

COMMITTEE REPORT

Date: 12 March 2020

Ward: Clifton

Team: West Area

Parish: Clifton Planning Panel

Reference: 19/02347/FUL

Application at: Playing Field Sycamore Terrace York

For: Flood alleviation works comprising of the replacement and extension of the existing flood/retaining wall located within the south-west corner of St Olave's School playing field.

By: Ms Emma Beever

Application Type: Full Application

Target Date: 12 March 2020

Recommendation: Approve

1.0 PROPOSAL

1.1 This application for planning permission relates to works to improve current flood defences delivered as part of the City wide York Flood Alleviation Scheme (FAS) by the Environment Agency.

1.2 The development that is the subject of this application forms part of the flood alleviation works referred to as Coppins Farm to Scarborough Bridge Left Bank flood cell (B11). This flood cell is located on the left bank of the River Ouse between Water End and York-Scarborough railway line.

1.3 Whilst this cell covers 130ha (approx.) in area, the application red line boundary extends around an end section of wall of an existing flood/retaining wall and part of the embankment, which forms a boundary to the grounds of St Olave's School. This is positioned to the west of properties along Alмеры Terrace.

1.4 The works that are subject to this application include the demolition of the end section of the existing flood/retaining wall and the construction of an extended length of wall on the same alignment. A 6m length of the existing wall shall be demolished and replaced with new wall, at the length of 12.9m. The wall shall also be typically raised by 0.6m, up to 1.5m to provide a defence level of 11.13m AOD. The applicants advise that the wall will be faced with mixed red textured brick on the river facing side and would have black powder coated railings on top to match the existing railings.

1.5 The applicants advise that any other works within this flood cell would fall within the parameters of constituting permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 or will be

progressed through a separate planning application at a later date. It is noted that whilst other works are shown on the plans. They are located outside the red line boundary that relates to this application.

1.6 The applicant requested an Environmental Impact Assessment (EIA) Screening Opinion for the wider works proposed with the Coppins Farm to Scarborough Bridge Left Bank flood Cell. A response dated 2 April 2019 confirmed that the works do not constitute EIA development.

1.7 Part of St Olave's School is located within the Clifton Conservation Area, however the boundary of this does not extend up to the application site. The boundary to the Historic Core Conservation area extends up to the Scarborough Bridge railway line.

1.8 The whole of the area with the red line boundary is located within Flood Zones 2 and 3. In terms of other constraints, the site lies within the general extent of the green belt and is allocated as existing open space in the Publication Draft Local Plan Policies Map.

Planning History

1.9 There is no planning history related to the application site other than works in relation to St Olave's school. Of particular note, adjacent to the flood/retaining wall the Archbishop Holgate Boathouse is undergoing redevelopment to provide 1 no. dwelling, following its demolition (Planning References: 17/02717/FUL and 18/01629/FUL).

2.0 POLICY CONTEXT

2.1 Publication Draft Local Plan 2018

D2	Landscape and Setting
GI2	Biodiversity and Access to Nature
ENV4	Flood Risk
ENV2	Managing Environmental Quality

2.2 Draft 2005 Development Control Local Plan (DCLP)

GP1	Design
GP15a	Development and Flood Risk
NE2	River and Stream Corridors, Ponds and Wetland Habitats
L4	Development adjacent to Rivers

3.0 CONSULTATIONS

Design, Conservation and Sustainable Development (DCSD) (Ecology)

3.1 Verbal comments received; Tansy beetles are present in the area of the flood cell, to the south of the red line boundary along the Riverside Walkway however they are outside of the red line boundary of this application and it is not considered that Tansy Beetles will be detrimentally impacted upon.

Design, Conservation and Sustainable Development (DCSD) (Landscape Architect)

3.2 No response received to date

Design, Conservation and Sustainable Development (DCSD) (Archaeology)

3.3 The site adjacent to Sycamore Terrace is situated within the Central Area of Archaeological Importance and lies in an area which contains Roman archaeological features and deposits including burials.

