

COMMITTEE REPORT

Date: 20 January 2011 **Ward:** Guildhall
Team: Major and Commercial **Parish:** Guildhall Planning Panel
Team

Reference: 10/02542/FULM
Application at: Infinity Ltd 88 - 96 Walmgate York YO1 9TL
For: Erection of 4 storey building to form 102 bedroom hotel.
By: S Harrison Developments Ltd & Sojourn Hotels
Application Type: Major Full Application (13 weeks)
Target Date: 28 February 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 The application relates to the Infinity Motorcycles retail premises which is situated on the corner of Walmgate and Hurst's Yard; the site extends to Percy's Lane at the rear. The host building is 2-storey with a flat roof where it fronts onto Walmgate and single storey with a pitched roof behind. The grade 2 listed Spread Eagle public house is to the east, this building is 3-storey with pitched roof. On the west side of Hurst's Yard is the Press building at 76-86 Walmgate, which varies in height from 3-storey to single storey, on the south side of Walmgate is a C20 3-storey building in residential use, next door 77 Walmgate is grade 2 star listed. The site is allocated in the Local Plan as being within the central shopping area, and Central Historic Core conservation area.

1.2 This application proposes demolition of the Infinity Motorcycles premises and replacement with a hotel building that would be 3-storeys high to eaves level, with a 4th floor within the roofspace. The building would be of brick with a pantile roof.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area
Conservation Area GMS Constraints: Central Historic Core
Listed Buildings GMS Constraints: Grade 2; Spread Eagle 98 Walmgate

2.2 Policies:

CYSP7	The sequential approach to development
CYV1	Criteria for visitor related development
CYV3	Criteria for hotels and guest houses
CYGP1	Design
CYGP3	Planning against crime
CYGP4	Environmental sustainability
CYHE2	Development in historic locations
CYHE3	Conservation Areas
CYHE10	Archaeology

3.0 CONSULTATIONS

City Development

3.1 No objection. Advise that the loss of retail and proposed hotel use does not conflict with national and local policy. Consider the scheme would be suitably located in terms of transport links and that the sustainable construction measures exceed policy requirements.

Design, Conservation and Sustainable Development

3.2 Officers support the scheme, considering it complies with PPS5: Planning and the Historic Environment in that it would contribute positively to the economic viability of the conservation area and enhance the character and appearance, by virtue of scale, height, massing and overall design.

3.3 Walmgate is a long street and its character, of mainly small scale plots of three storey domestic elements, begins to break down south eastwards shortly after St Deny's Church. Large scale buildings have been introduced into the street with varying degrees of success. The existing building onsite is a late C20th structure and although it is quite low onto Walmgate, situated opposite the (grade 2 listed) modest two storey timber framed buildings at nos. 75-77 Walmgate, its appearance and use does not contribute to the special character of the area. In addition the wide external display area and canopy to the side of Hurst's Yard erode the enclosure of the street.

3.4 Although the proposed building would be more massive than the smaller scale buildings which mainly characterise the other side of the street, it is considered that the hierarchy of openings, the bay rhythm, and the deep-set elements would create several layers of interest at different scales and these would help to integrate the building into the streetscape. The building would be highly articulated, with windows deeply set and broken into bays, made in brickwork with a pantile roof and deep overhanging eaves. Except for the large area of glazing to the front, modern materials would be used in small areas as cladding and framing materials. It is considered that the hotel would repair the enclosure of the surrounding streets. The eaves line and rhythm would sit comfortably within the buildings immediately to each side. In addition, the hotel would repair the enclosure of the surrounding streets and would not have a detrimental impact on St Margaret's church tower (grade 1 listed) as it would be over 50m away, with a mature tree line intervening.

3.5 An issue with the scheme is the extensive length of glazing at ground floor which is relatively lacking in content for Walmgate and would be uncharacteristic of the area. The building appears ungrounded. The preferred option would be to sub-divide this area to produce rhythm onto the street and develop the glazing pattern decoratively.

Countryside Officer

3.6 The existing building due to its design is unsuitable for bat habitat. However the site is located close to good foraging habitat for bats (the River Foss to the north, mature trees within the grounds of St Margaret's Church adjacent, and the city wall embankments to the east, which also provides a commuting link to further habitat elsewhere). As such re-development of this site provides an opportunity to deliver further roosting habitat for bats and other species which use buildings. These features can be integrated into the design of the building, examples include special tiles, bricks and bat boxes.

