



Notice of meeting of

East Area Planning Sub-Committee

- To:** Councillors Moore (Chair), Hyman (Vice-Chair),
D'Agorne, Greenwood, Hall, King, Smallwood, Vassie,
B Watson and I Waudby
- Date:** Thursday, 26 October 2006
- Time:** 2.30 pm
- Venue:** The Guildhall, York

A G E N D A

**The site visit for this meeting will take place at 10.00am on
Wednesday 25 October 2006, meeting on site at Fulford Cross**

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes

(Pages 1 - 5)

To approve and sign the minutes of the meeting held on 28 September 2006.

3. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding specific planning applications, other agenda items or matters within the remit of the Sub-Committee can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Wednesday 25 October 2006 at 5.00pm.

4. **Plans List**

To determine the following planning application related to the East Area.

- a) **The Pupil Support Centre, Danesgate, Fulford Cross, York (06/1623/GRG3)** (Pages 6 - 17)

5. **Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out below.

Democracy Officer:

Name: Jill Pickering

- Telephone – (01904) 552062
- E-mail – jill.pickering@york.gov.uk

City of York Council

Minutes

MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	28 SEPTEMBER 2006
PRESENT	COUNCILLORS MOORE (CHAIR), HYMAN (VICE-CHAIR), KING, SMALLWOOD, VASSIE, B WATSON, I WAUDBY (SUB FOR CLLR HALL) AND R WATSON (SUB FOR CLLR GREENWOOD)
APOLOGIES	COUNCILLORS HALL, D'AGORNE, GREENWOOD AND M WAUDBY

23. INSPECTION OF SITES

The following site was inspected before the meeting:

Site	Attended by	Reason for Visit
Tang Hall Library, Fifth Avenue, York	Cllrs Moore, Hyman, B Watson and Vassie.	To familiarise Members with the site.

24. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillor R Watson declared a personal prejudicial interest in Plans item 3c (Heworth Croft, 19 Heworth Green, York) as his firm of Solicitors were involved in the transactions for this development and he left the room and took no part in the discussion or voting thereon.

25. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation scheme.

26. PLANS LIST

Members considered a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views and advice of consultees and officers.

26a. Land Lying to the South of Centurion Office Park, Tribune Way, York (06/01594/OUTM)

Members considered a Major Outline application, submitted by Keyland Gregory Ltd, for outline application for the erection of 12 no. dwellings (Re-

submission 06/00451/OUT) on land lying to the south of Centurion Office Park, Tribune Way, York.

Officers updated that the applicant had now withdrawn this application.

RESOLVED: That the application be withdrawn as requested.

26b. Tang Hall Library, Fifth Avenue, York (06/01558/GRG3)

Members considered a General Regulations (Reg3) application, submitted by the Department of Libraries and Heritage, for the extension and alterations to the existing library and alterations to the external areas (resubmission) at Tang Hall Library.

Officers updated that a revised plan showing minor alterations to the relocation of car parking spaces and the access had now been received and that Highways had no objections. An additional letter of objection had also been received from a resident of a neighbouring property confirming that their main concern related to the height of the proposed building. They questioned why the building needed to be so high and objected to the close proximity of the building which they felt would lead to a loss of view and shading.

Some Members expressed concern at the height of the building and the need for a blank wall adjacent to neighbouring properties. Officers confirmed that no artificial air conditioning was proposed for the building, that the large north facing high level window would bring natural light into the main area and that the height would assist with the distribution of noise internally.

Members raised the issue of sustainability and requested that the applicant liaise with the Council's Sustainability Officer in relation to measures that could be included to improve sustainability which included the possible use of a grey water recycling system. Members requested feedback on negotiations regarding the height of the building.

RESOLVED: That the Assistant Director (Planning and Sustainable Development) and the Chair be delegated authority to approve the development either on a revised plan to reduce the height of the building by 300mm or to approve the application as submitted subject to the conditions listed in the report and to the following:

- a. The replacement of Condition 2 with

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

Drawing number THL/010 revision D dated 29 Sept 2006 and received 29 Sept 2006;

Drawing number THL/011 revision A dated 08 Sept 2006 and received 11 September 2006.

