

Item Number: 9
Application No: 14/00086/FUL
Parish: Helmsley Town Council
Appn. Type: Full Application
Applicant: Homfray Hotels (Mr Richard Murray Wells)
Proposal: Erection of a two bedroom dwelling for the hotel manager to include a parking space on existing concrete hard standing and demolition of existing prefabricated garage.
Location: Land At The Rear Of Feathers Hotel Market Place Helmsley York

Registration Date:
8/13 Wk Expiry Date: 16 April 2014
Overall Expiry Date: 29 April 2014
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

Parish Council	
Highways North Yorkshire	Recommend conditions
Yorkshire Water Services	No comments required
Parish Council	No comments made
Building Conservation Officer	No objection

Neighbour responses: Clive Button, Mr Christopher Stothard, Mr Michael Cooper,

SITE:

The Feathers Hotel is a grade II listed building situated on the eastern side of Bridge Street and is located within Helmsley conservation area. There is parking to the rear, together with a detached stone outbuilding which provides residential accommodation at ground floor level for a member of staff, with two en-suite bedrooms to the first floor. To the immediate south is a row of terrace houses, with parking for the hotel to the east. To the north is an area of garaging, access and parking for those houses fronting Bondgate.

PROPOSAL:

Permission is sought for the erection of a two bedroom dwelling for the hotel manager on land to the rear of The Feathers Hotel. It is on the site of an existing pre fabricated garage, and will be attached to the existing stone building which has permission for staff accommodation on the ground floor and the additional hotel accommodation at first floor level and hotel annexe. The proposed development will have a footprint of 9.6m by 5.7m with an eaves height of 4m and a ridge height of 6.5m. A small lean-to extension will be provide to the rear, with a small paved patio to the north. The building will be constructed from stone under a pantiled roof with timber windows.

POLICY:

National Planning Policy Framework

Section 1 – Building a strong, competitive economy
Section 2 - Ensuring the vitality of town centres
Section 4 – Promoting sustainable transport
Section 7 – Requiring good design

Section 12 – Conserving and enhancing the historic environment

National Planning Policy Guidance

Ryedale Plan- Local Plan Strategy

Policy SP1 General Location of Development and Settlement Hierarchy

Policy SP2 Delivery and Distribution of new housing.

Policy SP3 Affordable Housing

Policy SP4 Type and mix of new Housing

Policy SP8 Tourism

Policy SP12 Heritage

Policy SP16 design

Policy SP19 Presumption in favour of sustainable development

Policy SP20 generic Development management issues

Helmsley Plan- Publication Draft

HISTORY:

Over the years, various applications have been submitted for alterations to the principle building at The Feathers Hotel. The following more recent applications, for the adjoining building to the application site, are however of particular relevance to the consideration of this application:

- Appln 05/00213/FUL – Permission granted for the change of use and alterations of a double garage and flat to form a two bedroom dwelling
- Appln 6/00961/FUL – Permission granted for the change of use and alteration of a two bedroom dwelling to ground floor with two en-suite bedrooms above.

APPRAISAL:

The site lies within the ‘saved’ development limits for Helmsley. Both National and Local policy supports the delivery of housing in sustainable locations, and also development that benefits the local economy, and tourism in the area. The main material planning considerations are therefore;

- the acceptability of a dwelling in this location
- whether the development triggers a requirement for affordable housing or open space contributions
- design considerations
- impact of development on the setting of the listed building
- does the development preserve or enhance the character of Helmsley Conservation area
- Impact of development on the existing amenities of neighbouring occupiers.
- Highway considerations.

Appropriateness of location

The site lies within the ‘saved’ development limits for Helmsley, in a backland location. It is in close walking distance to the town centre and as such is in a sustainable location. Permission is sought to provide residential accommodation for the hotel manager because the existing flat is no longer suitable for his family. The dwelling is bounded by a row of residential properties to the south. It also lies between two parking areas for The Feathers hotel. It is not considered that the site is suitable for free market residential accommodation. Whilst the existing terrace houses to the south also lie adjacent to the Feathers Hotel parking, their common boundary is formed by a blank wall with their main orientation to the south away from the parking. The lack of windows means that their amenity is unlikely to be significantly affected by comings and goings associated with The Feathers Hotel. As

such, it is considered that the proposed dwelling should be subject to a condition tying occupation to a person or persons working at The Feathers hotel.

Does the application trigger a requirement for contributions in respect of affordable housing and open space.

Policy SP3 of the Local Plan Strategy seeks the provision of affordable housing In relation to Helmsley, the policy states;

35% of new dwellings as affordable on-site with a further additional financial contribution equivalent to a further 5% of provision as part of developments of 5 dwellings or 0.2ha or more.

The policy further states:

Below the threshold of 5 dwellings/0.2 ha, a pro-rated financial contribution will be sought from all new residential , where this is viable.

The policy does not apply to residential development in non service villages which are subject to Local Needs Occupancy conditions, nor replacement dwellings.

Open space contributions are also normally required on all new residential developments, with the exception of replacement dwellings, residential extensions and annexes and temporary dwellings.

In this relation to the development,, it is not considered that the development will trigger a requirement for contributions in respect of either affordable housing, or open space. The dwelling will be tied to The Feathers Hotel to provide staff accommodation and will therefore essentially be an annexe to that business. A condition will restrict its sale independently from the main dwelling.

