link between the main building and the coach house shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in complete accordance with the approved details.

Reason: So that the local planning authority may be satisfied with these details.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

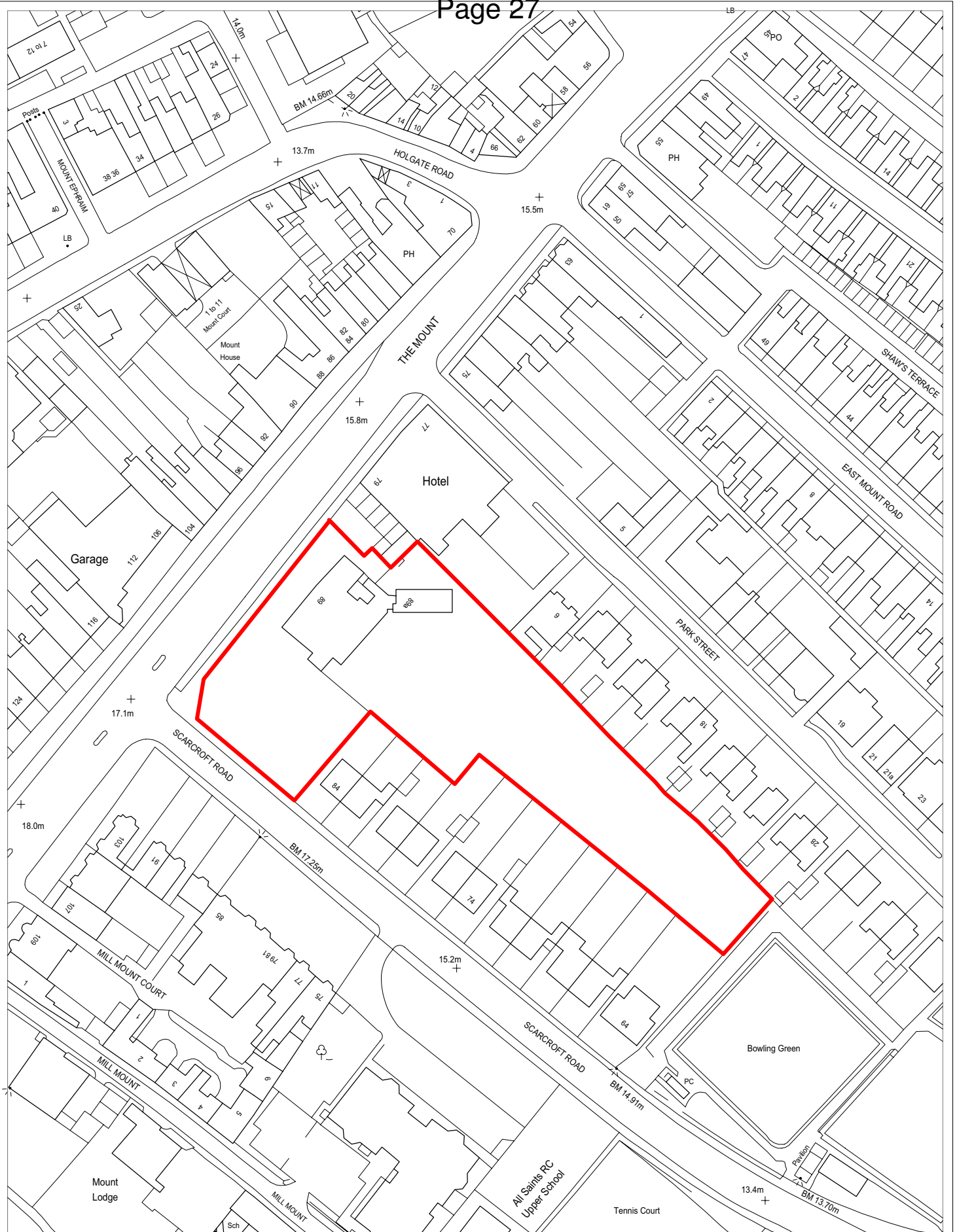
In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the effect on the special architectural and historic importance of the listed building. As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policy HE4 of the City of York Local Plan Deposit Draft.

Contact details:

Author: Simon Glazier Development Control Officer

Tel No: 01904 551351

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CITY OF
YORK
 COUNCIL

89 THE MOUNT, YORK - 06/01345/LBC

SCALE 1:1250
 Originating Group

DRAWN BY PSL
 Project

DATE 17/7/2006
 Drawing No.