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

b. The addition of the following Condition

Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 5.7 metres to highest part of roof and 4.7 metres to highest part of parapet wall as measured from existing ground level and 5.4 metres to highest point of roof and 4.4 metres to highest part of parapet wall as measured from the proposed raised ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

c. The addition of the following informative

INFORMATIVE:

The applicant should consult with the Council's Sustainability Officer prior to finalising drawings or commencing work on site to include measures to address the sustainability of the development, including the investigation of using a grey water recycling system.

REASON:

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity, residential amenity, parking provision and highway safety, crime prevention and sustainability. As such the proposal complies with Policies GP1, GP3, GP4a, GP9, GP11, T4 and C1 of the City of York Draft Local Plan (incorporating 4th set of changes, 2005).

26c. Heworth Croft, 19 Heworth Green, York (06/01387/FULM)

Members considered a Major Full Application, submitted by York St John College/Bellway Homes Ltd for an additional 12 residential units (within approved building footprint) to previously approved scheme 04/01208/FUL for 132 residential units making a total of 144 residential units at Heworth Croft, 19 Heworth Green, York.

Officers updated that revised plans had now been received that addressed the external design of the larger block and relocated living rooms in Block J to the satisfaction of Officers. They indicated that if permission were granted there was a need to amend Condition 2 to reflect the revised plan numbers and for Condition 4 to include "tenure" in i) and "handover to a Registered Social Landlord" to replace "construction" in ii). Confirmation had also been received from the applicant that cycle parking had been

increased within the existing cycle stores and these were shown on the revised plans. However, following discussion with the Highway Officer, it was recommended that Condition 6 should remain to confirm that the technical details were satisfactory. Finally, as a result of comments received from Highways, Officers recommended that Informative 4 should be amended to relate to a “minimum of a 12 month bus pass or car club membership for each occupier of the additional dwellings”.

Members questioned the provision of recycling bin storage for the additional units and Officers confirmed that this was covered by conditions imposed under the previously approved scheme for the site. Members also questioned the definition of the term “affordable housing” and the means by which this was continued with the sale of properties. Officers confirmed that they were confident that the discounting could be continued with each sale. Officers also confirmed that a briefing note relating to the affordable housing scheme would be circulated to all Members of the Sub-Committee for their information.

RESOLVED: That the application be approved subject to the conditions listed in the report and subject to the following:

- a. The replacement of Condition 2 with

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

Drawing no. 131/RP/01B dated 12/9/06; Drawing no. 131/RP/02A dated 11/9/06; Drawing no. 131/RP/03B dated 11/9/06; Drawing no. 131/RP/04A dated 11/9/06; and, Drawing no. 131/RP/05A dated 11/9/06, and all received 21 Sep 2006;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

- b. The replacement of Condition 4 with

The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include: -

- i) The numbers, type, tenure and location of the site of the affordable housing provision to be made
- ii) The timing of handover to a Rented Social Landlord of the affordable housing
- iii) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing

iv) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and means by which such occupancy shall be enforced.

c. The replacement of Informative 4 with

INFORMATIVE:

The transport measures referred to in 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, for the funding of a minimum of a 12 month bus pass or car club membership for each occupier of the additional dwellings.

No development can take place on this site until the transport measures have been agreed and the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

REASON:

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to principle of development, design considerations, visual amenity, impact on historic and natural environments, residential amenity, highway safety, and education and leisure facilities. As such, the proposal complies with Policies H9, T9 and E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, HE2, H2A, H3C, H5A, T4, and L1 of the City of York Local Plan Deposit Draft.

CLLR R MOORE, Chair

The meeting started at 2.30 pm and finished at 3.15 pm.

COMMITTEE REPORT

Committee:	East Area	Ward:	Fishergate
Date:	26 October 2006	Parish:	Fishergate Planning Panel

Reference: 06/01623/GRG3
Application at: The Pupil Support Centre Danesgate Fulford Cross York YO10 4PB
For: Single storey skills centre and extension to the Bridge Centre at Danesgate
By: Education Services City Of York Council
Application Type: General Regulations (Reg3)
Target Date: 31 October 2006

1.0 PROPOSAL

1.1 Planning permission is sought to develop the site at the Danesgate School off Fulford Cross, Fulford.

1.2 The application is in two main parts. Firstly it is proposed to erect a new, free standing skills centre building within the existing playground area to the rear of the main building. The second proposal is for an extension to the existing 'Bridge Centre' building which is a small freestanding building to the north / north east of the main school building.