Archaeology

3.7 The development will include piled foundations and associated ground-beams, lift-pits and a surface water storage tank. All these elements may have an impact on the archaeology of the site. Officers consider that the impact on the archaeological deposits on this site will be acceptable provided that:

- a) the impact of the piled foundations and ground-beams is less than 5%
- b) that there is an archaeological watching brief on all ground works
- c) that significant 19th century and earlier deposits located within the areas designated for the lift-pits and attenuation tanks are excavated archaeologically.

Highway Network Management

3.8 Officers ask that cycle parking facilities be provided and that the applicants agree to fund the procedure for amending the traffic regulation order, to enable servicing, otherwise the scheme is supported. The following is advised:

- No car parking is proposed for the development however the site is located within nationally recognised walking/cycling distances of the city centre and high frequency public transport. The site is therefore in a very sustainable location and officers have no concerns over the lack of dedicated car parking for the hotel. The Transport Statement submitted included a parking survey for the adjacent Peel St. council car park. This survey highlighted that sufficient car parking is available for the use of guests to the hotel if required. This is also in addition to on-street parking which is available after 18:00 on an evening. The hotel will therefore be able to promote sustainable travel given the location but can also accommodate the expected level of parking required without being to the detriment of the adjacent highway network. This is similar to the existing approach used for many other city centre hotels.
- The surrounding public highway is covered by a number of waiting restrictions which will prevent indiscriminate parking. Any traffic generated by the site (including servicing traffic) will be negligible and will not have a material impact on the adjacent network.

Drainage

3.9 Officers ask that proposed floor levels onsite and to the neighbouring areas are shown, alongside drainage details, to ensure that neighbouring sites are not affected from surface water run-off.

Environment Protection Unit

3.10 Due to the proximity of the site to surrounding buildings in residential use ask for conditions to cover construction management, times of delivery, details of noise from plant and kitchen extraction. In the interests of the amenity of users of the proposed hotel, ask that the window glazing be to the specification recommended by the applicants, to prevent noise disturbance. Because the site has formerly been used as a motorcycle garage officers consider there is potential for site contamination. A condition requiring site investigation and any necessary remediation be carried out is suggested

Guildhall Planning Panel

3.11 Support the application.

Conservation Areas Advisory Panel

3.12 Considered the scale and massing of the proposed hotel was inappropriate and out of character in a street which is predominantly small scale. Also the panel questioned how vehicular access and servicing would occur.

English Heritage

3.13 Broadly support the proposals however there is some concern over the design approach to the ground floor frontage. Consider this area is too modest in its detailing and there is too much glazing. It was suggested this area be made more robust to anchor a building of this scale.

Safer York Partnership / Police Architectural liaison Officer

3.14 No objection. Advise the scheme has been developed with secure by design principles in mind.

Environment Agency

3.15 No objection.

Publicity

3.16 Two letters have been received. Comments:

- The area is predominantly residential and the proposed use would have an unacceptable impact on residential amenity, in particular in the evening.
- The development, in addition to the student accommodation on Percy's Lane, have a lack of open space, and constitute over-development of the area.
- No parking is proposed. This will encourage people to park on-street, which will increase congestion.
- It is asked whether buses parked (when picking up/dropping off passengers) on Walmgate will impede traffic.

- The overall, and continuous uniform height of the building would be out of character with the street.
- Support for the scheme as there is disturbance caused by the exiting use, noise from motorcycle engines has been cited.

4.0 APPRAISAL

4.1 The key issues regarding this planning application are deemed to be:

- Whether a hotel on this site fits with planning policy.
- The impact of the proposed building on its surroundings, including the character and appearance of the Central Historic Core conservation area.
- Amenity of surrounding occupants.
- Sustainable design and construction.
- Highway network management.
- Drainage and flood risk.
- Archaeology.

Principle of the proposed use

4.2 A hotel on the site would be consistent with national policy in PPS4: Planning For Sustainable Economic Growth, which sets a preference for such uses to be located within the city centre in order to achieve sustainable economic growth, and the sequential approach to development established in PPS4 and policies SP7, V1 and V3 of the Local Plan (LP). The loss of retail space would not conflict with policy, as Walmgate is not identified as a primary shopping street in the LP and as potentially the development would enhance the vitality and viability of the area, in accordance with the strategy for the city centre economy, as established in the LP.

Design of the proposed building and its impact on the setting

4.3 PPS5: Planning for the Historic Environment advises that LPA's should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.

4.4 Part of the valued character of Walmgate is established through buildings of variable heights, typically 2 or 3-storey, which accommodate narrow plots and have a vertical emphasis. However between St Deny's Road and Walmgate Bar there are examples of building blocks with a wider footprint.