3.4 A watching brief will be required during groundworks as a precaution to ensure that any archaeological deposits or features that are revealed are recorded. A WSI has already been produced to cover Water End to Scarborough Bridge Flood Alleviation Scheme and includes the area which requires a watching brief under this application. It is suitable to include the report for this work into a larger final report for the whole area.

Lead Local Flood Authority (LLFA)

3.5 No objections in principle but condition is recommended to ensure the development is carried out in accordance with the supporting documents

Public Protection Unit (PPU)

3.6 The applicant is considering noise, dust and lighting impacts of the development and have proposed to submit a Construction Environmental Management Plan (CEMP).

3.7 The applicants indicates that they propose to start work at 0730 however PPU recommends that noisy work starts no earlier than 0800hours and therefore a condition to that effect is recommended.

Environment Agency

3.8 No objection to the proposed development. The Flood Map for planning indicates the site lies within Flood Zone 2 and 3; the medium and high probability

zones. The application for flood alleviation works is considered to be a 'water compatible' land use in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance: Flood Risk and Coastal Change. The application is supported by a site-specific flood risk assessment (FRA). No objections are raised in respect to this FRA.

Yorkshire Water

3.9 Possible impact upon sewerage infrastructure including pumping stations, sewers and overflows.

Clifton Planning Panel

3.10 No objection

4.0 REPRESENTATIONS

4.1 The application has been advertised by site notice and neighbour notification. No letters of representation have been received.

5.0 APPRAISAL

5.1 Key Issues:

- Green Belt
- Flooding
- Riverside and Landscape Impact
- Ecology
- Construction impacts
- Very Special Circumstance

National Planning Policy Framework (NPPF) 2019

5.2 The revised NPPF (2019) sets out the government's planning policies for England and how these are expected to be applied.

5.3 The planning system should contribute to the achievement of sustainable development (Para. 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives (Para. 8).

5.4 The policy framework set out in the NPPF is a material consideration. The NPPF sets out the presumption in favour of sustainable development.

5.5 Paragraph 11 set out that this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless:

- i. the application policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.6 However, the presumption does not apply if the proposal conflicts with restrictive policies relating to the Green Belt or policies relating to certain heritage assets as set out in the NPPF.

5.7 Section 12 sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

5.8 Section 13 of the framework relates to protecting Green Belt land. Paragraph 134 of the NPPF sets out five purposes of the Green Belt which are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and
- f) other urban land.

5.9 Section 14 relates to the challenge of climate change, flooding and coastal change. Paragraph 155 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). It continues to state that where necessary, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Regional Strategy For Yorkshire And Humber (Partial Revocation) Order 2013

5.10 Policies, YH9(C) and Y1(C1 and C2), relate to York's Green Belt and the key diagram, Figure 6.2, insofar as it illustrates the general extent of the Green Belt. The policies state that the detailed inner and rest of the outer boundaries of the Green Belt around York should be defined to protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

Publication Draft Local Plan (2018)

5.11 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

Development Control Local Plan (2005)

5.12 The Development Control Local Plan (DCLP) was approved for development management purposes in April 2005. Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations and can be afforded very little weight in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

ASSESSMENT

Green Belt Policy

5.13 The application site lies within the general extent of the York Green Belt as shown on the Key Diagram of the saved RSS Green Belt policies and therefore Section 13 (Protecting Green Belt Land) of the NPPF is applicable. Paragraph 133 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence.

5.14 Paragraph 144 of the NPPF establishes that substantial weight should be given to any harm to the Green Belt. Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

5.15 Paragraph 145 states that the construction of new buildings in the Green Belt should be regarded as inappropriate unless they fall within certain specified exceptions. The proposal is not considered to fall within any of the exceptions.

5.16 Para.146 of the NPPF details further forms of development which are also not inappropriate in the Green Belt providing they preserve openness and do not conflict with the purposes of including land within it. One other form of development, paragraph 146 (b) includes engineering operations. There is no definition provided within the NPPF as to what may constitute as an 'engineering operation'. However, engineering operations are generally defined as construction work that is not a building, and results in some physical alteration to the land itself, but does not interfere with the actual physical characteristics of the land, amounting to a material change of use.

