

COMMITTEE REPORT

Date: 14 February 2018 **Ward:** Rawcliffe And Clifton Without
Team: Major and Commercial Team **Parish:** Clifton Without Parish Council

Reference: 17/02572/FUL
Application at: Premier Inn Clifton Park Avenue York YO30 5PA
For: Two storey side extension to existing hotel to provide 19no. additional bedrooms and associated alterations to existing car park
By: Whitbread PLC
Application Type: Full Application
Target Date: 23 February 2018
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application seeks full planning permission for the erection of an extension to an existing hotel. The extension would be a two-storey addition to the eastern end of the linear hotel building and would provide an extra 19 bedrooms. As the extension would be built on part of the existing car park, replacement parking of 6 spaces is proposed within the existing car parking area south of the hotel building, on a grassed area to the north of four mature Acer trees. The wider site of the former Clifton Hospital is covered by an area Tree Preservation Order (ref. 173/1991-A1), which includes the four trees referred to above and the orchard trees to the east of the proposed extension.

2.0 POLICY CONTEXT

2.1 National Planning Policy Statement 2012

2.2 Draft Local Plan (2005):

CYSP6 - Location strategy
CYGP1 - Design
CYGP3 - Planning against crime
CYGP4A - Sustainability
CGP15A - Development and Flood Risk
CYNE1 - Trees, woodlands, hedgerows
CYNE6 - Species protected by law
CYHE10 - Archaeology
CYGB1 - Development within the Green Belt
CYT4 - Cycle parking standards
CYV1 – Visitor Related Development

CYV3 - Criteria for hotels and guest houses

2.3 Pre-Publication Draft Local Plan (2017) – relevant policies:

SS1 – Delivering Sustainable Growth for York

SS2 – The Role of York's Green Belt

GB1 – Development in the Green Belt

D1 – Placemaking

D2 – Landscape and Setting

D6 – Archaeology

GI2 – Biodiversity and Access to Nature

GI3 – Green Infrastructure Network

GI4 – Trees and Hedgerows

ENV3 – Land Contamination

ENV4 – Flood Risk

EC4 - Tourism

3.0 CONSULTATIONS

INTERNAL

Public Protection

3.1 No objection subject to conditions relating to land contamination, noise and air quality.

Planning and Environmental Management (Landscape Architect)

3.2 Objects to intervention into grassed area under the group of existing trees. This area was originally left undeveloped/unsurfaced in order to protect the group of trees, which add to the amenity of the vicinity and surrounding developments. 'No-dig' construction would be inappropriate due to the extent of intervention and potential for further ground compaction from traffic, resulting in reduced porosity that would reduce the vitality of the rooting system. To summarise, the proposed additional parking spaces are not acceptable because they are likely to have a detrimental impact on the health of the protected trees which have significant public amenity value and contribute to the setting of the existing development.

Planning and Environmental Management (Ecologist)

3.3 Supports conclusion of the ecology report that no protected or notable species, or habitats will be impacted by the proposal. The "tree survey" statement says no trees will be impacted, but the existing and proposed site plans show the direct loss of one tree, which it appears has already been removed. Compensation for the loss of this tree could be made by the planting of a traditional apple species to compliment the adjacent Dormouse Orchard.

EXTERNAL

Yorkshire Water

3.4 Requests conditions regarding waste water to protect the local aquatic environment and YW infrastructure.

4.0 APPRAISAL

4.1 The main considerations relevant to the determination of this application are:

- Principle of development;
- Green Belt policy;
- Openness and purposes of the Green Belt;
- Character and appearance;
- Biodiversity;
- Heritage assets;
- Access, parking and highway safety;
- Flood risk;
- Residential amenity;
- Provision of visitor accommodation;
- Other considerations.

