

COMMITTEE REPORT

Committee: East Area **Ward:** Clifton
Date: 8 November 2007 **Parish:** Clifton Planning Panel

Reference: 07/00846/FUL
Application at: Elliots Hotel 2 Sycamore Place York YO30 7DW
For: Conversion of existing hotel to 9 flats and bedsits and erection of 2 no. townhouses (resubmission)
By: Mr And Mrs P Brown
Application Type: Full Application
Target Date: 7 June 2007

1.0 PROPOSAL

1.1 Planning permission is sought to convert the existing Elliots Hotel into 9 flats with shared kitchen and lounge and the erection of a two storey side extension to form two townhouses. A small existing two storey side projection is shown to be demolished in order to make way for the development.

1.2 The site is on the corner of Sycamore Place and Bootham Terrace and is in the Clifton Conservation area. A public footpath linking Bootham Terrace to Queen Anne's Road runs adjacent to the northern boundary of the site. This is unaffected by the proposal.

1.3 A previous application (06/01854/FUL) for the conversion of the building into 8 bedsits and the erection of three, 3 storey houses to the side was refused in November 2006. This was subsequently dismissed on appeal. This application is an amended scheme following on from that refusal. It was initially submitted as a conversion of Elliots Hotel into 5 flats and a bedsit and the erection of 3 townhouses. Following receipt of the Inspector's report into the previous refusal this has been altered back into a conversion into two flats at ground floor level, seven bedsits and the erection of two new houses.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Clifton 0013

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Schools Queen Anne 0253

2.2 Policies:

CYHE4
Listed Buildings

CYHE3
Conservation Areas

CYGP10
Subdivision of gardens and infill devt

CYH8
Conversion to flats/HMO/student accom

3.0 CONSULTATIONS

3.1 INTERNAL.

3.2 Highway Network Management.

This application is for the change of use of the existing hotel to flats / bedsits and the erection of 2 townhouses. There are six parking spaces shown on site. This site is located close to the city centre being within approximately 5 minutes walk and is close to a public car park which would serve visitors. Cycle storage can be provided within the site with the details being secured by condition.

For the above reasons it is considered that the proposed level of car parking is acceptable.

There are no highway objections to this proposal subject to conditions. Any additional comments on the amended plans awaited.

3.3 Urban Design and Conservation.

Proposals lie within the Clifton conservation area which was extended in 2002 to include the Edwardian developments of North Parade and Queen Anne's Road, and the area immediately adjacent to Queen Anne's School.

No 2 Sycamore Place is one half of a substantial unlisted building which is contemporary with the initial phase of the area's development. It is set back from the corner with Bootham Terrace and although the hotel's principal elevation addresses Sycamore Terrace, its deep side elevation has been articulated with a central full

height bay to address the garden space to the side. The garden is now used for car parking at the hotel; nevertheless the space still provides the setting for the existing building.

This corner site is at the junction of two conservation areas and it is also on axis with a busy route through from the city centre under the railway line. The space is a vital component of the character and appearance of the conservation area offering visual relief between the substantial built fabric in this location and views through to the large and mature gardens of nearby buildings. It also forms an important break at the lower end of Bootham Terrace. The list description for the terrace remarks that 1-22 Bootham Terrace form an unusually complete row of speculatively built terraced houses, constructed between 1860 & 1870 to an interesting variety of different designs.

Represents an improvement over the previous scheme although still initially objected to the extent of the development proposed in the plans originally submitted with this application. Amended plans have been submitted deleting completely the end unit and these now allow views through to the existing large bay window on the side of the existing building. This also increases the sense of space between the end of the building and Bootham Terrace.

Any further comments on these amended plans are awaited.

3.4 EPU

No objections. However the site is in close proximity to residential properties. Therefore have concerns regarding nearby residents being adversely affected by noise during any demolition, construction or refurbishment works. There is also concern regarding possible contamination with regard to the sites former use as a motor engineers, found during any construction works. Therefore informatives are recommended on these issues.

3.5 External.

Clifton Planning Panel.

Object - still consider that there are insufficient parking places shown off road. Any comments received on amended plans will be updated at the planning committee meeting.

3.6 Third Parties.

No letters of objection received.

4.0 APPRAISAL

4.1 Main Issues.

- Impact on the character and appearance of the Conservation Area and the streetscene.

4.2 The proposal is in two parts, the conversion of the existing building and the erection of two new town houses to the side of the existing building projecting into what is currently open space and car parking.

Proposed new town houses.

4.3 The site is important given its corner location and when standing on Sycamore Place facing the front of the hotel there are clear views across this corner to the gable end of the listed terrace houses on Bootham Terrace and across to the mature rear gardens of the houses on St. Marys Terrace and the mature trees around the railway embankment. This space is an important open area which offers a substantial and important visual break at this end of Bootham Terrace. The previous refused scheme represented a substantial development both in terms of its footprint and height and the Council considered it would have obscured views of the end of Bootham Terrace from Sycamore Place and which would have seriously undermined the setting of both the Conservation Area and the adjacent listed buildings. This decision was upheld on appeal.

4.4 This resubmission has significantly reduced the size of the new build in light of the Inspectors decision. Planning permission had been granted in 2000 for the conversion of half the hotel into a separate dwelling and a two storey side extension to the hotel. This remains an extant planning permission by virtue of the house conversion part having been implemented. The extension could therefore be built at any time in the future. The proposed new houses are almost identical in footprint, size and design to the extant scheme although it has to be acknowledged that the site was not in a Conservation area at the time of that decision, the Clifton Conservation area having being extended in 2002. Therefore, it is correct to consider this scheme against Conservation policies in light of this change in circumstance although this has to be balanced against this relevant planning history.