1.3 The description of the development and the philosophy underpinning it is described thus in the supporting statement accompanying the application.

'The Skills Centre will fill a vital gap in York's educational provision whilst also offering courses to the wider community (this will be mainly post 16 year olds). Whilst a part of the overall site philosophy, the Bridge Centre is an independent building taking primary age children in danger of being excluded out of their mainstream setting for up to six weeks at a time. The Pupil Support Centre is also part of the site philosophy, taking mainly excluded secondary aged pupils for up to six weeks at a time. The Skills Centre Development project focuses on three areas: building the new Skills Centre, extending the Bridge Centre and refurbishing the PSC (Pupil Support Centre) kitchen into a catering and training kitchen setting'.

1.4 With regard to the final part, the refurbishment of the PSC kitchen, this work does not require planning permission.

1.5 The development site is on the edge, but outside the Fulford Road Conservation Area. Bordering the site to the west is a large wooded area which has a woodland protection order on it. To the north are the houses on Maple Grove and to the east are houses on Fulford Cross and the main entrance into the site. To the south is a track leading down to the Fulford Cross allotments and beyond that is the York Steiner School.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Fulford Road 0039

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Schools Fulford Cross 0256

2.2 Policies:

CYED1
Primary and Secondary Education

CYGP1
Design

CYGP4A
Sustainability

CYNE1
Trees, woodlands, hedgerows

CYT5
Traffic and pedestrian safety

3.0 CONSULTATIONS

3.1 INTERNAL

3.2 Highway Network Management

It is noted that the Skills Centre is designed to accommodate approximately 30 pupils daily who will be drawn from secondary schools around the City. Staffing numbers are expected to rise from 40 to 46 as a result.

The site formerly housed the Fulford Cross Special Needs School and also notes that even with the additional 36 pupils and staff, the overall numbers in the three buildings will still remain significantly lower than was previously the case.

The carriageway of Fulford Cross has a typical width of 4.8 metres and serves some 27 residential properties in addition to the Danesgate site and the Steiner School. Given the lack of off-street parking, residents frequently park along one side of the street fronting their homes.

In order to assist with the movement of construction traffic during the building period, Education Services are proposing to provide localised widening at three points along the access road, which will be re-instated on completion of the scheme. The details of such works must be agreed in writing with the LPA prior to commencement and a condition to this effect should be attached to any approval.

Surveys of existing travel movements show that about 75% arrive by bus - not surprising given the fact that 15 buses per hour pass along the Fulford Road corridor. It can reasonably be assumed therefore that a similar proportion of the new pupils will also choose this mode of transport. The site is also ideally sited to take advantage of the riverside cycle route linking Fulford with the City Centre and also the cross river route between Acomb and the University, created by the construction of the Millennium Bridge.

The applicants transport consultant has demonstrated that the existing junction of Fulford Cross with Fulford Road is capable of handling the small increase in predicted traffic movements arising from the development without any significant extra congestion or delays. Furthermore there has been no personal injury accidents recorded there in the last 5 years.

The scheme proposals include the provision of an additional 5 parking bays, serving the needs of staff and a substantial increase in cycle storage spaces from 24 to 46.

A Green Travel Plan needs to be submitted and agreed with the Authority prior to occupation of the new buildings, since at the time of writing this has still not been received.

There are no highway objections to the application subject to a number of standard conditions. These refer to vehicular areas surfaced, access to be approved, cycle parking details, car and cycle parking laid out, internal turning areas to be provided, no mud on Highway and a dilapidation survey. Conditions pertaining to the enabling works on Fulford Cross, a detailed Method of works statement and the agreement of a green travel plan are also recommended. Conditions 4 to 13 deals with these.

3.3 Landscape Architect

The proposed cycle shelter still extends slightly closer to the neighbouring Oak (ref T13 under CYC 118) to the east of the existing coach house and garage. This would involve excavations closer to the tree and is therefore unacceptable. This should be altered.

The new perimeter retaining wall and security fence would involve the removal of at least one Sycamore within the adjacent wood, which is protected by a woodland order (CYC 118). However the removal of this tree and other under-storey vegetation to accommodate the scheme would not have a detrimental impact on the public amenity value of the woodland. The trees in this location are very dense and the woodland could do with some thinning management. It would still be wise to plot the locations and canopy spreads of the trees within the woodland that are immediately adjacent to the western boundary, plus a written schedule of works, so that the local community are fully aware of the tree works that would be involved in the development.

The details for the creation of the passing bays and the reinstatement of the grass verges thereafter as part of the highways enabling works must be approved in writing under condition.

Construction access to the site will be past and around some of the TPO trees, therefore adherence to strict protection measures will be needed. Should permission be given, conditions with regard to tree protection are recommended.

3.4. EPU

There have been ongoing discussions with the applicant concerning the potential contamination of the site; to date this has included some site surveying. Our contaminated land officer will continue to work closely with the applicant to investigate this and ensure appropriate steps are taken to resolve any issues which arise on site, some reports have been received to date but they are not sufficient to be able to discharge the following recommended conditions. The site is also close to a closed landfill site, the impact of this on the site would also need to be assessed. To ensure that the site is adequately assessed and that the impact of the development on surrounding residential is minimised, request that should permission be granted conditions pertaining to contaminated land be imposed. An hours of work condition is also recommended as well as a dust management scheme to protect the amenity of nearby residents.

3.5 Conservation Officer

The development has no impact on the Fulford Road conservation area.

3.6 Archaeology

Watching brief required on all groundwork's.

3.7 EXTERNAL

3.8 Fulford Parish Council

No objections but concerned about the lay-bys for contractors. Can it be conditioned that the road be returned to its original state afterwards, otherwise they will just be left?

3.9 Friends of Fulford Cross Nature Reserve

Support the line of the new security fence.

3.10 Third Parties

One letter of objection received from the occupier of 43 Maple Grove. Asks the following to be taken into consideration:

- i) Environmental implications in respect of noise and pollution.
- ii) What are the opening hours of the centre as this may have an impact on local residents?
- iii) Why is the development so close to the boundary of the Maple Grove boundary?
- iv) Application describes a single storey building but the height of the building is more becoming of a two storey building. Is this necessary?

4.0 APPRAISAL

4.1 KEY ISSUES

- Impact on neighbours

4.2 The key issue here is the impact on the neighbours, in particular those living on Maple Grove. The issues surrounding highways access concerns and the impact on local trees are an issue but are largely dealt with in sections 3.2 and 3.3 of the report. The relevant officers raised some concerns but have no significant objection to the proposals. Their concerns are dealt with through recommended conditions.

4.3 The development is in two parts and the main and largest proposal is the new, free standing skills centre to the rear of the existing building. It is also the scheme that has most impact on neighbouring properties. The extension to the existing 'Bridge Centre' building is relatively modest in size in comparison and this will be dealt with in more detail later on.

4.4 New Skills Centre building

This will offer accommodation over 2 floors. It measures 31metres x 32 metres. It has a contemporary looking, staggered roof structure which gives the appearance of the building being split into 3 parts. The purpose of the building is to offer opportunities for post 16 year olds to develop a range of skills which will be taught in this building. These include painting and decorating, joinery, hairdressing and IT. It is essentially a vocational trade skills centre for young people. An outside sitting area to the south western corner of the building is also to be provided.

4.5 The building in question is quite large and will be visible from the nearest houses on Maple Grove. At its nearest point in the north western corner the distance to the boundary is only 3.5 metres. However, the building is shown at an angle to these houses and therefore the nearest elevations extend diagonally away from these boundaries. The most affected houses are Nos 39 to 47 Maple Grove and the distance between the new building and the existing shared boundary fence ranges from between 3.5 metres adjacent to No. 45 to 15 metres behind No.39. To the actual rear elevations of these houses these distances range from between 20.5 metres to 35 metres. In an urban area, 21 metres is normally sought.