THE SITE

4.2 The application site is situated to the west of Shipton Road (A19), at the eastern extent of an area of commercial uses on the former Clifton Hospital site. The site consists of an existing two storey hotel in a linear building with parking to its south and a in a smaller area to its east, which is shared with The Dormouse Public House, located to the south of the hotel building. Immediately to the north is Equinox House office building. To the east of the application site, Dormouse and Equinox House is an open area that was previously an orchard and within which fruit and other trees remain. Access to the hotel is via Clifton Park Avenue, which serves the commercial uses on the former hospital site. Outside the former hospital site are residential areas - to the east, the established area of Rawcliffe, and to the north, a more modern housing estate. To the south of the main access road, Clifton Park Avenue, is open land. An area Tree Preservation Order (no.173/1991) covers the numerous trees within the former hospital site. The site access and southern end of the hotel car park lies within Flood Zone 2 (medium probability), though the hotel building itself lies within Flood Zone 1 (low probability).

PLANNING HISTORY

4.3 The planning history for the site is as follows:

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- 06/1570/FUL - Extension to western end of hotel building withdrawn prior to refusal due to threat to protected trees;
- 15/01197/FUL - Extension to eastern end of hotel to provide 20 bedrooms, plus additional car parking, withdrawn prior to refusal on Green Belt grounds and harm to protected trees.

POLICY CONTEXT

4.4 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. There is no development plan for York other than the retained policies in the Yorkshire and Humber Regional Spatial Strategy ("RSS") saved under the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013. These policies, YH9(C) and Y1(C1 and C2), relate to York's Green Belt and the key diagram, Figure 6.2, insofar as it illustrates the general extent of the Green Belt extending from the edges of the built up area to 'about 6 miles' from the centre of the City. The policies state that the detailed inner and the rest of the outer boundaries of the Green Belt around York should be defined to protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

4.5 Central Government guidance is contained in the National Planning Policy Framework (NPPF, March 2012). Paragraph 7 of the National Planning Policy Framework says planning should contribute to the achievement of sustainable development by balancing its economic, social and environmental roles. Paragraph 14 explains that at the heart of the Framework is a presumption in favour of sustainable development. This presumption does not apply where there are specific policies in the Framework which indicate that development should be restricted, such as policies relating to land designated as Green belt or locations at risk of flooding. Paragraph 17 lists twelve core planning principles that the Government consider should underpin plan-making and decision-taking, such as protecting Green Belt, seeking high quality design and a good standard of amenity for all, taking full account of flood risk, conserving and enhancing the natural environment, encourage the effective use of land, conserve heritage assets, and actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling.

4.6 Although there is no formally adopted local plan, the City of York Draft Local Plan (DLP) was approved for development control purposes in April 2005. Whilst it does not form part of the statutory development plan for the purposes of S38, its policies are considered to be capable of being material considerations in the determination of planning applications, where policies relevant to the application are in accordance with the NPPF. However such policies can be afforded very limited weight. The relevant policies are summarised in section 2.2 above. The site lies within the City of York Green Belt, though within an area identified as a 'Major

Development Site' on the Proposals Map that accompanies the draft 2005 plan. This designation relates to two remaining buildings within the former hospital site only that have been identified as suitable for employment and housing and does not therefore provide any policy guidance relating to the application site itself. Policy V3 'Hotels and Guest Houses' of the Local Plan is relevant to the application and supports extensions to existing hotels within defined settlement limits providing they are compatible with surroundings in terms of siting, scale and design, would not adversely effect residential character of an area and is in an accessible location.

4.7 The public consultation on the Pre-Publication Draft Local Plan 2017 ended on Monday 30 October 2017 and the responses have now been considered by the Executive. The Executive has resolved to publish the Plan for the final six week consultation, but at this stage it is not yet published. At this stage, the emerging Local Plan policies can only be afforded limited weight in the decision making process, subject to conformity with the NPPF and the level of outstanding objection to the policies (in accordance with paragraph 216 of the NPPF). However, the evidence base underpinning the emerging Plan is capable of being a material consideration in the determination of planning applications. The Proposals Map accompanying the 2017 draft plan includes the site within Green Belt land around York and identifies it as part of a Green Wedge extending from the outer ring road to the edge of the City Centre in Figure 3.1 Historic Character and Setting of York. The emerging plan includes Policy EC4 'Tourism', which seeks to maintain and improve choice and quality of visitor accommodation in York, with particular emphasis on higher spending individuals.