5.17 The works presented in this development, demolition of the end section of the existing flood/retaining wall and the construction of an extended length of wall on the same alignment by the Environment Agency are considered to constitute engineering operations under paragraph 146 (b), and is therefore appropriate development in the Green belt by definition provided that the works preserve its openness and do not conflict with the purposes of including land within it. The applicant's case for very special circumstances are set out and assessed in paragraphs 5.33 to 5.37 below.

Impact on harm to openness and purposes of Green Belt

5.18 The NPPF states that openness is an essential characteristic of Green Belts. The site is screened by the existing properties along Almere Terrace and the construction of the dwelling, replacing the Boathouse, when viewed from Scarborough Bridge. However the site and existing embankment is readily visible when approaching from the west along the Riverside Walkway. The area is generally flat, however there does appear to be some raising of the land to act as flood defences. The combination of the extension of the flood/retaining wall by 6m and its raising in height if 0.6m, these alterations are considered to further compromise the open aspect along the riverside walkway, resulting in visual impact.

5.19 The site appears to be identified as a 'Green Wedge' in the City of York Local Plan - The Approach to the Green Belt Appraisal (2003) which the Council produced to aid in the identification of those areas surrounding the City that should be kept permanently open. It is also identified as such in figure 3.1 Historic Character and Setting of York in the City of York Local Plan- Publication Draft (February 2018). Green Wedges are broad areas of undeveloped land usually bounded on three sides by urban development part of which may comprise of the historic strays and 'ings' and river floodplains. They are important for the following reasons;

- i) undeveloped open space with a rural feel reaching close to the centre of the city.
- ii) allow an open aspect and views towards important city landmarks including the Minster.
- iii) physical separation between urban form of a different character.

iv) open areas which build upon the presence of the strays and form a more pronounced separation between areas of different urban form, character and history.

5.20 The fundamental purpose of Green Belt policy is keep land permanently open. The concept of 'openness' in this context means the state of being free from development, the absence of buildings, and relates to the quantum and extent of development and its physical effect on the site.

5.21 The extended flood/retaining wall is considered to increase the urban form to the north from the riverside walkway. The development would be adjacent to existing urban development, notably a row of residential properties but the general character of the floodwall is within an open setting, and the extensions and alterations would be prominent in this 'Green Wedge'. This would result in harm to the openness and permanence of the greenbelt and is therefore considered to be inappropriate development in the Green Belt. As the site is identified as a 'Green Wedge', the proposal is considered to harm two of the five purposes of Green Belts outlined in paragraph 134 of the NPPF. Specifically, part C which relates to the purpose of assisting in safeguarding the countryside from encroachment and part D which sets out to preserve the setting and special character of historic towns. The proposal gives rise to harm to the Green Belt by reason of inappropriateness which should not be approved except in very special circumstances. The NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the green belt. 'Very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Flooding

5.22 The flood/retaining wall is existing flood defences and the proposed works are part of a wider scheme for the flood cell, which extends between Coppins Farm to Scarborough Bridge Left Bank. The wider scheme is designed to reduce flood risk within this part of the city.

5.23 The site of flood/retaining wall is located within Flood Zone 3 which has a 'high risk' of flooding and Flood Zone 2 which has a 'medium risk' of flooding. The application is supported by a Flood Risk Assessment (Revision 3). The NPPF (paragraphs 155-165) relates to 'Planning and Flood Risk' and advises that inappropriate development in an area at risk of flooding should be avoided by directing development away from areas at highest risk of flooding to land with the lowest risk of flooding through the application of a Sequential Test. It is acknowledged that the nature of the development, as flood defence assets, cannot be sequentially located in land at lower risk, as the level of protection would not be achieved.

5.24 Paragraph 159 of the Framework continues to state that if it is not possible for development to be located in zones with a lower risk of flooding, the exception test may have to be applied. Flood control infrastructure is identified as 'water compatible development' in table 2 'Flood risk vulnerability classification' of the Planning Practice Guidance (PPG) (Paragraph: 066 Reference ID: 7-066-20140300 Revision date: 06 03 2014). Based on the classification should in table 3-1 'Flood Risk Vulnerability and Flood Zone Compatibility' the proposed development is appropriate in all flood zones including 2 and 3.