9, St. Leonards Place, York, YO1 2ET
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COMMITTEE REPORT

Team: West Area
Date: 1 August 2006

Ward: Rural West York
Parish: Upper Poppleton Parish Council

Reference: 06/00662/FUL
Application at: 41 Station Road Upper Poppleton York YO26 6PX
For: Erection of single dwelling with garage and stable block
By: Mr And Mrs Deighton
Application Type: Full Application
Target Date: 24 May 2006

1.0 PROPOSAL

1.1 The application site is located in Upper Poppleton and is situated to the rear of 41 Station Road. At present the site is used as paddock with existing single storey stables and sheds situated on the site. The application site is also located within the Upper Poppleton settlement limit adjacent to the boundary with the Green Belt.

1.2 The proposal involves the erection of a two storey dwelling, a single storey garage block containing a room in the roof space, and a single storey stable block.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

Air safeguarding Air Field safeguarding 0175

2.2 Policies:

CYGP1
Design

CYH4A
Housing Windfalls

CYGP9
Landscaping

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management

No objections subject to conditions.

3.2 Environmental Protection Unit

Comment that there may be a substantial effect on the amenity of the local residents from odour by virtue of positioning of the stables within 20m of nearby property's gardens. The odour produced from the animals and faecal deposits will affect the use and amenity of residents properties. The animals and their waste will also attract an increased number of flying insects, which may affect the amenity of the local residents. Noise associated with the running of the stables, the movement and riding of horses and deliveries to and from the site may affect the amenity of the local residents.

Concerns regarding noise disturbance to local residents while the demolition, construction work and deliveries to and from the site if a successful application is made. A condition restricting the hours of construction is recommended to address this.

There could be a potential loss of amenity to new occupants from noise arising from the nearby railway. An assessment in accordance with PPG 24 is recommended to determine what mitigation measures, if any, are needed (eg acoustic glazing, acoustic fencing, anti-vibration building construction and the like).

Finally, although the site is unlikely to be affected by land contamination, it is recommended that a condition, which places a watching brief for the discovery of any unsuspected contamination, is placed on the approval.

EXTERNAL

3.3 Upper Poppleton Parish Council

No objections but comment on the existing use of the site and question whether the land is open space.

3.4 Neighbours

Immediate neighbours were consulted by letter. Comments were received from residents of 41, 43, 44, 47, and 48 Station Road and raised the following concerns:

- Sited in middle of supposedly green field land
- Stable block will be unsightly
- Serious concerns about potential noise and smell caused by stables
- Garage will be imposing
- More horses would cause safety problems
- Drainage could cause major problems
- Effect on value of house
- Impact on traffic
- Effect on traffic
- Access would make problems of congestion even worse
- Traffic problems would become worse
- Privacy issues
- How will outlook be protected?
- Such a large house would not be in keeping with the bungalows that front Station Road

3.5 Site Notice - A site notice was posted on 6 April 2006 adjacent to the application site. (Exp.27 April 2006)

4.0 APPRAISAL

KEY ISSUES:

- Principle of residential development
- Scale, design and visual amenity

- Impact on residential amenity
- Access

RELEVANT PLANNING POLICY AND GUIDANCE

4.1 Policy GP1 (Design) of the Development Control Local Plan states that development proposal will be expected to:

- a) respect or enhance the local environment;
- b) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials;
- d) where appropriate incorporate informative landscape design proposals, where these would clearly have an influence on the quality and amenity and/or ecological value of the development;
- e) retain, enhance and or/create urban spaces, public views, skyline, landmarks, the rural character and setting of villages and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view;
- i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures;

4.2 Policy GP9 of the Development Control Local Plan emphasises that, where appropriate, development proposals will be required to incorporate a suitable landscaping scheme, and this must:

- a) be planned as an integral part of the proposals;
- c) reflect the character of the locality and surrounding development.

4.3 Policy H4a of the Development Control Local Plan states that proposals for residential development on land not already allocated on the Local Plan Proposals Map will be granted planning permission where:

- a) the site is within the urban area and is vacant, derelict or underused or it involves infilling, redevelopment or conversion of existing buildings;
- b) the site has good accessibility to jobs, shops and services by non-car modes;
- c) it is of an appropriate scale and density to surrounding development;
- d) it would not have a detrimental impact on existing landscape features.