4.6 It is noted that the ground level is approx. 600mm higher on the application site side of the boundary than on the Maple Grove side and this will make the building appear more imposing visually from the rear of these houses. However,

amendments have been made to the design of the building, the most significant of which sees the roof facing the Maple Grove houses hipped significantly away from the boundary. This is instead of a full height, gable end wall facing them as in the original submission. The extent of the roof pitch is quite deep and is 11 metres wide from eaves to ridge. At eaves level the building is only 3.9 metres high and whilst this increases to 7 metres high at the ridge, this ridge will be approx. 13 metres from the boundary with Maple Grove. This is far less imposing visually and whilst it is indisputable that these properties will see the new building, the view will still afford views to the sky and woodland behind. Officers now consider this to be acceptable. Furthermore, whilst this part of the building offers some first floor accommodation (part courtesy of a mezzanine) there will be no windows facing these houses at first floor level. All windows at this level will face into the site.

4.7 An outdoor storage yard is shown between the building and the Maple Grove boundary. It is intended that this will store materials in connection with the facility. This is very close to the gardens of Maple Grove and therefore this needs to be carefully controlled. Boundary treatment is also vitally important at this point and the plans show the existing 1.7 m boundary wall will be retained with a new security fence above it. This will take the form of security fencing on top of the boundary wall to Maple Grove. The average height is shown to be 3.5m, which includes the existing wall height of approx. 1700mm. At present there is an existing plastic mesh type fence 3.2 metres high running the full length of this boundary. The brick wall currently stops adjacent to the boundary of 43 and 45 Maple Grove and it is proposed to continue this along the full length of all of this boundary. The specification of the new fencing is Paladin welded mesh which will be galvanised and coated in Dark Green colour. In comparison to the existing situation, the overall height of the enclosure will be some 300mm higher. It will also be slightly more imposing as the proposed mesh will be thicker, although it will have a more solid and permanent look to it, which is a positive as the existing mesh fence is not in the best of condition. It will still allow views through it and therefore the impact should not be significantly worse than at present. However, discussions are still taking place on whether this arrangement could be improved further. This includes reducing the height further so it is no higher than existing. Members may also want to take note of this issue at the site visit.

4.8 Use of the building

The hours of use of the building are also an important issue given its close proximity to residential houses. The supporting statement accompanying the application states that '...all three buildings will be open during normal school hours during term time. It is also intended that eventually the Skills Centre will also offer vocational courses to the wider community. This will entail occasional evening opening throughout the year'.

4.9 It is clear therefore that the building could potentially begin to take on more of a night school use and officers consider that this could lead to an unacceptable loss of neighbour amenity given its location and close proximity to houses and therefore some control over the use of the building in the evening and the hours of use is recommended. PPG24 (Noise and development) recognises daytime as being up to 11pm so to have similar operations as daytime until 9pm would normally be acceptable. After then, noise from the site could be more disturbing to local residents

as the background noise starts to quieten down in the evening. Use of the building until no later than 9pm and some control over its evening use is therefore recommended.

4.9 The extension to the Bridge Centre

This is the second main part of the development proposals and this seeks to build a modest sized extension to an existing building to the south west of the existing main Pupil Support Centre Building. It will be single storey to match the existing building and will measure approx. 15m x 8m. It is away from houses and contained within the confines of the existing site. The nearest houses are on Stockholm Close to the South west, 120 metres away. The track leading down to the allotments and several mature trees stand between this building and these houses. There is no impact either on these houses or the environs of the site from this aspect of the development.

5.0 CONCLUSION

5.1 The basic principle and philosophy underpinning the scheme is to be welcomed and should be supported. However, it is quite a large development very close to residential properties and therefore its use needs carefully controlling. Despite its close proximity to the houses on Maple Grove, the amended design of the building means that officers now consider it to be acceptable in terms of its visual impact on these neighbours. The boundary treatment at this point needs to be of good quality however. Day time use is also considered to be acceptable but significant evening use, which would essentially result in the building becoming a night school must be carefully controlled in terms of hours of use and types of use. Subject to these and other conditions, officers would recommend that the proposal should be supported.