4.8 The City of York 'The Approach to Green Belt Appraisal' February 2003 identified the site within a Green Wedge C6, a tract of land extending from the City Centre to outer ring road and which is key in its contribution to the City's historic character and setting being one of the key purposes of York's Green Belt. This designation has been retained in subsequent Historic Character and Setting Technical Update Papers (2011 and 2013).

PRINCIPLE OF DEVELOPMENT

4.9 Whilst the RSS has otherwise been revoked, its York Green Belt policies have been saved together with the key diagram which illustrates the general extent of the Green Belt around York. These policies comprise the S38 Development Plan for York. The policies in the RSS state that the detailed inner boundaries and the rest of the outer boundaries of the Green Belt around York need to be defined to protect and enhance the nationally significant historical and environmental character of York. The inner and outer boundaries of the Green Belt have not formally been defined or identified in an adopted plan. However, the site has been included within Green Belt in both the 2005 Draft Local Plan and the emerging Local Plan and has been identified as being within one of the City's green wedges that contributes to the historic character and setting of the City - a primary purpose of the York Green Belt. The initial inclusion of the site within the Green Wedge C6 was following a Green

Belt Review and publication in the supporting document to the Draft Local Plan 'The Approach to the Green Belt Appraisal' February 2003. This identified a tract of land from the City Centre to outer ring road within which the application site sits, as an important green wedge within the Green Belt that was key to the City's historic character and setting. This designation has been retained in subsequent Historic Character and Setting Technical Paper Updates 2011 and 2013. As such, the site is considered to serve a Green Belt purpose, being the preservation of the setting and special character of the historic town, and falls within the general extent of Green Belt.

GREEN BELT POLICY

4.10 Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. Whilst there is no definition of openness in the NPPF, the courts have considered that it is a concept which relates to the absence of buildings or built development. Paragraph 80 sets out the five purposes of the Green Belt:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.11 Paragraph 87 confirms that inappropriate development is, by definition, harmful to Green Belt and should not be approved except in very special circumstances. Paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It goes to say that 'very special circumstances' will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. All development is considered to be inappropriate in Green Belt, unless it falls within the closed lists contained in paragraphs 89 or 90 of the NPPF.

4.12 The proposal is for an extension to an existing building within the Green Belt with engineering operations to provide replacement car parking.

4.13 Paragraph 89 regards the extension or alteration of existing buildings as appropriate providing they are not disproportionate additions over and above the size of the original building. The existing hotel has not been extended since first built. The proposed extension proposes an increase of approximately 37% in the length of the building, its footprint and floor space and an increase of approximately 40% in volume. Whilst the majority of the extension's roof ridge would be a continuation of the existing building, the proposed front gable feature would project

above the ridge height of the existing building. The extension would be readily visible given the public nature of the building and immediate area and open aspect to Shipton Road. The combination of these factors, mean that the extension is considered to be a disproportionate addition to the existing building and does not fall within the exceptions in paragraph 89 and is, therefore, inappropriate development in the Green Belt.

4.14 Paragraph 90 considers that engineering operations are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The creation of six parking places to replace the loss of the car park to the hotel extension would result in the loss of a section of grassed land around four protected trees. However, whilst built over with amended kerb lining and a different surface finish, the works would not harm openness nor conflict with any of the purposes for including the land as Green Belt given the limited size of the works and the retention of some grassed area. This element of the proposed scheme is considered to be appropriate in Green Belt policy terms.

4.15 Aspects of the scheme are considered to constitute inappropriate development within the Green Belt that is, in accordance with paragraph 87 of the NPPF, harmful by definition. Such development should not be approved unless 'very special circumstances' exist.

IMPACT ON GREEN BELT OPENNESS AND PURPOSE

4.16 In addition to the harm by reason of inappropriateness, consideration also needs to be given to other harm to the Green Belt. The NPPF states that the essential characteristics of Green Belts are their openness and their permanence.

4.17 The proposal would involve the erection of further built form on an existing hard surfaced car park to the eastern side of the existing hotel and visible in views across the grassed open land separating the hotel from Shipton Road. The extension would be contained within the outer edges of the car parking area and would not encroach onto the grassed land. However, the increase in built form due to proposed size and bulk of the extension in a publicly visible location, would reduce the openness of the site and, as a result, that of the Green Belt within which the site sits. In doing so, the proposal would distract from the purpose of including the land within the Green Belt, being the preservation of the setting and special character of the historic town.

CHARACTER AND APPEARANCE

4.18 Section 7 of the NPPF requires good design. At paragraph 56, it says that good design is a key aspect of sustainable development that is indivisible from good planning and should contribute positively to making places better for people.

4.19 The proposed scheme would increase the length of the existing building towards the open space to the east and beyond the existing line of built form established by The Dormouse Inn to the south and Equinox House to the north. The general massing and elevation treatment would continue that of the existing building and could potentially provide balance to the building given the existing off-set location of the main entrance. However, the front gable feature would protrude higher than the roof ridge and would be larger in scale than the other gable features on the building with increased spaces between fenestration and a higher proportion of brick to openings. It would not be subservient to the existing building nor the primary gable feature containing the main hotel entrance. The end elevation that would face the open space to the east would comprise a hipped roof above a blank wall of two storey height with a brick enclosed fire escape and recessed ground floor fire escape door. Whilst the existing elevation is limited in its architectural features, it does have a projecting gable feature and first floor window and is set further back from the open space than the proposed end wall would be.

4.20 As a result, the proposal is not considered to be of good design that positively contributes to the appearance of the locality and does not take the opportunities available to improve the character and quality of the area and the way it functions, contrary to the aims of the NPPF. Substantial weight is attributed to this additional harm.

BIODIVERSITY

4.21 The Town and Country Planning Act 1990 and subsequent Acts and regulations, allow for the protection of trees for amenity reasons. Section 11 'Conserving and enhancing the natural environment' gives advice to support the core planning principle of conserving the natural environment. It states that the planning system should contribute to and enhance the natural environment by, amongst other things, minimising impacts on biodiversity and providing net gains in biodiversity where possible as well as preventing adverse affects on pollution and land instability. Paragraph 118 requires LPAs to aim to conserve and enhance biodiversity, including the refusal of planning applications where significant harm cannot be avoided or adequately mitigated and where development would adversely affect Sites of Special Scientific Interest (SSSI), ancient woodland and European protected sites. Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats unless the need for, and benefits of, the development in that location clearly outweigh the loss. Draft Local Plan policies NE1 and NE6 of the 2005 Local Plan and GI2 and GI4 of the 2017 Pre-Publication Draft Local Plan reflect this advice in relation to trees, protected species and habitats.

4.22 The site is not a SSSI, ancient woodland or European protected site. The locally designated Clifton Ings and Rawcliffe Meadows SINCs are located to the west of the former Hospital site. There is a pond to the north of the building that was previously identified as a potential habitat for Great Crested Newts. There are

numerous trees within the site of varying species and maturity, which are all covered by a Tree Preservation Order.

4.23 A habitats survey identified no protected species habitats that would be adversely affected by the proposal. The proposed car parking area would be in close proximity to the group of four protected Acer trees, which have a significant public amenity value and contribute to the setting of the existing development. These trees are already enclosed on two sides by car parking and the proposal would appear to intrude into the root protection areas of the northern two trees. The Council's Landscape Architect has objected to this intervention, on the basis of the likely detrimental impact that the proposal would have on the health of the protected trees. The officer highlights the original design of the car park that left the land around the trees undeveloped and un-surfaced in order to protect the group. The applicant has been made aware of the concern and approached to remove the parking bays from the scheme.

4.24 In light of the above, and lack of information to demonstrate that the proposal would not have a detrimental impact on the protected trees, the creation of the additional parking bays is not supported. The identified harm is given substantial weight.

HERITAGE ASSETS

4.25 The NPPF provides advice on the impact of proposals on designated and non-designated heritage assets. Paragraph 135 states that the effect of proposals on the significance of a non-designated heritage asset should be taken into account in determining an application. Further, in weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

4.26 The site relates to an unlisted building outside a designated conservation area. The site does not lie within an area of archaeological importance, but there is an unscheduled archaeological monument in the form of an air raid shelter in the open land to the east of the application site (MYO2173). As this would be at a sufficient distance from the proposed extension (over 30m), it would not adversely affect this archaeological feature and, hence, there is no need to assess its significance in accordance with paragraph 129 of the NPPF. In addition, the ground where the extension is proposed would already have been disturbed by the creation of the car parking area. As such, no harm to archaeological features or deposits is likely.