5.25 No objections have been raised from the Environment Agency nor the Lead Local Flood Authority, and the development as flood defence assets, is considered to meet the sequential and exception test as applied by paragraph 158 and 159 of the NPPF.

5.26 Yorkshire Water have raised concerns in respect to the possible impact upon their sewage infrastructure; the site occupies a small area within the flood cell, which indicates wider works as part of the flood alleviation scheme. The area within the red line boundary does not appear to contain Yorkshire Water infrastructure, and therefore an objection in this regard could not be sustained. Impact arising from permitted development works located outside the red line boundary of the application site are a civil matter, and the applicant shall be advised by informative.

Riverside and Landscape Impact

5.27 Draft policy GI2 (vi) seeks to maintain and enhance the rivers, banks, floodplains and setting of the Rivers for biodiversity, cultural and historic landscapes. Whilst the area is characterised by generally flat, low level grassland including school playing fields, the existing raised embankment which provides existing flood defences is a notable characteristic in the landscape adjacent to the former Boathouse site. The extension to the floodwall will be on the northern end section, towards the playing fields and angled away from the riverside frontage. Whilst the landscape character would alter when viewed from the north and south, these alterations would not be so detrimental to the prevailing character of the area. The setting of the river and the floodplain will be maintained in this regard.

Ecology

5.28 The application is supported by a Tandy Beetle Report (Aecom 2018). Tansy beetles have been identified as being present in the flood cell and feed predominately on the tansy plant, although their presence is outside of the red line of the application site and it is not considered that they will be detrimentally impacted upon. Whilst there are trees within the flood cell, none are situated within the red line boundary of the application site. However a Preliminary Bat Roost Assessment Report (AECOM 2018) identified thirteen trees with features of low

suitability for roosting bats, and due to the low risk of bat presence further surveys are not required.

Archaeology

5.28 The site is situated within the Central Area of Archaeological Importance (AAI). Paragraph 193 of the Framework sets out 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. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification (Para.194).

5.29 Paragraph 194 (b) of the NPPF includes footnote 63 which states that non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to scheduled monuments should be considered subject to the policies for designated heritage assets. Paragraph 194 b) states that substantial harm to or loss of assets of the highest significance (including scheduled monuments) should be wholly exceptional. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 198 states that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. Paragraph 199 states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

5.30 Development will take place around an end section of wall and embankment with wider flood alleviation works taking place within the Coppins Farm to Scarborough Bridge Left Bank flood cell (B11). A Written Scheme of Investigation (WSI) has been produced to cover Water End to Scarborough Bridge, and covers the area under this application in addition to a heritage desk based assessment providing an assessment of the archaeological impacts within this wider flood cell.

The significance of the heritage assets of archaeological interest in this wider area and possibly within the area where the flood defence works are to take place are of high Roman archaeological features and deposits including burials. However, the Heritage Desk Based Assessment states that where the flood defence works are to occur, there is nothing to indicate that this was anything other than a field in the intervening period between the departure of the Roman legions and the medieval period. There is a lack of evidence of recorded finds related to prehistoric material,

however the presence of such material at depth below riverine alluvium cannot be ruled out.

Whilst the significance of the archaeological interests is high, the Heritage Statement and Desk Based Assessment conclude that the impacts upon archaeological deposits would be low; given the extent of the ground works associated with the upgrading of the existing flood/retaining wall and part of the embankment. There is however the potential for excavations to encounter unexpected archaeological remains. As such, the Council's Archaeologist considers that a watching brief is required, with the findings to be included within the final report for the whole (cell) area.

5.31 The scale of harm to the significance on archaeological features and deposits is considered to result in less than substantial. This particular cell has a history of flooding, which was last subjected to severe flooding in 2015, with this application being part of the Environment Agencies response too. The works proposed to the existing flood defences would strengthen the City's resilience to flooding by reducing the risk of flooding to infrastructure, transport links, utilities and businesses. The public benefits are considered to justify this harm. The loss to significance would be mitigated through a watching brief. The proposals are not considered to conflict with paragraphs 194, 196 and 199 of the NPPF.