4.4 The Poppleton Village Design Statement (adopted 28 August 2003) sets out design guidelines for development proposals in Upper and Nether Poppleton. The following design points are relevant to this application: 3) Any new development on the village periphery should be in keeping with both the surrounding properties and the countryside and should give high priority to landscape design, to protect and enhance the external views of the village; 11) The existing character and traditions must be appreciated when contemplating new development, whatever its size or purpose. Whilst imaginative design is encouraged one must consider the setting; 12) To conserve the special character of the traditional communities, the size, scale and massing of new buildings and extensions should harmonise with neighbouring properties and spaces; 14) Contemporary design should complement and be in sympathy with existing building character.

4.5 Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Guidance note 3: Housing are also relevant to this application.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT

4.6 The application site is located at the southern end of the village within the settlement limit. The rear of the site is bordered by fields, which are situated in the Green Belt. At

present, the site incorporates single storey stables and sheds and an area of paddock used for exercising horses.

4.7 The site is situated to the rear of 41 Station Road. This road is a busy route through Upper Poppleton with a frequent bus service using it as well as Poppleton Railway Station being located approximately 70 metres from the front entrance to the site. In view of this, the application site is considered to be in a sustainable location within the village. Local shops are within reasonable walking distance and as previously mentioned the site has excellent public transport links into the centre of York and beyond.

4.8 The application site is 0.143 ha and is capable of accommodating residential infill development. Its location within the Poppleton settlement limit means that it can be classed as a housing windfall site under Policy H4a of the Local Plan. In view of the above, it is considered that the principle of residential development is appropriate on this specific site.

SCALE, DESIGN AND VISUAL AMENITY

4.9 The proposed scheme would incorporate a single dwelling, garage block, and stable block, all of which would surround a central courtyard area.

4.10 The proposed dwelling would be two-storey in height 7.7 metres to the ridge, 22.5 metres in width, and 7.2 metres in depth. It would be constructed from York hand made old clamp bricks and would use coxhill clay pantiles for the pitched roof. The amended drawings propose that the ground level of the site would be reduced by 1 metre, resulting in a ridge height of 6.7 metres above the existing ground level.

4.11 The dwelling would be situated at the eastern side of the site and would have a small area of private amenity space to the rear. It would be sited 10 metres from the rear boundary with the Green Belt and over 30 metres from the boundary with 41 and 43 Station Road.

4.12 The pitched roof detached garage block would be 9 metres in width, 6 metres in depth, and 6.1 metres in height. This would be constructed from materials to match the proposed dwelling. It would provide 3 car parking spaces at ground floor with a playroom in the roof space. The garage block would be sited on the southern boundary of the proposed domestic curtilage.

4.13 The stables that are on the application site at the moment would be removed. A new stable block would be erected adjacent to the western site boundary. This would measure 13.5 metres in width, 4.9 metres in depth and 4.6 metres in height. It would be single storey with a pitched roof and would incorporate 3 stables and a storeroom.

4.14 The buildings in this particular area of Station Road in Poppleton are predominantly Victorian/Edwardian or 1940s/50s detached and semi-detached dwellings. The proposed dwelling is designed to try to be in keeping with the site's rural and agricultural character and is not of a design or scale that reflects the architecture of the neighbouring buildings. However the site would not be viewed as part of Station Road and as such it is felt that it would not harm the appearance of Station Road. It is material to consider the impact of the proposal on the openness of the Green Belt and the setting of the village because of its location on the edge of the Green Belt. The height and scale of the proposal would make it prominent when viewed from surrounding fields but public views would be limited to those from passing trains as there do not appear to be any public footpaths across the land to the south and east. As such whilst the proposal would bring new development to a site on the edge of the Green Belt it is considered that it would not harm its openness, the development

would be seen as a separate built entity against the backdrop of the linear development of Station Road. The proposed landscaping scheme would, once established, help to soften the appearance of the development and would provide a more definitive boundary to the Green Belt.

IMPACT ON NEIGHBOUR AMENITY

4.15 The proposed scheme includes a stable block containing 3 stables to be erected adjacent to the boundary with the rear gardens of 41 and 43 Station Road. An objection has been received from the resident of no.43 stating the proposed stable would create an issue of increased smell and noise and as such would have an impact on amenity. At present the site contains stables for 12 horses although this is set off the boundary with the objector's property by about 24m. Whilst the stable block would be closer than those existing on the site the number of horses to be accommodated would be less and on balance it is considered that there would not be a demonstrable increase in the impact on the neighbours from the horses.