Design and impact of building on the character of the conservation area

The proposed dwelling is effectively an extension of the existing former outbuilding that is situated adjacent to the site. In this backland part of Helmsley, the burgage plots run roughly east to west, with most of the development, including the recent terrace of houses to the immediate south, following that orientation. The existing building is unusual in that it runs north to south, and is therefore at odds with this traditional character. The initial plans for the site included a relatively short extension to the building which resulted in a less traditional block form. Negotiations have been carried out, and revised plans submitted. This has resulted in a slightly longer and narrower building that better respects the form of the burgage plots. The fenestration has also been amended to give the development the appearance of a converted agricultural building. The removal of the existing pre-fabricated garage on the site will further enhance the area. The Council's Building Conservation Officer has advised:

No Objection. The revised design will relate well to the pattern of development in the vicinity and the longer building running down the length of the plot will help to soften the effect of the existing building that runs across the plot.

Accordingly it is considered that the proposed development will enhance the character of the conservation area, and respect local distinctiveness.

In relation to other design aspects, the dwelling will incorporate a small private amenity area enclosed on one side by a stone wall and on the other length by a hazel hurdle fence. It is considered that this will provide a private amenity area commensurate with the size of the property, whilst respecting the character of the area.

Impact of development on character and setting of the listed building

The Feathers hotel is a Grade II listed building. The Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a duty on Local Planning Authorities to have special regard to the desirability of preserving the listed building or its setting. In this case it is not considered that the development will have any impact on the setting of the listed building because it is to the rear of The Feathers Hotel, and separated from it by an existing outbuilding. The 'duty' required by The Act is considered to be satisfied.

Impact of development on existing amenities of neighbouring occupiers

This application has been brought before Members because two letters of objection have been received from neighbours whose houses lie to the immediate south of the application site. One of the letters states that it expresses the collective views of the residents of 1 to 5 Pottergate Mews. The concerns relate to the proximity of the building to the rear of their properties which will make it impossible to carry out maintenance. Furthermore they state that the plans are misleading because they fail to show their properties on the plan. In relation to this aspect, the location plan is for the identification of the site only. The more detailed plan at scale 1:200 *does* show the outline of neighbouring properties. Furthermore, officers have carried out a detailed site visit, and taken account of the proximity of all neighbouring properties. It is considered that because the rear wall of 1 to 5 Pottergate Mews is blank, the impact of the development on their amenities is not likely to be significant. Maintenance of their properties is not a material consideration that would in itself carry sufficient weight to warrant refusing the application. Nevertheless, officers have discussed their concerns with the applicant when other aspects of the development were negotiated. The proposed building is now shown further from the neighbours properties and officers are of the opinion that this will give sufficient space to maintain their properties. It is noted however that this does not imply that there are any rights for neighbours to have rights of access to the site.

In relation to other neighbouring occupiers, they are predominantly separated from the application site by an access, and various garages and outbuildings. It is considered that the separation distances are acceptable, and the comings and goings associated with the development will be relatively low key.

Highway considerations

The original plans included an area to be used as a parking space, this has since been revised to provide a small private amenity area. Whilst the Highways Authority has advised that no dwelling should be occupied until the parking facilities have been provided, the dwelling will only be occupied in connection with The Feathers Hotel, and as such the occupier will share the on site parking facilities.

Conclusion

It is considered that the proposed development is situated in a sustainable location, and that it will maintain the efficiency and viability of the associated business. Taking account of the material considerations detailed above, it is considered that the development accords with policy, and the recommendation is one of approval.

National Planning Policy Framework

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP3 Affordable Housing

Local Plan Strategy - Policy SP4 Type and Mix of New Housing

Local Plan Strategy - Policy SP8 Tourism

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 The dwelling hereby approved shall only be occupied by a person or persons employed full time at the property currently known as The Feathers Hotel, and shall not be sold or let off separately.

Reason: In the absence of any information to the contrary, it is not considered that the site is suitable for an independent dwelling, and to satisfy the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy.

3 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP12, SP16 and SP20 of the Local Plan Strategy

4 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP12, SP16 and SP20 of the Local Plan Strategy

5 Prior to the commencement of the development, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP12, SP16 and SP20 of the Local Plan Strategy

6 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted development) Order 1995 (or any Order revoking, re-enacting or amending that Order), development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

- Class A: Enlargement, improvement or alteration of a dwellinghouse
- Class B: Roof alteration to enlarge a dwellinghouse
- Class C: Any other alteration to the roof of a dwellinghouse
- Class D: Erection or construction of a domestic external porch
- Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure.

Reason:- To ensure that the appearance of the area is not prejudiced by the introduction of

unacceptable materials and/or structure(s) and to satisfy Policy SP20 of the Local Plan Strategy

- 7 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order revoking, re-enacting or amending that Order), no windows, other than those shown on the plans hereby approved, shall be formed in the walls or roof of the extension(s) hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP12, SP16 and SP20 of the Local Plan Strategy

- 8 Unless otherwise agreed in writing by the Local Planning Authority, the guttering to the development hereby permitted shall be fixed by means of gutter spikes, and no raised boarding shall be used unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP12, SP16 and SP20 of the Local Plan Strategy

- 9 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Location Plan 016213-LP A
Dwg No. 016213-03B
Dwg No. 016213-01A

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE:

- 1 The applicant is advised to ensure that no vehicles associated with the development shall obstruct access to any other property.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties