

There are a large number of significant trees on and around the site and some boundary hedges. Though the trees are not subject to a Tree Preservation Order they have protection through being located in a Conservation Area.

Planning History

1.5 The planning history of the proposed development site includes minor alterations to the Listed Building, modern additions to the school and a number of applications for temporary class room facilities.

12/00159/GRG3 - Siting of Temporary Class Room
08/02386/GRG3 - Siting of Temporary Re-locatable Building
06/02479/FUL - External Lighting Scheme
06/02480/LBC - Internal Re-Wire and External Lighting Scheme
03/00858/GRG3 - Erection of Single Storey Flat Roofed Link
03/00859/LBC - Erection of Single Storey Flat Roofed Link

2.0 POLICY CONTEXT

2.1 2005 Draft Development Control Local Plan Allocation:

Conservation Area GMS Constraints: Heslington CONF
Listed Buildings: Grade 2; Village School, School Lane, Heslington

2.2 2005 Draft Development Control Local Plan Policies:

CYGP1	Design
CYGP3	Planning against crime
CYGP4A	Sustainability
CYGP9	Landscaping
CYGP11	Accessibility
CYGP15	Protection from flooding
CYHE2	Development in historic locations
CYHE4	Listed Buildings
CYHE5	Demolition of Listed Buildings and Buildings in Conservation Areas
CYHE10	Archaeology
CYHE11	Trees and landscape
CYNE6	Species protected by law
CYT4	Cycle parking standards
CYED1	Primary and Secondary Education
CYED11	Protection of Playing Fields

2.3 Relevant emerging Draft Local Plan (Publication Draft) 2014 policies:

D4 Conservation Areas
D5 Listed Buildings

Application Reference Number: 15/00125/FULM

Item No: 4h

3.0 CONSULTATIONS

INTERNAL

Planning and Environmental Management

Conservation Architect

3.1 Within the constraints of the funding programme, the design concept and details represent a good standard of school design. Demolition of the poor quality ad-hoc additions to the historic school building will improve its setting. (Measures for making goods the scars have been covered under the LBC application, as have discussions about re-establishing the curtilage)

3.2 The new school building would have a neutral impact on the character and appearance of the conservation area by virtue of its location, height and massing and design. The openness of the area would preserve key views.

Ecologist

3.3 No objections subject to the protection of nesting birds during construction and provision of features in the new building to encourage birds and bats. The 1980's and 1915 sections of building which will be demolished as part of the proposals have been found to have negligible potential for roosting bats.

City Archaeologist

3.4 No objections subject to conditions.

Landscape Architect

3.5 No objections subject to conditions regarding additional tree planting adjacent to Field Lane and further details regarding tree protection and methods of construction. The proposals will have a minimal impact on existing trees, though a Cheery Tree will be lost or severely impacted upon due to the new construction access on School Lane.

Highway Network Management

3.6 The travel plan does not meet national guidelines for a travel plan. However, if they do manage to achieve Bronze level award for Modeshift STARS and committed to it in their travel plan, then that will meet the required standard.

Environmental Protection Unit

3.7 As the location is the site of an existing school of the same size there are no significant concerns in respect to the impact on neighbours living conditions. Conditions are required to control construction methods and hours.

Flood Risk Management Team

3.8 The development is in low risk Flood Zone 1 and should not suffer from river flooding.

3.9 The Flood Risk Management Team (FRMT) together with Yorkshire Water (YW) is in agreement to the removal of surface water from the public combined sewer. Assessing the submitted Factual Report on Ground Investigation Re: D3206-13 dated April 2014 by the applicant's consultants, the ground conditions and high water table provides evidence that infiltration methods of surface water discharge are not suitable therefore discharge to the water course would be our preferred option.

3.10 No objections to the development subject to conditions including the restriction of surface water run off rates to Greenfield levels.

EXTERNAL

Sport England

3.11 As the development would not affect land capable of forming a sports pitch do not object subject to a specific condition securing community use of the school's facilities.

English Heritage

3.12 Support the approach taken including the design, siting and use of materials which respect the vernacular character of the conservation area.

Internal Drainage Board

3.13 The applicant intends to stop discharging surface water from the site into the existing Yorkshire Water combined sewer and to instead discharge surface water into an open ditch at the south of the site. The IDB objects to this as the ditch leads to the Germany Beck drainage infrastructure and would increase flood risk.

Environment Agency

3.14 Provided the proposed development is carried out in accordance with the submitted Flood Risk Assessment we have no objections. All surface water drainage details must be agreed with the Council's drainage engineers and the Internal Drainage Board

Heslington Parish Council

3.15 No objections subject to restrictions on construction working hours of 08.00 - 18.00 and no working at weekends and bank holidays and no parking on local roads. Highways should be kept clear of equipment and mud.

Neighbour notification and Publicity

3.16 Comments were received from two residents. The following issues were raised:

- The proposal is sympathetic to the conservation area.
- It is disappointing that more sustainable features are not incorporated into the development.
- The school should be designed taking account of the likely increase in school numbers due to the University's planned extension.
- The pre-school should also be re-generated and incorporated into the main school.

4.0 APPRAISAL

KEY CONSIDERATIONS

4.1 Key considerations include:

- Green Belt
- Appearance of the conservation area and setting of the listed school building
- Impact on neighbours living conditions
- Transport issues
- Flooding and drainage

PLANNING POLICY

4.2 Whilst the Regional Strategy for Yorkshire and Humber (the RSS) has otherwise been revoked, its York Green Belt policies have been saved together with the key diagram which illustrates those policies and the general extent of the Green Belt around York. RSS Policy YH9C "Green Belts" states that the detailed inner

boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city. RSS Policy Y1 states that the City of York LDF, should define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.

4.3 The National Planning Policy Framework (NPPF) was published in March 2012. It sets out government's planning policies and is material to the determination of planning applications. The sections in the NPPF most relevant to this proposal include:

Chapter 9 – Protecting Green Belt Land

Chapter 12 – Preserving and Enhancing the Historic Environment

4.4 The NPPF is the most up-to date representation of key relevant policy issues (other than the Saved RSS Policies relating to the general extent of the York Green Belt) and it is against this policy Framework that the proposal should principally be addressed.

4.5 Following the motion agreed at Full Council in October 2014, the publication draft of the York Local Plan is currently not progressing through its statutory consultation; pending further consideration of the Council's housing requirements and how it should meet those requirements.

4.6 The emerging Local Plan policies can only be afforded weight in accordance with paragraph 216 of the NPPF and at the present early stage in the statutory process such weight will be limited. However, the evidence base that underpins the proposed emerging policies is capable of being a material consideration in the determination of the planning application.

4.7 The York Development Control Local Plan was approved for Development Control purposes in April 2005; its policies remain material considerations in respect of Development Management decisions although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework.

GREEN BELT

4.8 Whilst the Regional Strategy for Yorkshire and Humber (the RSS) has otherwise been revoked, its York Green Belt policies have been saved together with the key diagram which illustrates those policies and the general extent of the Green Belt around York. These policies comprise the development plan for York. The site is located within the general extent of York Green Belt and is treated as being within Green Belt for the purposes of this application.

4.9 The National Planning Policy Framework (NPPF) at paragraph 89 states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. However, the NPPF goes on to state that exceptions to this rule include, limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

4.10 It is considered that the school grounds are part of the curtilage of a previously developed site, however, this does not imply that the whole curtilage of the school can be developed and care should be taken to ensure that development would not have a greater impact on openness. The new school buildings are single storey with the exception of the hall. The footprint of the new school (1227 sqm) is slightly smaller than the existing school accommodation on the site (1389sqm). However, the total coverage of buildings on the site will increase by around 200sqm as the listed school building is intended to be retained, albeit that it will not be part of the primary school accommodation. It is considered that although some of the buildings incorporated within the school complex are of a pre-fabricated construction, because of the length of time that they have been integrated into the site they should be considered permanent for the purposes of assessing the application.

4.11 It is not considered that the increase in development within the curtilage is significant. The new development is set off the site boundaries by a minimum of 20 metres and is modest in height. The northern part of the site slopes gently to the north. To level the site of the school buildings the land's height will be reduced rather than raised which will mean that the buildings will be set around 1m lower than the land immediately to the north.

4.12 Most of the areas where buildings will be removed will be soft landscaped and the increase in hard surfacing within the site will be around 500 sqm (500sqm equates to around 2% of the overall school site). The modern buildings will be located further to the north within the school grounds than the existing post war buildings to be demolished. The changes will increase the prominence of school buildings when viewed from Field Lane as they will stand apart from the historic buildings fronting School Lane. However, the change in location of the school buildings will lessen the impact on the openness of the Greenbelt when viewed from School Lane.

4.13 Lighting of footpaths and the car park is very low key with only two 5 metres columns proposed within the site and the rest of the area lit by bollards or wall mounted lighting. Proposed light levels have been controlled by condition. All cars are proposed to be located in the existing car park adjacent to School Lane with the exception of two spaces for disabled users close to the school frontage.

4.14 Although the proposal will lead to a slight increase in the footprint of development on the site it is considered that the change is so modest that it would not have a material impact on the openness of the Green Belt and the purpose of including land within it than the existing development. As such the development is considered to fall within the exception in the NPPF at paragraph 89 in that it is not considered inappropriate within the Greenbelt and preserves the land's openness.

APPEARANCE OF THE CONSERVATION AREA AND SETTING OF THE LISTED SCHOOL BUILDING

4.15 The school buildings fronting School Lane are listed as is the original school building (now a dwelling) opposite the site. The school grounds are contained within the Heslington conservation area.

4.16 The NPPF (chapter 12, paragraph 132) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed by or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Caution is advised when carrying out this balancing exercise, in that any harm (even where less than substantial) must be given considerable weight and importance by virtue of the statutory duties imposed on the Local Planning Authority by Section 72 and 66 of the Listed Buildings Act 1990, in relation to the conservation area and setting of the listed building respectively. 2005 Draft Local Plan Policy HE2 and HE3 states that proposals in Conservation Areas will only be acceptable where there is no adverse impact on the character and appearance of the area including having regard to the impact on urban spaces, views and landmarks. 2005 Draft Policy HE4 states that development should not harm the setting, character or appearance of listed buildings.

4.17 Heslington has an approved Village Design Statement. This document contains a number of recommendations setting out a framework for future development in the village. The school site is classified as a valued open space. Paragraph 3.2.1 of the document states that such spaces are integral to the village's character. It is stated that "it is however recognised that the school may need to expand to meet its educational need". The document outlines the importance of design issues including the retention of important views, the appropriate use of materials and the importance of scale and density.

4.18 The school is set away from trees around the boundary of the site and will have a limited impact on existing vegetation. A condition has been included relating to the protection of trees and new tree planting.

4.19 The proposed demolition works would enhance the appearance of the Conservation Area and also the setting of the listed building. The new school building is dug into the landscape and will not compete with the height of the listed building. It has a subdued yet interesting form and the proposed palette of materials (including brick and timber cladding) is considered appropriate to the agricultural heritage of the area. There is therefore no harm in this case to either the setting of the Conservation Area or the listed building.

IMPACT ON NEIGHBOURS LIVING CONDITIONS

4.20 Policy GP1 of the York Development Control Local Plan sets out the requirement to ensure that neighbours living conditions are not unduly affected by for example disturbance or overshadowing. The proposal will not increase the scale of the school or introduce new traffic. The separation distances to housing is acceptable. Issues relating to avoiding undue harm from construction are covered by conditions and informatives.

TRANSPORT ISSUES

4.21 The proposals will have no significant impact on travel to and from the school. The school has submitted a travel plan seeking to encourage sustainable travel modes. An issue is the impact of construction vehicles. Construction vehicles will enter the site at the northern end of School Lane. The car park, cabins and material storage related to construction is proposed to be on open land at the north of the school grounds.

FLOODING AND DRAINAGE

4.22 The development lies in Flood Zone 1 which has a low risk of flooding and the school is a compatible use in such an area.

4.23 In respect to the use of sustainable drainage methods, tests have indicated that the high water table makes soakaways unpractical. The use of open water features is considered inappropriate on safety grounds.

4.24 The existing school buildings discharges surface water to the combined Yorkshire Water sewer. This is the least preferred option for disposing surface water from a sustainability and flood risk perspective. In respect to the new school, the applicant proposes to discharge foul water to the sewer and discharge surface water into a drainage ditch at the south of the site. This approach accords with best practice in terms of sustainable and environmentally friendly drainage methods for the site. The Internal Drainage Board have objected to this drainage method because of flooding concerns resulting from an increased discharge into the ditch. The Council's Flood Risk Management Team and Yorkshire Water consider that the

applicant's proposals are the most appropriate way to address flood risk in the city and local area, providing surface water run-off rates into the ditch from the new development are attenuated to Greenfield run-off rates. The attenuation of run-off rates is covered by condition.

5.0 CONCLUSION

5.1 Many of the existing buildings on the school site are relatively run down and the proposals will enhance the facilities for children's education. At paragraph 72, the NPPF stresses that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It states that Local Planning Authorities should give great weight to the need to create, expand or alter schools.

5.2 The proposals will not lead to an increase in school children. The key issues in assessing the proposal are the acceptability in respect to Green Belt policy and the impact on the character and appearance of the conservation area and the setting of the listed building.

5.3 The alterations will slightly increase the developed area of the school grounds; however, the overall increase is very modest and in scale and impact is considered to fall within the parameters considered as an exception to "inappropriate" development within advice in paragraph 89 of the NPPF. The proposals will not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

5.4 It is considered that the changes will enhance visual amenity and allow the setting of the original listed school building to be better appreciated. There is therefore no harm to the setting of the conservation area or listed building.

SUB-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 received by the Local Planning Authority on 24 January 2015.

BDP04A (PL) AE100 GA ELEVATIONS - NORTH AND SOUTH
BDP04 (9-) LP-001_C SITE MASTERPLAN
BDP04 (9-) LP-005_D SITE GENERAL ARRANGEMENT
BDP04 (9-) LP-006_B SITE SECTIONS
BDP04A (PL) AE100 GA ELEVATIONS - NORTH AND SOUTH

BDP04A (PL) AE101 GA ELEVATIONS - EAST & WEST
BDP04A (PL) AP101 ROOF PLAN
SITE LOGISTICS PLAN SK01

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 the submitted lighting proposals a new lighting scheme shall be designed and approved by the Local Planning Authority which demonstrably respects the character of the rural village location, in luminaire type and control of light levels.

The development shall be carried out in accordance with the approved details.

Reason: To protect the appearance of the Conservation Area.

4 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 construction. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

5 Large scale details of the following shall be provided for approval by the Local Planning Authority prior to the construction of the relevant part of the development:

- i 1:20 sections and plans through main elevations of the building at typical locations to show the relationship between different elements ((eg window to wall and eaves/parapet to wall)
- ii Roof-lights
- iii Ventilation shafts
- iv Gable louvers
- v New fencing and external compounds
- vi The development shall be carried out in accordance with the approved details.

Reason: To protect the appearance of the Conservation Area

6 The building shall not be occupied 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.

7 The construction of buildings 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 works shall be completed and maintained in accordance with these approved details.

Details shall include:

- a) Calculations and invert levels to ordnance datum of the existing foul and surface water system together with details to include calculations and invert levels to ordnance datum of the proposals for the new development.
- b) A topographical survey showing the proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development shall not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.
- c) As there are no existing connected areas discharging to the existing watercourse then In accordance with City of York Councils Strategic Flood Risk Assessment and in agreement with the Environment Agency and the Ouse & Derwent Internal Drainage Board, peak surface water run-off must be attenuated to that of a Greenfield run off rate based on 1.40 l/sec/ha. Storage volume calculations, using computer modelling, must be provided that must 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 must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

Please note that a maximum surface water discharge rate of 5 l/sec is agreed.