4.16 The proposed dwelling may cause some overlooking into the garden of no.39 Station Road. However, the trees located on the boundary would provide some screening from overlooking from first floor windows. It is not considered that there would be a loss of privacy to any other of the surrounding dwellings. The gardens of 41 and 43 Station Road are at least 30 metres from the front elevation of the proposed dwelling and this is considered a reasonable separation distance. It is also considered that the proposed scheme would not give rise to overshadowing of neighbouring gardens or rear windows and would not be of an overbearing nature.

ACCESS

4.17 The application site would be accessed from the existing opening used for 41 Station Road and the existing stables behind. Comments and objections have been received relating to the proposed access. Local residents have concerns that the proposed scheme would cause an increase in traffic using the access land and Station Road and that already existing traffic congestion would be exacerbated. However, Highways Network Management were consulted regarding the application and have no objections subject to conditions being attached to any approval. It is therefore considered by officers that the proposed scheme would not substantially increase traffic in and out of the site and would not unduly contribute to existing traffic congestion problems.

5.0 CONCLUSION

5.1 The principle of a new dwelling is considered to be acceptable in this location within the settlement limit. The development would be viewed outside of the context of the linear development pattern of this part of Poppleton but is considered neither to harm the appearance of Station Road nor the openness of the Green Belt and the setting of the village. Subject to conditions, the development should not harm existing residential amenity or highway safety. The application is considered to comply with policies GP1, H4A and GP9 of the Development Control Local Plan and the design guidelines contained within the Poppleton Village Design Statement.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 PLANS1 Approved plans
- 3 VISQ8 Samples of exterior materials to be app
- 4 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A to E of Schedule 2 Part 1 of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the adjoining residents and the openness of the Green Belt, the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

- 5 The garage and first floor playroom shall be used for private domestic purposes incidental to the enjoyment of the dwelling only, and not for any form of business or commercial use.

Reason: To safeguard the amenities of local residents

- 6 The stables shall be used for private domestic purposes incidental to the enjoyment of the dwelling only, and not for any form of business or commercial use.

Reason: To safeguard the amenities of local residents

- 7 Notwithstanding the details shown on drawing number 1754/1 revision B no development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs to be planted, the landscaping scheme shall include proposals for the land shown edged in red and edged in blue 558.002 . 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 DRAIN1 Drainage details to be agreed
- 9 HWAY9 Vehicle areas surfaced
- 10 HWAY19 Car and cycle parking laid out
- 11 HWAY28 IN Proximity of gate etc to highway
10 *footway*

- 12 All manure and/or waste material generated from the stables shall be disposed of in accordance with a scheme agreed in writing with the local planning authority before the use of the stables building commences.

Reason: To Protect the amenity of local residents during operation of the development from odour and flies.

- 13 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to 08:00 to 18:00 Monday to Fridays, 09:00 to 13:00 Saturdays and no works at all shall be carried out on Sundays and Bank Holidays.

Reason: To protect the amenity of local residents during the construction of the development from noise.

- 14 Prior to commencement of the development, a noise assessment in accordance with the advice contained within PPG24 (Planning and Noise) shall be undertaken to determine the noise impact of the nearby railway lines on the future occupiers of the building. Thereafter a scheme of mitigation measures necessary to adequately protect the amenity of the future occupants from noise shall be submitted to the Local Planning Authority for written approval. The approved mitigation measures must be fully installed prior to occupation of the use hereby permitted.

Reason: To determine measures needed to be put in place to protect the amenity of occupants from noise vibrations and to protect the amenity of the occupants from noise.