HIGHWAY MATTERS

4.27 The existing hotel is located outside the City Centre, though adjacent to an established residential area of Rawcliffe and within the outer ring road. Shipton Road is a main route into the City Centre along which bus services pass between

the City Centre and Skelton, Easingwold and Thirsk - there are bus stops on Shipton Road within walking distance of the hotel. The site is within close driving distance of the no.2 Park and Ride at Rawcliffe Bar. Therefore, whilst the use proposed to be extended is likely to attract largely car-borne visitors, there are other means of transport available to them for travel to and from the City Centre once they have arrived.

4.28 As an extension to the existing hotel, the access arrangements remain the same. The existing parking area for the hotel is shared with The Dormouse public house to its south. Parking is restricted along the adopted access roads of Shipton Road and Clifton Park Avenue. The proposed extension would be built on an existing parking area that serves it and would therefore result in the loss of 3 no. spaces overall whilst increasing the number of bedrooms within the hotel. This number is considered to be minimal in comparison to the number of spaces available and the accessible location of the site to a public transport route. However, it is noted that the reduction in the number of parking spaces could increase due to the unacceptable location of six of the replacement bays. The agent has confirmed that the company is contractually obliged to maintain a level of parking provision. Therefore, it may be that the impacts of maintaining a level of parking provision within a reduced and constrained site area may prevent or limit the aspirations for increasing the number of rooms at the hotel.

FLOOD RISK AND DRAINAGE

4.29 Paragraph 103 of the NPPF states that development should be directed to the areas of low flood risk and that development should not result in an increase of flood risk within the site or elsewhere. Policy GP15a of the Draft Local Plan supports this approach to flood risk.

4.30 The existing hotel building, the site of the proposed extension and the six parking spaces lie within Flood Zone 1 (low probability) and are therefore at low risk of river flooding. As such, the sequential test does not need to be applied. Use as a hotel is classified as a 'more vulnerable use', which is considered to be appropriate development in Flood Zones 1 and 2 and therefore, the exception test does not need to be applied. The lower section of the car parking area falling outside the application site boundary and the vehicle access to the car park lies within Flood Zone 2 (medium probability). However, a safe means of escape for hotel customers and staff by foot exists across the orchard field to the east of the site to Shipton Road in the event of flooding to the site access.

4.31 The proposal would build on an existing car parking area that is hard-surfaced and as such would not increase the amount of surface water run-off from the site. The additional parking area could be provided with permeable surfacing. Foul water would be connected to the existing system serving the hotel.

4.32 On the basis of the above, it is considered that the proposal is acceptable in flood risk terms and that there is an available solution to drainage.

RESIDENTIAL AMENITY

4.33 One of the core principles of the planning system outlined in the NPPF is to seek a good standard of amenity for all existing and future occupants. Paragraph 120 of the NPPF also states that new development should be appropriate for its location to prevent unacceptable risks from pollution and land instability, with the responsibility for securing a safe development resting with the developer.

4.34 Public Protection raise no objections to the scheme subject to conditions to cover potential contamination, noise and air quality.

4.35 There are no private houses in the immediate vicinity that would be adversely affected by the proposals. The houses on the opposite side of Shipton Road are at a sufficient distance from the site. The nearest buildings are the offices to north and public house to south (with potential associated accommodation above). The hotel is a perpendicular angle to these two neighbouring buildings. The same distance between the offices and hotel that currently exists would be maintained. The windows serving the guest rooms in the hotel are provided with nets and additional curtains to protect the privacy of hotel guests.

4.36 Therefore, the proposal would achieve a good standard of amenity for all existing and future occupants in line with the aims of the NPPF. No further harm is identified.