- d) Site specific details of the flow control devise manhole limiting the surface water to the 5.0 lit/sec.

e) Site specific details of the storage facility to accommodate the 1:30 year storm and details of how and where the volume above the 1:30 year storm and up to the 1:100 year storm will be stored.

f) Details of maintenance and management of the proposed drainage system.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

8 HWAY19 Car and cycle parking laid out

9 During and following the construction of the replacement school sustainable travel initiatives shall be implemented in accordance with the School Travel Plan received by the Local Planning Authority on 31 March 2015.

Reason: To encourage sustainable modes of travel.

10 Except in the case of emergency, no construction operations which are audible beyond the boundary of the site shall take place on site other than between the hours of

08:00-18:00 Monday to Friday

09:00-13:00 on Saturdays.

There shall be no working on Sundays or Public Holidays. The Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason: To protect neighbours living conditions.

11 During the construction process heavy goods vehicles shall only enter or leave the site between the hours of

08:00-18:00 on weekdays

09:00-13:00 Saturdays

There shall be no such movements on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

12 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible at the boundaries of the nearest residential properties when in use, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (LA_{max} (f)) and average sound levels (LA_{eq}), 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 neighbours living conditions

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed 5dB(A) below the background noise level at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 1997 or exceed the background noise level at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014, including any acoustic correction for noises which contain a distinguishable, discrete, continuous note (whine, hiss, screech, hum, etc.); noise which contain distinct impulses (bangs, clicks, clatters, or thumps); or noise which is irregular enough to attract attention. In order to demonstrate compliance with this condition the applicant should submit a noise report with the findings of such investigations.

13 Before the commencement of development, including demolition, installation of utilities, building operations, the importing of materials and any excavations, a method statement regarding protection measures for the existing trees, boundaries and buildings shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include phased locations of protective fencing in relation to the phasing of demolition and construction operations; site access during demolition/construction; type of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading); parking arrangements for site vehicles; storage of materials; location of site cabin. It shall also include a methodology for demolition and site clearance within close proximity to trees and buildings; and construction details and methodology where a change in surface material is proposed within the canopy spread and likely rooting zone of a tree; and any essential tree works that are required to implement the development; and a programme of inspections by the operator's arboriculture consultant.

Reason: To protect existing trees which are considered to make a significant contribution to the amenity of the development and the surrounding area this element should be addressed before development commences.

14 The demolition of those buildings shown for demolition on the approved plans shall take place within 1 year of the completion of the new school building.

Reason: To preserve the openness of the Greenbelt.

15 ARCH1 Archaeological programme required

16 ARCH2 Watching brief required

17 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of 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 The developer shall submit a post construction BREEAM certificate no later than 6 months after the occupation of the school. The certificate shall confirm the minimum 'Very Good' rating anticipated in the preliminary BREEAM assessment submitted with the application

Reason - To ensure the development complies with the principles of sustainable development

19 Prior to construction details of what measures are to be provided within the design of the new building to accommodate bats and nesting birds shall be submitted and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with these approved details. Features suitable for incorporation for this group include the use of special tiles, bricks, soffit boards, bat boxes, bird boxes etc.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and comply with Section 11 of the NPPF.

20 Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy ED1 of York Development Control Local Plan.

7.0 INFORMATIVES: Notes to Applicant

1. Section 1 of the Wildlife and Countryside Act 1981

All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended). To ensure that breeding birds are protected from harm during construction, works that would impact on building features or vegetation that would be suitable for nesting birds should be undertaken outside of the breeding bird season between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period. There are opportunities for the development to provide enhancement for birds without detriment to the building by the addition of bird boxes, examples of which can be found on the RSPB website

http://www.rspb.org.uk/makeahomeforwildlife/advice/helpingbirds/roofs/internal_boxes.aspx.

2. Control of Pollution Act 1974

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. Boundary to listed school building

It is recommended that the masterplan is amended to show the proposed new rear and side curtilage of the listed building as agreed with Education and Property Services. The curtilage is based on the 1908 conveyance with the addition of access strip to each side where practical. For further information in respect to this please contact the City of York Council Development Management section.

4. Statement of the Council's Positive and Proactive Approach

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve an acceptable outcome:

Additional information sought in respect to drainage of the site, travel arrangements and the curtilage.

Contact details:

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