- 15 HT1 IN Height
6.7m

7.0 INFORMATIVES:

Notes to Applicant

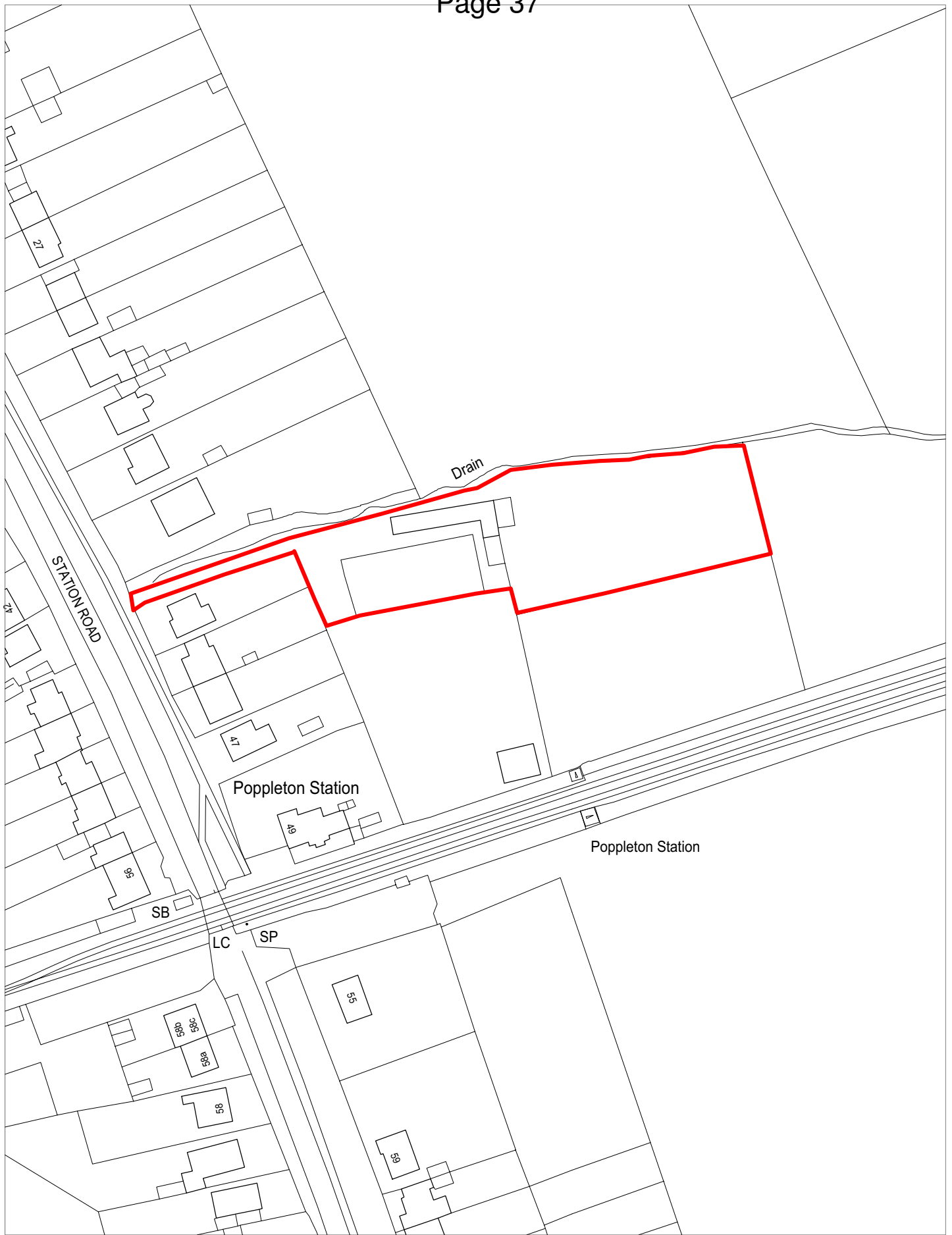
1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the appearance of the streetscene, the openness of the Green Belt and the setting of the village, residential amenity and highway safety. As such the proposal complies with Policies GP1, H4A and GP9 of the Development Control Local Plan and the design guidelines contained within the Poppleton Village Design Statement.

Contact details:

Author: David Gamble Development Control Officer
Tel No: 01904 551326

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CITY OF
YORK
COUNCIL

LAND TO THE REAR OF 41 STATION ROAD, UPPER POPPLETON
06/00662/FUL



SCALE 1:1250
Originating Group

DRAWN BY PSL
Project

DATE 17/7/2006
Drawing No.

9, St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

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COMMITTEE REPORT

Team: Central Area **Ward:** Guildhall
Date: 1 August 2006 **Parish:** Guildhall Planning Panel

Reference: 06/01171/FULM
Application at: The Raylor Centre James Street York YO10 3DW
For: Erection of 6 no. industrial/warehouse units (Use class B1, B2, B8)
(Amendment to the footprint and design from previously approved
permission 05/02414/FULM)
By: H B Raylor And Co Ltd
Application Type: Major Full Application (13 weeks)
Target Date: 8 September 2006

1.0 PROPOSAL

1.1 This application is for amendments to an approved application (Ref. No. 05/02414/FULM) for the erection of 6 No. industrial units at the Raylor Centre. Planning permission is required as the amendments would result in a change to the shape and size of Unit 6.