HOTEL DEVELOPMENT

4.37 The NPPF considers tourism related developments such as hotels to be a main town centre use. To ensure the vitality of town centres, the NPPF advises LPAs to apply a sequential test to planning applications for such uses that are not in an existing centre and not in accordance with an up-to-date Local Plan. Such a test would direct town centre uses to town centres, then edge of centre location, particularly those that are in accessible locations and well connected to town centres. Draft Local Plan policies seek to improve the prosperity of the tourism industry in the City (Policy V1) and support extensions to existing hotels within defined settlement limits and where it is well related in terms of access (Policy V3). No sequential test has been submitted with the application, though it is noted that the proposal is for the extension of an existing established hotel that is located on a public transport route to the City and close to one of the City's park and ride sites.

OTHER CONSIDERATIONS

4.38 In summary, the proposal would involve inappropriate development in Green Belt that is by definition harmful to the Green Belt due to its inappropriateness. It

would result in additional harm to the openness and purposes of the Green Belt, the character and appearance of the area and protected trees. Paragraphs 87-88 of the NPPF advise that permission should be refused for inappropriate development unless other considerations exist that clearly outweigh identified harm to the Green Belt, and any other harm, which would amount to 'very special circumstances'. Substantial weight is to be given to the harm to the Green Belt.

4.39 The applicant considers that the proposed extension would not represent a disproportionate addition to the existing building as it involves an extension that is similar to the scale and design of the existing building, is within the brownfield element of the site and within the building line of the adjoining development and will have a limited impact on perceived Green Belt openness in real terms. It is pointed out that the building has not been added to since it was built 20 years ago, that it would not encroach into the landscaped area to the east nor the Green Belt and that given its distance of 2.5 miles from the City Centre would not impact on the historic character and setting of York and the surrounding area. However, a very special circumstances case is put forward by the applicant in the event that the LPA considers the proposal to be disproportionate. In summary, the case is:

- identified need for additional bedrooms in this location;
- sustainable and accessible location of the site;
- limited loss of parking provision;
- creation of new jobs during construction and operation;
- income generation for other local businesses;
- acceptable in terms of ecology, flood risk and contamination.

4.40 The proposal would provide an additional 19 hotel rooms. This would clearly add to the viability and profitability of the business. Information, in the form of occupancy rates, is provided to demonstrate that there is a significant need for additional guest bedrooms in this location. This information shows that the business is usually operating at between 75.3% to 95.4% occupancy (Sunday and Saturday nights respectively) with little capacity to cope with demand during peak times such as Saturdays, Christmas, school holidays and York Races events. Occupancy figures are similarly high at the nearby York North West Premier Inn (York Business Park) with rates ranging from 67.2% to 93.9% (Sunday and Saturday nights respectively). On the basis of these figures, the applicant considers that the identified need and demand, and retention of a thriving hotel business in this location, should be considered a very special circumstance.

4.41 According to the York Tourism Accommodation Study (2014), the City is a key tourist destination, with demand for bedstock and high levels of occupancy throughout the year. It is noted that there are four Premier Inn hotels in the York area including the aforementioned, a City Centre location and York South West (adjacent to the A64 at Bilborough Top). Additional hotels with bedstock are currently being delivered within the City Centre (150 bed Malmaison hotel on Rougier Street and an extension to The Grand Hotel). Recently completed hotels

include a 124 bed hotel on Layerthorpe and a new hotel adjacent to the Barbican centre. Planning permissions for new hotels that are still to be delivered include a 140 bed hotel at Piccadilly (17/00429/FULM), an 80 bed hotel at Monks Cross (17/01181/FULM), a 119 bed hotel on Dundas Street (16/02801/FULM) and a 97 bed hotel at Terry Avenue.

4.42 The business - as part of a larger hotel chain with three other premises in and around the City - would continue to operate as a successful enterprise given the indicated hotel occupancy rates. The additional bedrooms would likely offer a small uplift in employment and local income generation as a result of the additional bedrooms.

4.43 Therefore, whilst the proposal would add to the portfolio of visitor accommodation in the City, there are no compelling reasons for the expansion of this particular hotel, which lies within Green Belt on the outskirts of the main urban area of the City, albeit on a public transport route. It is considered that, on balance, and attaching substantial weight to the harm to the Green Belt, the benefits of the scheme are not sufficient to clearly outweigh the identified harm.

