

COMMITTEE REPORT

Date: 15 November 2012 **Ward:** Guildhall
Team: Householder and **Parish:** Guildhall Planning Panel
Small Scale Team

Reference: 12/03024/FUL
Application at: 9 Precentors Court York YO1 7EJ
For: Change of use from dwelling (Use Class C3) to Guest House
(Use Class C1)
By: Mr Nick Williams
Application Type: Full Application
Target Date: 6 November 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks permission for the change of use of 9 Precentors Court from a residential property to a guest house. The property is a Grade II* listed building and consent has previously been granted for the internal works required to provide ensuite bathrooms. The property is split over three floors with the ground floor providing a bedroom for the owner along with a kitchen, dining room and living room. The first floor would provide four guest bedrooms with the roof space being used solely by the owners of the property.

1.2 The application has been brought to committee at the request of Cllr Watson due to potential highway implications.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006
Conservation Area GMS Constraints: Central Historic Core CONF
Listed Buildings GMS Constraints: Grade 2 Star; 9 Precentors Court York YO1 2EJ
Scheduled Ancient Monuments GMS Constraints: SMR 13280 York Minster Precinct
Inc. Section Of City Walls

2.2 Policies:

CYHE2
Development in historic locations

CYHE3
Conservation Areas

CYGP4
Environmental sustainability

CYV3
Criteria for hotels and guest houses

3.0 CONSULTATIONS

INTERNAL

CONSERVATION, DESIGN AND SUSTAINABILITY

3.1 Providing no alterations are required to facilitate the proposed change of use, the proposal preserves the character of the building as one of special architectural or historic interest. The change of use raises the issue of signage, which could have an impact on both the building and the character and appearance of the conservation area.

NETWORK MANAGEMENT

3.2 Located within the City Centre with no car parking provision but this is no different from a number of other hotels, guest houses and B and B's within the City Centre. Within walking distance to the train station and bus stops. There are 'No Waiting' restrictions on Precentors Court which would ensure that the turning head would be maintained. However, they will allow for loading/unloading for short periods. No objections are raised.

EXTERNAL

GUILDHALL PLANNING PANEL

3.3 No objections

NEIGHBOURS

3.4 One letter of objection from number 10 Precentors Court on the following grounds:

- Highway concerns including visitors parking and owners parking on the double yellow lines to the front
- Existing parking problems exist with the owners of the property parking on the street

- There is a potential for 4 vehicles a day to visit the site
- Illegal parking would make access for emergency vehicles difficult
- Insufficient space on the street for turning
- Vehicles passing in front of the Minster would be detrimental to the environment and a hazard to both residents and tourists
- Concerned about noise disturbance from the vehicles, from late night talking as well as noise during the day from the walled garden
- The change of use would result in the loss of a residential property
- Altering the character of this quiet residential enclave

4.0 APPRAISAL

4.1 Key Issues

- Principle of Change of Use
- Highway Implications

POLICY

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

4.3 Advice contained within the National Planning Policy Framework, March 2012 states that hotels are main town and city centre uses. Therefore a sequential and impact test is not required given that hotels are considered to support the vitality of centres.

4.4 In connection with the historic environment the NPPF states that local planning authorities should recognize that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance (paragraph 126). In determining planning applications local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 131). When considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation (paragraph 132).

4.5 In connection with employment the NPPF states that planning should encourage and not impede sustainable growth therefore significant weight should be placed on the need to support economic growth through the planning system (paragraph 19).

4.6 The relevant City of York Council Draft Deposit Local Plan Policies are HE2, HE3, GP4a and V3. Policies HE2 'Development within Historic Locations' and HE3 'Conservation Areas' of the City of York Local Plan Deposit Draft are relevant to this proposal. These policies expect proposals to maintain or enhance existing urban spaces, views, landmarks and other townscape elements and not to have an adverse effect on the character or appearance of the Conservation Area.

4.7 GP4a states that all proposals should have regard to the principles of sustainable development, including accessibility by means other than the private car.

4.8 V3 states that planning permission will be granted for new, and extensions to existing, hotels and guest houses within defined settlement limits providing 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 fewer 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 or other visitor attractions.

PRINCIPLE

4.9 In terms of Policy V3 the application appears to accord with the policy context. The property clearly demonstrates that there are four bedrooms at first floor alone according with the policy implications with regard to the loss of housing stock. The property is located within the City Walls, in close proximity to York Minster, and as such is within easy walking distance to tourist attractions as well as public transport links. Concerns have been raised that the change of use would have an adverse impact upon the character of the area. However, it is considered that as there are no external alterations proposed and only four guest rooms available there would be little detrimental impact upon the character of the area as visitor movements would be limited. Further concerns have been raised in connection with potential noise disturbance from guests using the garden. However, the applicant has stated that the garden will be for the owners use only and not accessible by guests.

HIGHWAY IMPLICATIONS

4.10 The application site has no off street parking and there is no on street parking available. Concerns are raised that visiting vehicles will park on the highway for unloading, and potentially longer, which will block access to neighbours properties and prevent vehicles turning. However, the applicant has stated that all visitors will be informed in advance that there is no on site parking and will be pre-sent a parking voucher for local car parks. The applicant states that they currently run Galtres Lodge Hotel on High Petergate where a similar voucher scheme is in operation. Here 70% of guests arrive by train with the remaining 30% arriving by car.

If levels are similar at the application site it would be unlikely that there would be any detrimental implications in terms of the highway being blocked or illegal parking occurring.

5.0 CONCLUSION

5.1 It is considered that the change of use to a guest house is acceptable. There would be little impact upon the character of the area and the use would add to the vitality of the City Centre and would be located within a sustainable location. The low number of guest rooms would result in limited vehicle movements and adequate public car parking is available in close proximity. Officers recommend approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Drawing number 744.004 received 10th September 2012

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

3 No more than 4 rooms shall be occupied as guest bedrooms at any time.

Reason: To accord with the application and in the interests of the residential character of the area in accordance with policy V3 of the Development Control Local Plan.

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 residential amenity of the occupants of the neighbouring dwellings, highway safety, and the character of the area. As such the proposal complies with Policies HE2, HE3, GP4a and V3 of the City of York Development Control Local Plan.

Contact details:

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