1.2 The units as approved comprise 5 No. units in a T -shaped block and Unit 6 is an L-shaped block that covers an area of 817.6 squ. metres. It is intended that the shape of Unit 6 would be altered to a rectangular shaped building. The building would be retained at its original height and the external materials would be as approved. This building would cover a slightly larger footprint of 830.7 square metres.

1.3 The application also covers the installation of a brick and tiled roof electricity substation that would be sited on the internal access road within the site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Floodzone 3 Flood Zone 3

Floodzone 2 Flood Zone 2 CONF

DC Area Teams East Area (1) 0003

City Boundary York City Boundary 0001

2.2 Policies:

CYT4
Cycle parking standards

CYGP1
Design

3.0 CONSULTATIONS

3.1 INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT- No objections to the proposal subject to re-applying the conditions on the previous approval that required cycle parking to be agreed and laid out, and details of the accommodation of servicing vehicles within the site to be agreed

CITY DEVELOPMENT- No objections provided the scale and design is appropriate, and there would be no harm to the amenity of the locality or the amenity of the neighbours.

ENVIRONMENTAL PROTECTION - No objections subject to conditions that cover issues of land contamination. Records show that the site was formally occupied by a brick and tile works and later used as a landfill site. Therefore, landfill gas has the potential to affect the proposed buildings. An earlier site investigation report that was carried out in 1999 was submitted by the applicants. Unfortunately this report is insufficient as it is over five years old and the gas monitoring appears to have only taken place on two occasions over a two week period in May 2000. Although the report concludes that both Methane and Carbon dioxide are above the recommended guideline levels, monitoring should be carried out over at least a six month period

3.2 EXTERNAL CONSULTATIONS

ENVIRONMENT AGENCY - No objections subject to conditions

GUILDHALL PLANNING PANEL - Do not object. Whilst the Panel support the development, it regrets that a more modern design is not proposed and the absence of any screen planting or hedging.

ENVIRONMENT AGENCY- No further comments to add and refers to comments and suggested conditions on previous application

NEIGHBOURS - No responses received as a result of public consultation exercise.

OTHER PUBLICITY - As a "major" application, the proposal has been advertised both in the York Evening Press and by the posting of a site notice near the application site.

4.0 APPRAISAL

4.1 KEY ISSUES

- Visual impact of proposed alterations and substation building
- Impact on highway safety/ parking
- Impact on amenity neighbouring properties

VISUAL IMPACT

4.2 The proposed substation building would appear as an ancillary building in the context of this industrial estate. The proposed siting adjacent to the service road would not be visually intrusive as it would be sited over 60 metres back from the public highway adjacent to two parking areas. The materials and design would be appropriate to the location, and the proposal would comply with Policies GP1 of the Development Control Local Plan.

4.3 The alterations to the shape of Unit 6 to a more rectangular almost squarish form would be more similar to the shape of the existing industrial buildings in the area. It is considered that the increase in size would be marginal and not noticeably larger than the previously approved scheme. The proposed roof would be altered to a slight double pitch roof, which would help to break up the expanse of roof and keep the roof height at its approved height.

HIGHWAY SAFETY AND PARKING

4.4 The proposed alterations would not affect the level or location of parking provision for the proposed industrial buildings. The proposed compound area for Unit 6 would be slightly reduced but this small reduction would not compromise manoeuvrability. If Members were minded to approve the application, the previous planning conditions would be re-applied to ensure highway safety is not compromised and that the proposal complies with Policy T4 of the Development Control Local Plan.

4.5 It would appear that the proposed substation would result in the reduction of one car parking space from the parking areas adjacent to the service road. This impact would not harmfully affect the level of parking within the industrial estate to compromise highway safety or conflict with the provisions of Policy T4 of the Development Control Local Plan.

AMENITY

4.6 The amendments to the building would result in less mass along the joint boundary and would therefore have less impact on the neighbouring unit to the south than the approved Unit 6. Any approval of planning permission would be conditioned to ensure that the proposal and any resulting noise would not affect neighbouring properties and comply with Policy GP1i.