4.5 This revised proposal represents a much more balanced and improved scheme which much better respects the character and appearance of the Conservation Area at this point. It is subservient to the main building and maintains the generally open corner which is an important visual link between Bootham Terrace and Sycamore Place and which also forms the junction between the Central Historic Core and Clifton Conservation areas. It maintains the views from the Marygate Car Park and railway underpass of the large and impressive bay window on the side elevation of Elliots Hotel and therefore does not diminish the presence of this building to an unacceptable degree. The next door properties to the north east on Bootham Terrace are all Grade II listed and a further concern of the refused scheme was its impact on the setting of these listed buildings. By reducing the scheme back down to the extent of the 2000 approval, this impact is much less and officers do not consider their setting to be compromised. The buildings in question were listed at the time the extension was approved in 2000 and the relationship of the development with them was considered to be acceptable then.

4.6 The proposal no longer represents an overdevelopment of the site and it maintains an acceptable level of open space to the front and side, some of which will be utilised as garden open space and some for car parking. Its existing use is as a car park. The existing railings which frame the site to the road, partly lost in the previous scheme, will now be retained. There permanent retention is recommended by condition. The proposed new houses are therefore now considered acceptable and they preserve the character and form of the Conservation area at this point.

4.7 The site is a brownfield site close to the City centre in an established urban area where such development is generally encouraged. It is highly sustainable and so limited car parking is proposed (6 spaces on site). Nine of the units are 1 bedroom bedsits and the two new houses have 2 bedrooms so this level of car parking is not considered unreasonable. It is unlikely that all occupiers of the bedsits will have a car. The amenity space is generally shown to be communal with only the proposed end house having any private space of its own. Occupiers of the bedsits will share a yard to the rear where bins and cycles can also be stored and the first house is also shown with a small yard. A larger area laid to grass intended for communal use is shown to the side of the buildings adjacent to Sycamore Terrace. The previous scheme was also refused due to a lack of private amenity space across the site. However, the Inspector rejected this reason concluding that '...prospective occupiers of this type of accommodation (bedsits), living so close to the city centre, the riverside and the extensive municipal open spaces nearby, would be unlikely to demand or require large areas of outdoor amenity space. The enclosed rear yard of the conversion would be adequate to provide the necessary space for refuse, secure cycle storage and drying areas'. Given this and the fact that this proposal offers more space than in the refused scheme, officers raise no objections to the levels of amenity space associated with this development.

Conversion of the existing building.

4.8 With regard to the conversion of the existing building into flats and bedsits there are no objections in principle to this and the Council do not have a policy for preventing this providing that the standard of living and the amenity of future occupiers is deemed to be acceptable. Whilst quite small, the units do offer suitable and reasonable levels of accommodation for this type of property.

4.9 The previous application was also refused on the grounds of the poor level of private amenity outside of the building for future occupiers but also the poor outlook from three of the bedsits. The issue of the outdoor space is dealt with above in para. 4.7. As for outlook from the units the layout has been amended and much improved from that in the previous scheme. All units now enjoy a satisfactory level of outlook and levels of natural light internally. The Inspector had considered that even in the refused scheme the proposed internal arrangements of the conversion provided relatively generous, private en-suite accommodation for all prospective residents. Given that this proposal represents an improvement on this, there are no objections to the conversion.

5.0 CONCLUSION

5.1 This revised proposal addresses the deficiencies of the previously refused scheme. The proposed new build will not adversely affect the setting of the listed buildings on Bootham Terrace and will preserve the character and appearance of the Conservation area and the general amenity of the area. The conversion is also deemed to be acceptable now in terms of principle and levels of amenity. Car parking, whilst only offering 6 spaces on site is also considered to be acceptable.

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:-

- Elevation plans received 23rd May 2007
- Site layout and internal layout plans received 15th August 2007

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 VISQ8 Samples of exterior materials to be app

4 A sample panel of the brickwork to be used on the new houses 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 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.

- eaves details
- typical window reveal detail showing lintel and cill
- section through abutment with the existing perimeter wall

Reason: So that the Local Planning Authority may be satisfied with these details.

6 All new windows and doors shall be of timber construction.

Reason. In the interests of good design and appearance in the Conservation area.

7 The design, finish and colour of all new rainwater goods shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason. In the interests of visual appearance and good design in the Conservation area.

8 LAND1 IN New Landscape details

9 The existing railings around the perimeter of the site shall be retained.

Reason. In the interests of preserving the character and appearance of the Conservation area.

10 HWAY18 Cycle parking details to be agreed

11 HWAY19 Car and cycle parking laid out

12 HWAY29 IN No gate etc to open in highway

13 Prior to the commencement of any works, a detailed method of works statement shall be submitted to and agreed in writing by the LPA. 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 this will be permitted.

Reason. To ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent public highway

14 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The Open space shall thereafter be provided in accordance with the approved scheme or the alternatives arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1c of the Development Control Local Plan which requires that all new housing sites make provision for the open space needs of future occupiers.

INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £5364.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of

the local planning authority's enforcement powers in this regard.

15 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A to E of Schedule 2 Part 1 of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the adjoining residents, good design and the preservation of the character of the Conservation area the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

16 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. | |

Reason: To protect the amenity of nearby residents

7.0 INFORMATIVES: Notes to Applicant

1. INFORMATIVE:

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior ro works commencing.

2. 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 good design and the impact on the Conservation area and street scene. As such the proposal complies with Policies HE3, HE4, GP10, H4a and H8 of the City of York Draft Local Plan (incorporating the 4th set of changes) approved April 2005.

3. If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated land officer at the Council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to redesign and implement a remediation scheme to the satisfaction of the local planning authority. Should the City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the Council may consider taking action under Part IIA of the Environmental Protection Act 1990.

4. The developer's attention should also be 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 attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(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

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