COMMITTEE TO VISIT

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:-

Drawing Nos: 0115/10A, 11A, 12A, 13A, 14A, 15A

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 VISQ1 Matching materials

- 4 HWAY9 Vehicle areas surfaced
- 5 HWAY14 Access to be approved, details reqd
- 6 HWAY18 Cycle parking details to be agreed
- 7 HWAY19 Car and cycle parking laid out
- 8 HWAY21 Internal turning areas to be provided
- 9 HWAY31 No mud on highway during construction
- 10 HWAY40 Dilapidation survey
- 11 Prior to the commencement of any works, details shall be agreed in writing with the LPA of the enabling works to be undertaken at three points on the public highway along Fulford Cross which will assist the movement of construction traffic during the period of building works. The land used for the formation of these passing places must be reinstated to its former condition within 1 month of the completion of the building works.

Reason: In the interest of highway safety and the character and appearance of the area.

- 12 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.

- 13 Prior to the commencement of any works, a Green Travel Plan shall be agreed in writing with the local planning authority, including modal split targets and future monitoring arrangements, covering all staff, pupils and visitors attending the Danesgate Centre.

Reason: To promote the use of sustainable modes of transport.

- 14 Trees shown to be retained and/or subject to a Tree Preservation Order (TPO) shall be protected during the development of the site by the following measures:-

Prior commencement on site of demolition, site preparation, building or other development operations, including the importing of materials and any excavations, protective fencing to BS5837 Part 8 shall be erected around all existing trees shown to be retained (and neighbouring trees where they may

also be affected). Before commencement on site the protective fencing line shall be shown on a plan and agreed with the Local Authority and subsequently adhered to at all times during development to create exclusion zones.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

- 15 None of the following activities shall take place within the protective fencing or within the canopy area of existing trees: excavation, raising of levels, storage of any materials or top soil, burning, parking or manoeuvring of vehicles, no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new service runs. The fencing shall remain secured in position throughout the construction process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

- 16 No trenches, pipe runs for services or drains shall be routed under the crown spread of any tree without the prior approval in writing of the Local Planning Authority. This information shall be made clear within the tender documents and at the pre-start meeting and shall be available on site at all times.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

- 17 A desk study should be undertaken in order to identify any potentially contaminative uses which have or are currently occurring on site, including the potential for the migration of landfill gas. This shall include a site description and a site walkover and shall be submitted to and approved by the local planning authority prior to development of the site.

Reason: To protect the health and safety of workers and future occupants of the site.

- 18 a) A site investigation shall be undertaken based upon the findings of the desk study. The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on site.

b) A risk based remedial strategy shall be developed based upon the findings of the site investigation. The remedial strategy shall be submitted to and approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing on site.

Informative: The remedial strategy shall have due regard for UK adopted policy on risk assessment and shall be developed in full consultation with the appropriate regulator(s).

c) A validation report shall be submitted to and approved by the local planning authority, detailing sample locations and contaminant concentrations prior to any development commencing on site.

d) Any contamination detected during site works that has not been considered within the remedial strategy shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development on site.

Reason: To protect the health and safety of workers on site, future occupiers of the site and the integrity of structural components and any proposed underground services.

- 19 A timetable of proposed remedial works shall be submitted to the local planning authority prior to any works being undertaken on site.

Reason: To protect the health and safety of workers on site, occupiers of the site and the integrity of structural components and any proposed underground services.

- 20 All works and ancillary operations during construction, including deliveries and collections from the site, shall only be carried out between the hours of 08.00 and 18.00 Mondays to Fridays and 09.00 to 13.00 on Saturdays and not at all on Sundays and Bank Holidays.

Reason: To protect the amenity of nearby neighbours.

- 21 A dust management scheme covering potential dust emissions from the development of the site shall be submitted to and agreed in writing with the local planning authority prior to development.

Reason: To protect the amenity of nearby residents.