5.0 CONCLUSION

5.1 Members are advised that the principle of the development has been approved in the earlier application and that the issues to be considered in this application relate to the impact of the amendments to the approval and the erection of an associated substation. The amendments for the reasons expanded above, would have no detrimental impact on amenity, highway safety or the neighbouring property. The siting, design and any resulting impact of the substation would also be acceptable. Both elements of the proposal would comply with relevant planning policies and approval is recommended.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing No. BS 1291/02/Rev. C
Drawing No. BS 1291/05/Rev A
Drawing No. 1291/06
Drawing No. 1291/07

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

- 3 VISQ8 Samples of exterior materials to be app
- 4 HWAY18 Cycle parking details to be agreed
- 5 HWAY19 Car and cycle parking laid out
- 6 HWAY35 Servicing within the site
- 7 No development shall approved by this permission shall be commenced until a desk study shall be undertaken in order to identify previous site uses, any potentially contaminative uses which have or are currently occurring on the site. This shall include a site description and a site walkover and shall be submitted to and approved by the local planning authority prior to development of the site. This should, where possible date back to 1800. Using this information, a diagrammatical representation (Conceptual Model of the geology and hydrogeology) for the site of all potential contaminant sources, pathways and receptors shall be produced.

Reason: For the protection of human health and the wider environment.

- 8 No development approved by this permission shall be commenced until a site investigation, to include an assessment of landfill gas and also ground water, shall be undertaken based upon the findings of the desk study. The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on the site.

a) The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, and
- refinement of the Conceptual model, and
- the development of a Method Statement detailing the remediation requirements.

b) The site investigation must be undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken.

c) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the local planning authority. This should be approved in writing by the Local Planning Authority prior to the remediation being carried out on the site.

Reason: To protect Controlled Waters and ensure that the remediated site is reclaimed to an appropriate standard.

- 9 If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until the applicant has submitted and obtained written approval from the local planning authority for an addendum to the

Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with the approved details in the interests of protection of Controlled Waters.

- 10 Upon completion of the remediation detailed in the Method Statement, a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

Reason: To protect Controlled Waters by ensuring that the remediated site has been reclaimed to an appropriate standard

- 11 The development of the site should be carried out in accordance with the approved Method Statement.

To ensure that the development complies with approved details in the interests of Controlled Waters.

- 12 Development approved by this permission shall not be commenced unless the piling foundations have been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.

Reason: The site is contaminated/ potentially contaminated and piling could lead to the contamination of groundwater in the underlying aquifer.

- 13 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment.

- 14 Roof drainage downwater pipes shall at all times be sealed at ground level to prevent the ingress of any contaminated water/ run-off.

Reason: To prevent pollution of the water environment.

- 15 Gas monitoring shall be carried out on the site over a period of at least six months to consider the effect of any landfill gas migration. The survey shall be undertaken and the results submitted.

Reason: For the protection of human health and the wider environment.

- 16 Based on the information from the gas survey, proposals for a gas protection regime shall be submitted to and approved by the Environmental Protection Unit prior to the commencement of any development on site.

Reason: For the protection of human health and the wider environment.

- 17 A risk-based remedial strategy shall be developed based on the findings of the site investigation. The remedial strategy shall be submitted to and approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing on site. The remedial strategy shall have due regard for UK adopted policy on risk assessment and shall be developed in full consultation with the appropriate regulator(s).

Reason: For the protection of human health and the wider environment.

- 18 A validation report shall be submitted to and approved by the local planning authority, detailing sample locations and contaminant concentrations prior to any development commencing on site.

Reason: For the protection of human health and the wider environment.

- 19 All demolition and construction 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 the local area

- 20 Prior to the commencement of the development hereby approved, details of the palisade fencing and gates shall be submitted for the written approval of the Local Planning Authority, and thereafter implemented and retained in accordance with the approved details.

Reasons: In the interests of visual amenity.

- 21 No plant or machinery shall be located or installed outside of the buildings.

Reason: To protect the amenity of the local area.

- 22 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (LA_{max}(f)) and average sound levels (LA_{eq}), 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 the local area

**7.0 INFORMATIVES:
Notes to Applicant**

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to policy issues, and the absence of any significant change in circumstances since the original granting of planning permission. As such Policies T4 and GP1 of the City of York Development Control Local Plan- Incorporating the Proposed 4th Set of Changes.

