

COMMITTEE REPORT

Committee: East Area **Ward:** Derwent
Date: 14 September 2006 **Parish:** Kexby Parish Council

Reference: 06/01437/FULM
Application at: The Gateway To York Hotel Hull Road Kexby York YO41 5LD
For: 6 no. single storey, detached, timber lodge, guest bedroom units and connecting path around existing pond at the rear of the hotel.
By: Colin And Sharon Marsh
Application Type: Major Full Application (13 weeks)
Target Date: 25 September 2006

1.0 PROPOSAL

1.1 Erection of six bothy lodges, which are essentially single-storey log cabins, for use as accommodation for hotel guests. The lodges would be octagonal with a hipped roof. Each lodge would be approximately 7m across and 3.7m high. They would be arranged around the existing pond in the hotel grounds to the rear of the main hotel building. No additional guest or staff car parking would be provided.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

DC Area Teams East Area (1) 0003

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

2.2 Policies:

CYGP15
Protection from flooding

CYGP1
Design

CYGB1
Development within the Green Belt

CYGB11
Employment devt outside settlement limits

CYNE2
Rivers and Stream Corridors, Ponds and Wetland Habitats

CYNE3
Water protection

CYNE4A
International and National Nature Conservation Sites

CYNE7
Habitat protection and creation

CYHE10
Archaeology

3.0 CONSULTATIONS

3.1 Internal

3.2 Environmental Protection Unit - No objections subject to standard watching brief condition with respect to contamination .

Environment & Conservation - The lodges will be partly visible in certain locations but the detrimental impact on the open character of the greenbelt as seen from a public perspective would be very limited. Additional landscape mitigation measures would be required in the form of an approved landscape scheme (to include pond management) in order to make the appearance and quality of the scheme acceptable.

Highways - No objections. The proposal is unlikely to materially increase the level of traffic currently generated by the site.

Archaeology - The site is in an area that has produced significant prehistoric and Romano-British features and deposits. Add a watching brief condition for all groundworks.

3.2 External

English Nature - No objections.

York Natural Environment Panel - No objection in principal. However the application should be deferred pending provision of more information. There is no ecological report; the site proposed for development may be an ecologically rich meadow. The site is adjacent to a main river so drainage/ sewage details would be of use. The location of the bothies would lend itself to the incorporation of a Sustainable Urban Drainage Scheme (SUDS). There is a need for appropriate landscaping but a judgment on this is difficult without any survey information, e.g. wouldn't want to plant trees on valuable meadow habitat. There is good scope for habitat creation and enhancement of existing habitat (hedges, meadow, trees), again though an ecological report would be useful for identifying what could be done and where. The landscaping shouldn't be dealt with as a condition, but should be provided up front with the development proposals.

Yorkshire Water - The proposal is remote from the nearest public sewerage system. The application should be referred to the Environment Agency and the local authority's environmental health section for comment on private treatment facilities.

Parish Council - No response.
Public Consultation - No response.

4.0 APPRAISAL

4.1 Key Issues

Impact on the green belt
Impact on Ecology/SSSI
Drainage.

4.2 The Application Site

2-storey, 30-bed hotel fronting onto the A1079 in the green belt close to the village of Kexby. The hotel occupies a flat site. The area behind the hotel, ie where the lodges would be located, is partly lawned with a large pond in the centre. The rest of the area is unmown grass. In front of the hotel is parking for 30 cars plus overspill parking for 8-10 cars. To the north and west of the site is agricultural land. Also to the west, close to the main road fronting the site, are two houses. To the east is the river Derwent, which is in an SSSI.

4.3 Impact on the Green Belt

The site is washed over by the green belt and is outside any development limit. National and local planning guidance restricts the type of development that is acceptable in the green belt. Hotel development in the form of additional guest accommodation is not one of the specified types of development that are considered appropriate in the green belt. Moreover, whilst the lodges could be largely screened by landscaping their erection would conflict with the purposes of including land within the green belt. The proposal therefore conflicts with PPG2 and policy GB1 of the City of York Local Plan Deposit Draft.

The site has a substantial planning history. In 1991 planning permission for an extension to the hotel was granted (by the council's predecessor authority) to provide leisure facilities for guests and accommodation for employees. In 1996 the permission was renewed (again, by the council's predecessor). In 1998 an application was submitted (to CYC) for a 2-storey extension to the hotel to provide additional bedrooms and conference room. Planning permission was granted because, whilst the proposal conflicted with green belt policy, most of the extension would have been within the footprint of the earlier approvals. In 2004 the hotel operator applied to renew the consent. Officers considered that, as there had been no material change in circumstances since the extension had first been approved, permission should be granted, which it was.

The current proposal is entirely different to any of the previously-approved schemes. Whilst the previous applications were approved (contrary to green belt policy) mainly because of the precedent set by the 1991 approval, officers consider that this history should not influence consideration of the current application. Consequently the application is recommended for refusal.

4.4 Impact on Ecology

The site lies adjacent to a river corridor, which has been designated an SSSI. Moreover, the site is adjacent to open countryside and has a pond in its centre. The lodges would be located next to the pond and up to the boundary of the SSSI. The application does not include an ecological report so the impact on the ecology of the

site and its surroundings cannot be adequately assessed. Further information would be required in order for the council assess the impact of the proposal on the natural environment.

4.5 Drainage

The proposal is in the flood plain (zone 3) and is remote from the nearest public sewerage system. Yet no information has been supplied on the means of disposing of foul and surface water. Bearing in mind the ecological sensitivity of the site and the surrounding area drainage and flood protection information would be required in order for the council assess the impact of the proposal.

5.0 CONCLUSION

5.1 The proposal conflicts with PPG2 and relevant policies of the City of York Local Plan Deposit Draft relating to impact on the green belt, ecology, drainage and flood protection.

6.0 RECOMMENDATION: Refuse

- 1 The proposed development conflicts with national and local green belt planning policy which states that there is a presumption against inappropriate development unless there are very special, defined, circumstances. The local planning authority does not consider that there are substantial or compelling reasons to justify setting aside green belt policy in this case. The proposals therefore conflict with PPG2 and policies GB1 and GB11 of the City of York Local Plan Deposit Draft.
- 2 Insufficient information has been provided by the developer to determine the potential impact the proposals may have on the natural environment in the vicinity of the site contrary to policies GP1, NE2, NE3, NE4a, and NE7 of the City of York Local Plan Deposit Draft.
- 3 Insufficient information has been provided by the developer to determine the potential impact the proposals may have on the existing drainage systems contrary to policies GP1 and GP15A of the City of York Local Plan Deposit Draft.

7.0 INFORMATIVES:

Contact details:

Author: Kevin O'Connell Development Control Officer
Tel No: 01904 552750