Construction impacts

5.32 The Council's Public Protection Unit do not raise any objections to the proposed development, citing that the applicants state that they are proposing to submit a Construction Environmental Management Plan (CEMP). However, the area within the red line boundary covers a small area of the wider cell (B1) where others works would be undertaken. It is therefore considered that the requirement to provide a CEMP for other works extending beyond the red line would be unreasonable. The applicant has demonstrated that they have considered the environmental impacts of the proposed development on the surrounding area and neighbouring uses.

5.33 However, the supporting information indicates that work is likely to start at 07:30. The site abuts the former Archbishop Holgate Boathouse, with a replacement building currently under construction. Beyond this site are properties along Almerly Terrace. The permission relating to the redevelopment of the Boathouse restricted working hours via condition. This restricts construction work starting before 08:00 Monday to Friday. Given the close proximity of neighbouring residential properties, attaching a similarly worded working hour condition would protect the residential amenity of neighbouring properties as be consistent with other permissions.

The Applicant's Case for Very Special Circumstances

5.34 The applicant is the Environment Agency and the work forms part of their Flood Management Plan (FMP) for York in response to severe flooding in 2015 and the city can benefit from improved flood defences.

5.35 The proposed works to existing flood/embankment are part of flood improvement works within the flood cell known as Coppins Farm to Scarborough Bridge Left Bank. The flood cell is one of 19 flood cells and form the basis of the York Flood Alleviation Scheme, derived from the FMP. This cell has a history of flooding and the existing flood defence includes the St Olave's School embankment and Almerly Terrace floodwall and flood gates. The flood risk assessment concludes that 156 properties will benefit from new and upgraded flood defences within this flood cell.

5.36 In summary, the overall aims of the Flood Alleviation Scheme are to;

- reduce the risk of flooding to properties and people
- to strengthen the City's resilience to flooding by reducing the risk of flooding to infrastructure, transport links, utilities and businesses
- to work collaboratively to make an effective contribution to sustainable development and where possible secure economic growth
- to strive to achieve multiple benefits where possible
- to ensure the selection of preferred options follows appropriate guidance

5.37 Outlined in paragraph 7.7.2 of the applicant's Planning Application supporting Statement (October 2019) it is stated that the proposed development will strongly support delivery of policies and aims in the revised NPPF and the emerging Local Plan by providing protection from flood events for a series of properties, heritage assets and transport links to an area within York City Centre. Furthermore, the proposal is supporting the City's response in adapting to climate change.

Assessment of the Applicant's Case for Very Special Circumstances

5.38 The Planning Practice Guidance (Paragraph 050 revision 06.03.2014) states that local authorities and developers should seek opportunities to reduce the overall level of flood risk in the area and beyond. In terms of the above case that is relevant to this particular development, it is clear that the proposed development is a response to an identified need for improved or new flood alleviation measures, and is one part of a wider scheme (York Flood Alleviation Scheme), which comprises of 19 flood cells across the City. These considerations are relevant and significant in weighing against the harm to the green belt and any other harm resulting from the proposal.

6.0 CONCLUSION

6.1 The application site is located within the general extent of the York Green Belt and serves a number of Green Belt purposes. As such it falls to be considered under paragraph 143 of the NPPF which states that inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm are clearly outweighed by other considerations. National planning policy dictates that substantial weight should be given to any harm to the Green Belt.

6.2 National planning policy (para. 145) states that the construction of new building in the Green Belt should be regarded as inappropriate unless it falls within one of the exceptions to this outlined in paragraph 145 b of the NPPF. The proposal has been assessed to represent engineering operations as outlined in paragraph 146 (b) of the NPPF however, the development is inappropriate development because, for the reasons outlined above in this report, it fails to preserve the openness of the Green Belt and conflicts with the purposes of including land within the Green Belt, namely parts C and D of policy 134 of the NPPF (assisting in safeguarding the countryside from encroachment and preserving the setting and special character of historic towns), contrary to paragraph 145b of the NPPF.