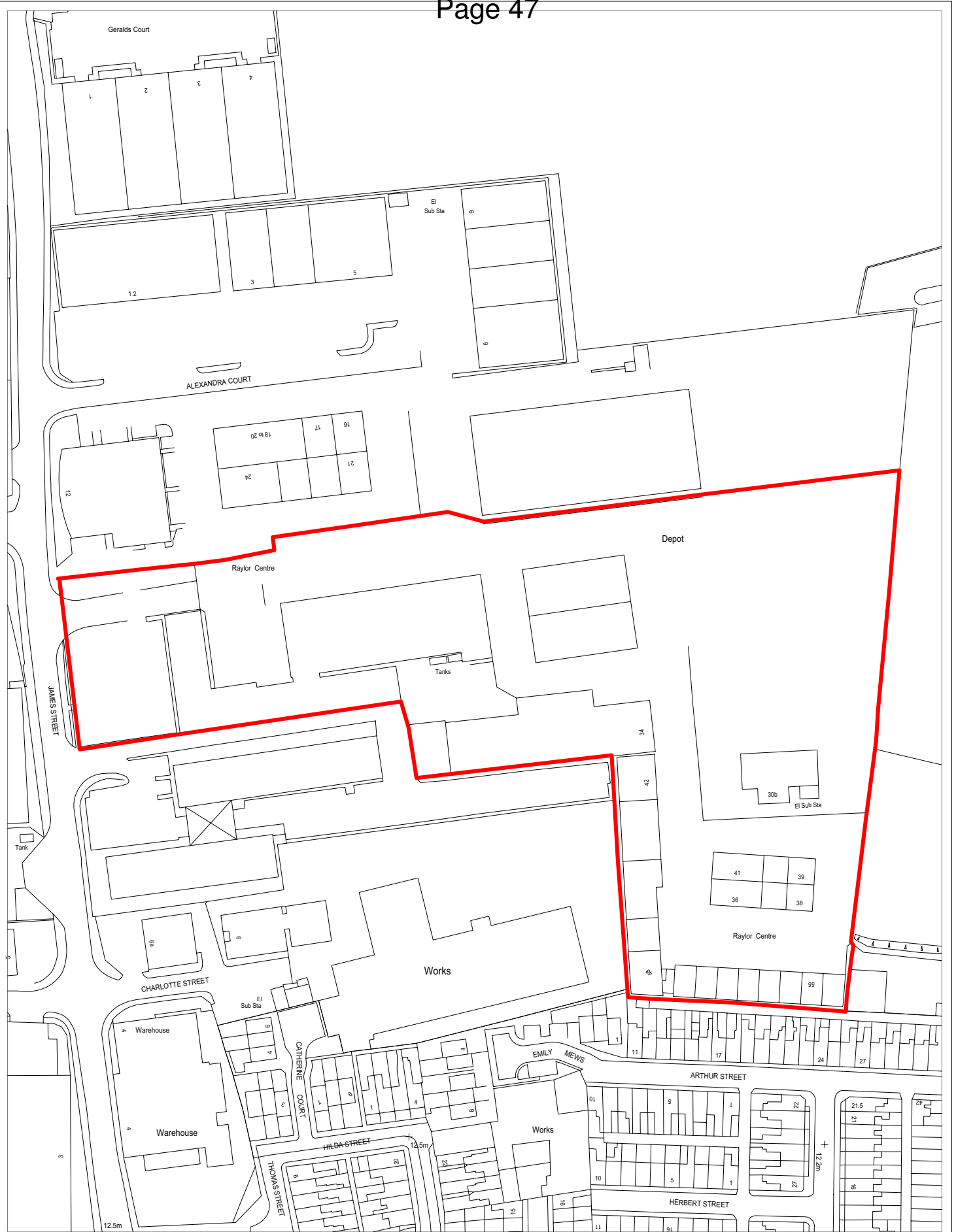
2. The Environment Agency is keen to promote the use of sustainable drainage systems and draws attention to Paragraph 40 and Appendix E of Planning Policy Guidance Note 25. You are recommended to investigate 'flood proof construction' techniques for the development.

Contact details:

Author: Fiona Mackay Development Control Officer (Tues - Fri)

Tel No: 01904 552407

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THE RAYLOR CENTRE, JAMES STREET, YORK YO10 3DW
06/01171/FULM



SCALE 1:1500
 Originating Group

DRAWN BY PSL
 Project

DATE 17/7/2006
 Drawing No.

9, St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

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