5.0 CONCLUSION

5.1 The proposal involves the erection of an extension to an existing hotel that would provide further visitor accommodation within the City and likely result in a slight increase in employment and local income generation. However, the site lies within the general extent of York's Green Belt and within an area identified as contributing to the historic character and setting of the City. As specific Green Belt policy within the NPPF indicates that development should be restricted, the presumption in favour of sustainable development established by paragraph 14 of the NPPF is not engaged and the more restrictive Green Belt policies in the NPPF apply. The proposal would result in harm by reason of inappropriateness as well as additional harm to the openness and purposes of the Green Belt and the visual amenity of the local area. There would be further harm to protected trees within the site.

5.2 On balance, it is considered that the benefits that could be provided by the scheme would not clearly outweigh the harm identified and therefore no very special circumstances have been demonstrated. In accordance with paragraph 88 of the NPPF, the application is recommended for refusal.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The application site lies within the general extent of York's Green Belt, as set out by policies Y1 and YH9 of The Yorkshire and Humber Plan - Regional Spatial Strategy and supported by the City of York 'The Approach to Green Belt Appraisal'

February 2003 (as amended). It is considered that the proposed extension to the existing hotel building is a disproportionate addition over and above the size of the original building in a highly visible location within the Green Belt and green wedge. In accordance with paragraph 89 of the National Planning Policy Framework, it constitutes inappropriate development within the Green Belt that is, according to paragraph 87 of the NPPF, by definition, harmful to the openness of the Green Belt and the purposes of including land within it, namely the safeguarding of the setting of historic towns and cities. The Local Planning Authority has carefully considered the justification put forward by the applicant in support of the proposals but has concluded that these considerations do not clearly outweigh the harm to the Green Belt and other harm when substantial weight is given to the harm to the Green Belt. As such very special circumstances do not exist to justify the proposal. The proposal is therefore contrary to Section 9 of the National Planning Policy Framework.

2 The proposed development would result in built form that would protrude beyond the building line created by the buildings immediately to the north and south of the site. The end elevation of the extension is considered to be of a poor design that does not relate to the open space to the east of the site. As such, it would not integrate well with the local environment and would detract from its character and appearance. It fails to take the opportunities available for improving the character and quality of an area and the way it functions, as required by paragraph 64 of the National Planning Policy Framework. The proposal is therefore contrary to advice in the National Planning Policy Framework and policies GP1 'Design' of the 2005 City of York Draft Local Plan and D1 'Placemaking' of the 2017 Pre-Publication Draft Local Plan.

3 The application site lies within the former Clifton Hospital site that is the subject of an area Tree Preservation Order (no.173/1991). Four of the protected trees are located to the south of the existing hotel building within a grassed area and have a significant public amenity value that contribute to the setting of the existing development. The proposal would introduce six parking bays to the north of the trees that would intrude into the grassed area and are likely to adversely affect the health and longevity of the protected trees. Insufficient evidence has been submitted to demonstrate that this intrusion would not adversely affect the trees. The proposal is therefore considered to be contrary to the Town and Country Planning Act 1990 and subsequent Acts and regulations that allow for the protection of trees for amenity reasons, one of the core planning principle cited in paragraph 17 of the National Planning Policy Framework being the conservation of the natural environment, and policy NE1 'Trees, Woodlands and Hedgerows' of the 2005 City of York Draft Local Plan and policies D2 'Landscape and Setting' and GI4 'Trees and Hedgerows' of the 2017 Pre-Publication Draft Local Plan.

7.0 INFORMATIVES:

1 STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in an attempt to achieve a positive outcome:

- Written to the applicant to explain the planning status of the site and advice provided on the extent of development that could be supported in Green Belt terms and with regards to visual amenity and trees;
- Extension of time agreed to allow the applicant the opportunity to revise the scheme in order to receive a positive outcome;
- Considered a submitted draft revised scheme.

Notwithstanding the above, it was not possible to achieve a positive outcome, resulting in planning permission being refused for the reasons stated.

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