4.5 The proposed building would have an eaves level which would be in-between the eaves heights of nos. 98 and 100-102. The ridge height would be somewhat taller than neighbouring buildings (around 1.5m taller than the Press building and nos. 100-102). Viewed from Walmgate at street level the building's height and roof form would add to the character of the street, continuing the variation in building heights, rather than create a building that appeared unduly out of place. From distant views, the building would be seen in context, sitting comfortably alongside the Press building, the Ward's warehouse and the student accommodation on Grey's Wharf.

4.6 The detailing on the building has been arranged and modelled to break down the mass of the building and give it a vertical emphasis, typical of this part of the central historic core conservation area. The predominant materials will be brick and pantile roof tiles, which would be in-keeping with the area. On the Walmgate elevation the aluminium window surrounds would be setback from the main wall, with windows recessed further. This modelling will lead to a good quality, interesting elevation (rather than a flat fascade) which would make a positive contribution to the street scene, both in relation to the existing building but also in its own right.

4.7 There were initial concerns regarding the openness and lack of detail of the ground floor area on the front elevation, where a large area of glazing was originally proposed. This would be out of character with the more intimate scale of buildings which are a positive element of the conservation area. Revised plans will be supplied which sub-divide this area into 3 parts (as has been achieved on the upper floors) by introducing two brick columns behind the down pipes. This change would reduce the perceived scale of the building, and enable it to integrate into the street. In addition decorative railings have been added in front of the glazing. These would add interest and create a more attractive frontage.

4.8 On the side and rear elevations the building would introduce an active frontage, and repair the streetscape by adding this directly against the pavement. As with the front elevation the detailing will break down the mass of the building and give it a vertical emphasis. There would be a significant improvement to the character and appearance of the conservation area in this respect.

4.9 The chimneys are functional, to be used for extraction and for the air-sourced heat pumps. The extraction chimneys (adjacent the public house) have been reduced in scale (in the amended plans) and are not prominent. Despite the size of the air sourced heat pump chimneys, due to their location, they would not appear unduly dominant in views along Walmgate.

Amenity of surrounding occupants.

4.10 Due to the height and shape of the building and the separation distance between it and Hurst's Yard, Percy's Lane and Walmgate, the surrounding buildings on these sides would not suffer an undue loss of light. In addition the houses on Walmgate are also to the south of the proposed building so sunlight would not be blocked.

4.11 Part of the proposed building would be 3-storey and project some 4m beyond the rear building line of the Spread Eagle public house. This part of the building would be set 1.5m to 1m away from the shared boundary and the rear elevation of the public house faces predominantly to the north. As such a loss of light would not occur. There would be adequate outlook away from the proposed building (to the north and east) retained and the proposed building would not appear overdominant. Much of the rear yard area of the public house, apart from at the far north end, is covered with outbuildings and any loss of light or overshadowing would not detract from the amenity of that site.

4.12 Overlooking, between guest rooms in the proposed building and living and bedrooms in residential buildings on the south side of Walmgate would occur. There would be some 13m between windows, 14.5m in the case of the dormer windows at roof level. This is deemed to be reasonable for a city centre location.

4.13 The hotel would be a 24 hour operation, and any noise associated with guests coming and going, is to be expected on a main route within the city centre (as defined in the LP). The ancillary bar/restaurant would be controlled via the premises licence, although through a planning condition the specification of the glazing at the front of the building can be controlled, to minimise noise breakout so it would be to World Health Organisation requirements. A condition will also be necessary to control the noise from plant and machinery, some of which would be external (in the yard and on the kitchen roof) to prevent this not causing undue disturbance.

Sustainable design and construction.

4.14 The council's interim planning document on sustainable design and construction (IPD) asks that commercial developments of over 500 sq m floorspace achieve a BREEAM rating of at least 'Very Good' and that at least 10% of the projected energy demand be supplied by on-site renewable sources. It is proposed that the building includes air-sourced heat pumps, which can acquire up to 36% of the buildings expected energy demand. In addition the building will be built to modern standards in terms of energy and water use and insulation. It is expected the required BREEAM rating can be achieved, and the amount of energy that would be generated would exceed local policy standards.

Highway network management.

4.15 Policy SP8 of the LP seeks to reduce dependence upon the car. It is suggested this occurs through locating large scale development close to bus routes and pedestrian and cycle networks and through the provision of cycle parking. The objectives of the LP and PPG13: Transport (national planning policy) are to promote accessibility to jobs by public transport, walking and cycling and to reduce the need to travel, especially by car. Policy T4 of the LP requires appropriate cycle parking provision, T5 asks that developments do not have an adverse effect on road safety and T13a requires developments to adopt a travel plan when over 30 employees are likely to be employed.

