



CITY OF  
**YORK**  
COUNCIL

## Approve Planning Permission

### TOWN AND COUNTRY PLANNING ACT 1990

**To:**

Michael Philips Architects Ltd  
Headmasters Halls  
Old School House  
The Square  
Pennington  
Lymington  
Hampshire  
SO41 8GN

**Application at:** Shepherd Homes Ltd 89 The Mount York YO24 1BL  
**For:** Use as a hotel including single storey and two storey pitched roof extensions (with rooms in the roof) and erection of new two storey (with rooms in the roof) pitched roof bedroom block  
**By:** Stephen Rodwell  
**Application Ref No.:** 06/01341/FULM  
**Application Received on:** 15 June 2006

### CONDITIONS OF APPROVAL:

1 The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

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

Drawing number PL07 Rev "A" - Proposed basement floor plans  
Drawing number PL08 Rev "A" - Proposed ground floor plan  
Drawing number PL09 Rev "A" - Proposed first floor plan  
Drawing number PL10 Rev "A" - Proposed second floor plan  
Drawing number PL11 Rev "A" - Proposed roof plan  
Drawing number PL12 Rev "B" - Proposed front and rear elevations  
Drawing number PL13 Rev "C" - Section elevation through courtyard  
Drawing number PL14 Rev "B" - Proposed south elevation and sectional elevation  
Drawing number PL15 Rev "A" - Proposed site plan at ground floor level  
Drawing number PL16 Rev "B" - Proposed elevations (west and north) and north sectional elevation through courtyard  
Drawing number 1356/1 - Existing trees on site

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 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

4 A sample panel of the brickwork to be used on this building shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location.

5 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. 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.

6 Before the commencement of and during building operations, adequate measures shall be taken to protect the existing planting on this site. This means of protection shall be agreed in writing with the Local Planning Authority and shall be implemented prior to the stacking of materials, the erection of site huts or the commencement of building works.

Reason: The existing planting is considered to make a significant contribution to the amenities of this area.

7 None of the boundary walls enclosing the site shall be lowered or breached without the prior written consent of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area.

8 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

9 Details of soil and vent stacks, heating and air conditioning plant etc, including fume extraction and odour control equipment, with details of any external ducting, shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences.

Reason: In the interests of visual amenity and to protect the amenities of occupants of adjoining properties.

10 Prior to the commencement of the development, details of the new screen wall and canopy link between the main building and the coach house shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in complete accordance with the approved details.

Reason: So that the local planning authority may be satisfied with these details.

11 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the egress of water and loose material onto the public highway.

12 Prior to the commencement of the development, and notwithstanding the details shown on the submitted drawings, details of cycle parking, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: In order that the local planning authority may be satisfied with these details, and in order to promote the use of cycles thereby reducing congestion on the adjacent roads.

13 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

14 There shall be no increase in the number of car parking spaces indicated on the approved drawings, i.e. 21 spaces including three dedicated disabled parking bays, unless the written approval of the local planning authority has first been obtained.

Reason: In order that the level of parking provision within the application site does not exceed the maximum standards referred to in Appendix "E" of the City of York Draft Local Plan.

15 Prior to the development commencing details of the measures to be employed to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted to and approved in writing by the Local Planning Authority. Such measures as shall have been approved shall be employed and adhered to at all times during construction works.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

16 Prior to the commencement of the use hereby approved, provision shall be made within the site for accommodation of delivery/service vehicles in accordance with the approved plans. Thereafter all such areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To ensure that delivery/service vehicles can be accommodated within the site and to maintain the free and safe passage of highway users.

17 Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which shall be agreed in writing with the LPA.

Reason: In the interests of the safety and good management of the public highway.

18 Three months prior to the development being brought into use, a full company travel plan, developed and implemented in accordance with national guidance and guidance published by the City of York Council, shall have been submitted and approved in writing by the local planning authority.

Reason: To ensure that the development complies with national planning advice contained within Planning Policy Guidance Note 13: "Transport", and to encourage the use of modes of transport to and from the site other than the private car.

19 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (an archaeological excavation and subsequent programme of analysis and publication by an approved archaeological unit) in accordance with the specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded prior to destruction.

20 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the

archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded during the construction programme.

21 All construction and demolition or refurbishment works and ancillary operations, including deliveries to the site and despatch from the site shall only be carried out between the hours of 0800 hours and 1800 Mondays to Fridays and 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

Reason: To protect the amenity of neighbouring occupiers.

22 All deliveries to the site and despatch from the site shall be confined to the following hours:

Monday to Friday	0800 to 1800 hours
Saturday	0900 to 1800 hours
Sundays and Bank Holidays	1000 to 1600 hours

Reason: To protect the amenity of neighbouring occupiers.

23 There shall be adequate facilities for the treatment and extraction of fumes so that there is no adverse impact on the amenities of local residents by reason of fumes, odour or noise. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for approval. Once approved it shall be installed and fully operational before the development is first brought into use and shall be appropriately maintained thereafter.

Reason: To protect the amenity of neighbouring occupiers.

24 No events or entertainment (e.g. parties, wedding receptions) shall take place within the application site outside of the building envelope.

Reason: To protect the amenity of neighbouring occupiers.

25 Prior to the commencement of the development, full details of all external lighting within the application site, including the location, height, colour and luminance of all lighting columns/units, shall be submitted to and approved in writing by the local planning authority. Any lighting at the rear of the building shall consist of low level downlighters only so as not to cause glare or nuisance to the occupiers of adjacent residential properties.

Reason: In the interests of the amenity of surrounding residents.

26 Prior to the commencement of the development, a full sustainability statement shall be submitted to and approved in writing by the local planning authority. The statement shall be based on the contents of the applicants Design Statement dated 12 June 2006 (pages 9 and 10) and the "Green Hotels - Services Energy Saving Options" report dated May 2006, and shall incorporate the results of further research, feasibility studies, the options chosen and a full written justification. Once approved, the measures referred to in the statement shall be incorporated into the development in their entirety and, where appropriate, shall be thus maintained.

Reason: In order to secure a sustainable form of development.

27 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 9.9 metres for the new extension and 10.8 metres for the new block, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

28 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interests of satisfactory and sustainable drainage

29 No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the development can be properly drained

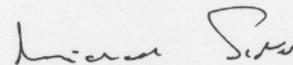
30 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for their disposal.

31 Prior to the commencement of any works on site, a detailed method of works statement shall be submitted to and agreed in writing by the local planning authority. This statement shall include the precautions to be taken to ensure the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the demolition and construction material, and the hours during which demolition, construction and deliveries to and from the site will be permitted.

Reason: In the interests of highway safety.

Date: 4 August 2006



M. Slater  
Assistant Director (Planning & Sustainable Development)

**FOR RIGHTS OF APPEAL, SEE OVERLEAF**  
**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:

- principle of hotel use
- design issues, impact on character and appearance of the conservation area
- impact on mature trees
- traffic, parking and access issues
- impact on residential amenity
- sustainability
- other issues, e.g. disabled access, archaeology, drainage, crime prevention

As such the proposal complies with Policies R1 and E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies E3b, V3, HE2, GP1, HE11, GP4, GP11 and T4 of the City of York Local Plan Deposit Draft.

**2. Demolition and Construction - Informative**

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, as follows:

- i) 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".

- ii) 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.
- iii) 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.
- iv) 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.
- v) There shall be no bonfires on the site.