

## COMMITTEE REPORT

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

**Reference:** 11/02185/FULM  
**Application at:** Monkbar Hotel St Maurices Road York YO31 7JA  
**For:** Four storey extension to rear to create additional bedrooms and conference rooms and alterations to existing hotel (application to extend time period for implementation of permission 08/01647/FULM)  
**By:** Mr Rishi Sachden  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 9 November 2011  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application relates to Monkbar Hotel, which occupies the corner of Monkgate and St Maurice's Road. The hotel currently has 99 guest rooms and 8 conference rooms. The facilities are located within the main building, above ground floor level at 18, 20, 22, 24, and 26 Monkgate, at the lodge building (which fronts St Maurice's Road) and in the three two-storey outbuildings/garage blocks to the north and east of the main building.

1.2 The main building is 3½ storey in height of brick, slate roof and lead dormers. It was built in the 1980's and extended in the 1990's. The building is not listed but is within the Central Historic Core Conservation Area.

1.3 The application is for the renewal of planning permission 08/01647/FULM, granted at planning committee in September 2008. The proposal is to increase the number of guestrooms from 99 to 129 and reduce the number of car parking spaces on-site from 43 to 36. Four of the guestrooms would be in the existing garage block located at the north of the site, otherwise the new facilities would be within a proposed extension in the centre of the site. The extension would have a footprint of 12m by 12.5m, with an extra 1m by 3.6m for the associated stairwell. In height, materials, shape and detailing it would replicate the main building. It is also proposed to re-configure the car parking layout on site. Double height car storage places would be accommodated in two of the garage blocks. A coach parking space is retained within the site.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

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Areas of Archaeological Interest GMS Constraints: City Centre Area 0006  
Conservation Area GMS Constraints: Central Historic Core CONF  
Listed Buildings: Grade 2; Monkbar Hotel 28 Monkgate York YO31 7PF 0932  
Schools GMS Constraints: St. Wilfrid's RC Primary 0230

### **3.0 CONSULTATIONS**

#### **Highway Network Management**

3.1 Advise comments as previous application.

#### **Guildhall Planning Panel**

3.2 No objections.

#### **Publicity**

3.3 Four objections have been made to the application. The reasons are as follows:

- Due to the height of the extension and its proximity to Monkgate Cloisters it would be over-dominant and lead to overlooking of houses.
- Loss of parking would have a knock-on effect on the area.

### **4.0 APPRAISAL**

4.1 Since 1 October 2009 applicants are able to submit an application to renew an unimplemented planning permission. The facility applies to applications made on or before 1 October 2009. It allows applicants to apply for a new planning permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development.

4.2 National policy guidance established in Greater Flexibility for Planning Permission advises that in determining applications for extensions of time, LPA's should take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date. LPA's should, in making their decisions, focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission. LPA's may refuse applications to extend the time limit for permissions

where changes in the development plan or other relevant material considerations indicate the proposal should no longer be treated favourably.

4.3 The original committee report is attached as an annexe to this report. Relevant planning policy has not changed since the report and therefore the original recommendation still stands.

## **5.0 CONCLUSION**

5.1 There have been no material changes in planning policy since the original permission was granted in 2008. As such it is recommended a fresh planning permission be granted. The conditions of approval will be altered accordingly as some of the original requirements have since been agreed by the LPA.

## **6.0 RECOMMENDATION: Approve**

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out only in accordance with the following plans:-

S6301/AL (0)  
005G - ground floor plan  
006 - first floor  
007 - second floor  
008 - third floor and roof  
041 - elevations and sections  
042 - elevations and materials

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

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

3 The development hereby approved shall achieve at least a BREEAM very good rating or equivalent. Prior to occupation of the building hereby approved a BREEAM Post Construction review confirming such shall be submitted to, and agreed to in writing by the Local Planning Authority 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 The materials to be used externally shall match those of the existing main hotel building in colour, size, shape and texture, as shown on drawing 042.

Reason: To achieve a visually acceptable form of development.

5 Hard and soft landscaping of the site (including the junction with St Maurice's Road) shall occur in accordance with drawing 903A (which was received in April 2008). This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site, in the interests of the appearance of the conservation area.

6 All waste, including recyclables shall be stored internally.

Reason: To encourage recycling and to maintain visual amenity in accordance with policies GP1 and GP4a of the CYC Local Plan.

7 Secure and covered cycle storage for at least 18 cycles shall be provided onsite and retained for such use at all times.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

Informative - It was previously agreed the cycle store would be within a building at the north end of the site, as shown on site plan drawing 901A.

8 Prior to installation of the vehicle stacking system, details of all machinery, plant and equipment to be installed and any proposed noise mitigation measures shall be submitted to the local planning authority. These details shall include maximum (L<sub>Amax</sub>(f)) and average (L<sub>Aeq</sub>) sound levels (A weighted), and octave band noise levels they produce. All such 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 appropriately maintained thereafter.

Reason: In the interests of the amenity of the surrounding occupants and of the hotel.

Informative- The required details shall identify the noise impact on the nearest residential premises (indoors and outdoors). You are reminded that should the required details demonstrate that the system would be unacceptable, in terms of impact on residential amenity, then it may not be installed.

9 Site drainage shall occur in accordance with the following details -

- Topographical survey by Malcolm Hughes Land Surveyors received 28.4.2009
- Surface water run-off calculations submitted by Fairhurst Consultants
- Drainage plan (9) 902

Reason: To reduce flood risk, in accordance with PPS25 and in agreement with the Environment Agency and Marston Moor Internal Drainage Board.

10 ARCH2 Watching brief required -

11 A site investigation shall be undertaken based upon the findings of the desk study (carried out in jan 2009 by sub surface north east limited). The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on the site.

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

12 A risk-based remedial strategy shall be developed based on the findings of the site investigation. The remedial strategy shall be submitted to and approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing at the site.

Informative: The remedial strategy shall have due regard for UK adopted policy on risk assessment and shall be developed in full consultation with the appropriate regulator(s).

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

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

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

14 Any contamination detected during site works that has not been considered within the remedial strategy shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development at the site.

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

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

1 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 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Section 62 - General Power of Improvement (Mr Michael Kitchen Tel:1336)

Section 184 - Vehicle Crossing (Mr Stuart Partington Tel: 551361)

Your attention is drawn to the Safer York Partnership comments which suggest that CCTV systems be installed to monitor the car park.

2 The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

(b)The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in

accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

### **3 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 character and appearance of the conservation area, residential amenity, highway safety and flood risk. As such the proposal complies with Policies HE2, HE3, HE10 GP1 and V3 of the City of York Local Plan Deposit Draft.

#### **Contact details:**

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