4.16 As no car parking spaces are proposed, customers and employees will be discouraged from using a private car to travel, having to rely on public car parks nearby if necessary (which have capacity). By virtue of the location of the proposed hotel there are realistic alternatives to private car use due to the proximity and availability of public transport alternatives. 12 secure and covered cycle parking spaces will be provided on-site, in excess of the minimum requirements established in the LP (which is 1 space per 10 guest-rooms). The applicants also propose to implement a green travel plan that would be an ongoing requirement to encourage sustainable travel.

4.17 Policy V1 of the LP also requires that hotel developments have adequate servicing arrangements. It is proposed to service the site from Percy's Lane, and the

layout is configured to accommodate such. Traffic regulations will be altered to provide a space for vehicles servicing the site during typical delivery hours - between 08.00 and 18.00. It is not proposed to make any special arrangements for coach or taxi drop off points. This would have to occur on-street, either on Walmgate or Percy's Lane, and could do so on Walmgate as there is no parking allowed outside the site and due to the road width coaches could stop off without impeding traffic flows.

Drainage and flood risk.

4.18 Policy GP15a of the LP advises that in new development, discharges should not exceed the capacity of the sewer system and surface water run-off should not exceed the existing rate. It is proposed to use attenuation measures that will enable surface water run-off to be reduced by 30% in relation to the existing rate. This is in line with CYC's typical requirement and subsequently acceptable. Foul sewage would connect to the existing system, administered by Yorkshire Water who have confirmed the applicants approach is acceptable. Final details of drainage will be required as a condition, to ensure surface water run-off does not affect neighbouring land.

Archaeology.

4.19 The site is within the city centre area of archaeological importance. Policy HE10 of the LP seeks to preserve important archaeological remains and requires that applications demonstrate no more than 5% of archaeological deposits are disturbed or destroyed during works. In excess of 5% of deposits may be affected as groundworks are necessary for piling, the pits to the lift shafts and a storage tank to control surface water run-off. However it is proposed to locate the storage tank to the north of the site, where archaeology investigation carried out to date indicates remains will be deeper below the surface and thus unaffected. The impact on archaeology can be acceptably mitigated, as required by policy HE10, by requiring investigation and subsequent extraction of archaeology if found.

5.0 CONCLUSION

5.1 In principle the scheme is welcomed. The proposed building will be highly efficient, exceeding York's sustainability requirements, and it will enhance the character and appearance of this part of the conservation area, and the vitality and viability of the street. The development can, by imposing conditions, have an acceptable affect on archaeology and highway safety, flood risk elsewhere would be reduced (by controlling surface water run-off from the site) and there would be no undue affect on the amenity of surrounding occupants. Overall the scheme accords with policy and approval is recommended.

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:-

D-103 site layout

Floor plans

D-201 - ground floor plan

202 - 1st floor

203 - 2nd floor

204 - 3rd floor

205 - roof

Large scale elevations D-301, 302

Elevation drawings D-401, 402, 403, 404

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

3 Prior to occupation of the building hereby approved a formal BREEAM assessment or equivalent, for the design and procurement stages for the building and a post construction review shall be submitted to and approved in writing by the Local Planning Authority. All assessments shall confirm the minimum 'Very Good' rating, or equivalent, and the development implemented accordingly.

Reason: In the interests of sustainable development, in accordance with the requirements of policy GP4a of the Draft Local Plan and the Council's planning guidance Interim Planning Statement (IPS) on Sustainable Design and Construction.

4 At least 10% of the predicted energy requirements for the development hereby approved shall be obtained from on-site renewable resources. This shall be achieved using the measures proposed in the Ashmount renewable energy and BREEAM statement dated 23.9.2010 unless and alternative approach is formally submitted to, and approved by the Local Planning Authority

Reason: To ensure that the development is sustainable and accords with Policy GP4a of the Draft City of York Local Plan and the City of York Interim Planning Statement on Sustainable Design and Construction.

5 VISQ8 Samples of exterior materials to be approved

6 VISQ7 Sample panel ext materials to be approved

7 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.

- a) Windows and window surrounds (including dormers).
- b) External doors and surrounds.
- c) Rain water goods pipes.

- d) Eaves and verge details.
- e) Extract chimneys.
- f) Lift enclosures (on roof).
- g) Elevations to cycle store.
- h) Perimeter railings, walls and gates.
- i) Any external plant and associated screening.
- j) Any external lighting.
- k) Any external CCTV.

Reason: In the interests of the appearance of the building and its contribution to the conservation area setting.