6.3 The proposal, providing flood defence assets, cannot be located in land at lower risk of flooding as the level of protection would not be achieved. A sequential and exception test has been applied, and as the development is assessed as 'Water Compatible', this is appropriate development within any of the Flood Zones.

6.4 The application will lead to less than substantial harm to the significance on archaeological features and deposits which are situated within the Central Area of Archaeological Importance. Public benefits are considered to justify this harm. There are limited impacts in respect to landscape setting, ecology and any impacts can be mitigated by condition.

6.5 This area has a history of flooding and the proposed development is in response to an identified need to protect residential and non-residential properties as well as transport routes. Having attached substantial weight to the harm to the Green Belt and great weight to the conservation of designated heritage assets (archaeology), it is therefore considered that the considerations set out in paragraphs 5.33 to 5.36 and 5.37 above would collectively clearly outweigh the harm to the Green Belt and designated heritage assets. No other harm has been identified and it is considered that the very special circumstances necessary to justify the proposed development exist.

COMMITTEE TO VISIT

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

-St. Olave's transition floodwall general arrangement ENV0000381C-CAA-B11-DR-CE-50101 revision 1

-Flood Interventions at the Esplanade, Almerly Terrace / Indicative plan showing all works required for flood cell B11 (Coppins Farm to Scarborough Bridge Left Bank) and Consents Approach ENV0000381C-CAA-B11-DR-CE-10002 revision 2

-St. Olave's transition floodwall general arrangement for planning ENV0000381C-Caa-00B11-DR-LA-8013 revision 2

-St Olave's transition floodwall / floodwall raising details (Sheet 2 of 4) ENV0000381C-CAA-00-B11-DR-CE-50503 revision 1

- St. Olave's transition floodwall / floodwall raising details (Sheet 1 of 4) ENV0000381C-CAA-00-B11-DR-CE-50502 revision 1

- Flood Risk Assessment (Flood Cell B11, Coppins Farm to Scarborough Bridge Left Bank) November 2019 Revision 03 ENV0000381C-CAA-00-00-AS-EN-I0500_15-S8-1-I0500-EA3-LOD3-Flood Risk Assessment, B11

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

3 All construction and demolition works and ancillary operations, including deliveries to and dispatch 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 the locality.

4 Notwithstanding the details shown on approved plan St.Olave's transition floodwall / floodwall raising details (Sheet 2 of 4) (ENV0000381C-CAA-00-B11-DR-

CE-50503 revision 1), all external materials including coping and railings shall in all respects (shape, colour, texture), match those used in construction of the existing flood/retaining wall.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance in the interest of visual amenity in view of its sensitive location.

5 The railings hereby permitted shall be black powder coated and maintained in this form for the lifetime of the development.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance in the interest of visual amenity in view of its sensitive location.

6 A programme of post-determination archaeological mitigation, specifically an archaeological watching brief is required on this site. Each stage shall be completed and approved by the Local Planning Authority before it can be approved/discharged.

A) The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the previously approved Written Scheme of Investigation (dated May 2019 by AECOM) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

B) A copy of a report (or publication if required) shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 3 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site lies within an Area of Archaeological Importance and the development may affect important archaeological deposits which must be recorded prior to destruction in accordance with Section 16 of the NPPF.

8.0 INFORMATIVES:

Notes to Applicant

1. 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 (paragraph 38) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

2. i) The site compound being used for the construction of the wider Flood Cell B11 flood defence works and the works being considered under this application are in EA Flood Zone 3a & 3b (functional floodplain) where best practise guidance requires the developer/contractor carrying works in these flood zones to ensure there is no loss of flood storage by way of removing all surplus excavated material from site.

ii) The public sewer records show a public combined sewer crossing/adjacent to the site. Where heavy lifting equipment may be deployed, the protection of this sewer should be considered and adequate protection measures should be put in place to prevent damage to the sewer. 3. INFORMATIVE:

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

Contact details:

Case Officer: Lindsay Jenkins
Tel No: 01904 554575