8 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed hard and soft landscaping scheme (to include any changes to the highway/pavement along Hurst's Yard, Percy's Lane and Walmgate outside the application site). This scheme shall be implemented prior to 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: In the interests of the appearance of the conservation area and setting of the proposed building.

9 Adequate covered space for at least 12 cycles shall be provided on-site prior to first use of the building, and retained thereafter, using Sheffield type stands or similar, spaced at 1m intervals (minimum).

Reason: To provide adequate secure and covered cycle parking facilities, as required in the Local Plan and in accordance with the thrust of PPG13: Transport.

10 The use hereby permitted shall not occur until the measures to allow servicing of the building from Percy's Lane, identified in section 4 of the AECOM transport assessment dated 19.10.2010, have been implemented.

Reasons: In the interests of highway safety.

11 The site shall not be occupied until a travel plan, developed and implemented in line with local and national guidelines, has been submitted and approved in writing by the Local Planning Authority. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

Within 12 months of occupation of the site a first year travel survey shall have been submitted to and approved in writing by the Local Planning Authority. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To reduce private car travel in accordance with PPG13: Transport, and policy T13a of the City of York deposit Draft Local Plan.

12 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority and the development carried out accordingly. The statement shall include at least the following information;

- The routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours.
- Where contractors will park.
- Where materials will be stored within the site.
- Measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

13 Construction of the development hereby permitted shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out accordingly thereafter.

The details shall provide the following:

- Topographical details of the site (as proposed) and neighbouring land.
- Peak surface water run-off attenuated to 70% of the existing rate (based on 140 l/s/ha of proven connected impermeable areas). Storage volume calculations, using computer modelling, for run-off shall accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

Reason: To prevent flood risk.

14 Prior to construction of the building hereby approved details shall be submitted to and approved in writing by the Local Planning Authority of measures to be provided within the design of the development to accommodate bats (such as the use of special tiles, bricks, soffit boards and bat boxes). The development shall be completed in accordance with the approved details.

Reason: To enhance wildlife habitats in accordance with policy NE7 of the Local Plan.

15 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside the application site, shall be submitted to the local planning authority for written approval. These details shall include maximum ($L_{Amax}(f)$) and average sound levels (L_{Aeq}), 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 local residents and businesses.

16 Details of all glazing to the ground floor public area shall be submitted to the local planning authority for written approval. These details shall include measures to prevent noise from the building hereby permitted affecting outside areas and nearby noise sensitive facades. The development shall be implemented in accordance with the approved measures and retained as such thereafter.

Reason: To protect the amenity of local residents and businesses and the character of the conservation area.

17 Prior to occupation of the building hereby approved, the following works shall be submitted to, approved in writing by the Local Planning Authority and carried out accordingly:

a. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- Survey of the extent, scale and nature of contamination (including ground gases where appropriate).
- Assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.
- Appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c. Implementation of Approved Remediation Scheme

The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works. Following completion of

measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out shall be submitted to, and approved by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of the previous condition, and where remediation is necessary a remediation scheme must be prepared, and approved in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority in accordance with the previous condition.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

19 Prior to commencement of the development, an Environmental Management Scheme for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents and businesses

20 No development shall commence until the applicant has submitted a method statement detailing piling methodology and ground beam construction which limits the impact of these elements to affecting less than 5% of archaeological deposits within the area within the redline boundary of the site, and a methodology for identifying and dealing with obstructions to piles. Such details shall be submitted to and approved in writing by the Local Planning Authority and the works carried out accordingly.

Reason: As the site lies within an Area of Archaeological Importance and this development will have an effect on nationally important archaeological deposits which are preserved within the site and this effect must be kept to less than 5% in accordance with policy HE10 of the Local Plan.

21 ARCH1 Programme of archaeological work (an archaeological excavation and subsequent programme of analysis and publication by an approved archaeological unit)

22 ARCH2 Watching brief required

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 setting of nearby listed buildings, the character and appearance of the conservation area, amenity, highway safety, archaeology and flood risk.

As such the proposal complies with national policy established in PPS1, PPS4 and PPS5 and Policies SP7A, SP7B, GP1, GP3, GP4A, HE2, HE3, HE10, T4, E3B and V3 of the City of York Development Control Local Plan.

2. HIGHWAYS INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980.

It is proposed to amend the waiting restrictions on Percy's Lane to enable servicing to take place for the hotel. The changes to the Traffic Regulation Orders will need to be advertised and local residents/businesses will be consulted. The funding of these changes to the waiting restrictions will be met by the hotel applicants and are expected to cost in the region of £2k.

Contact details:

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