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

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

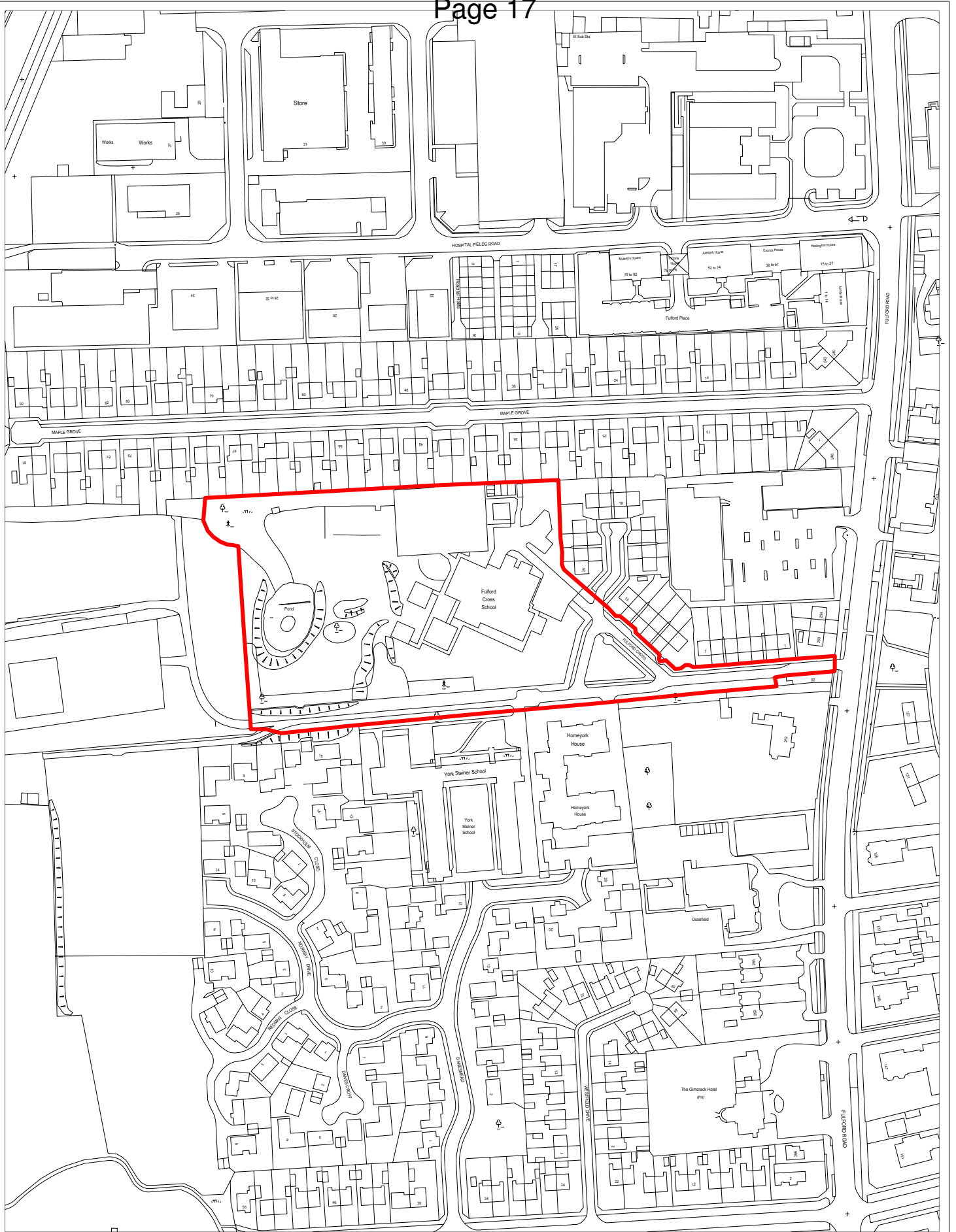
**7.0 INFORMATIVES:
Notes to Applicant**

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to design, impact on neighbours, sustainability, protected trees and impact on the highway network. As such the proposal complies with Policies GP1, GP4a, NE1, T5 and ED1 of the City of York Draft Local Plan (Incorporating the 4th set of changes) approved April 2005.

Contact details:

Author: Matthew Parkinson Development Control Officer
Tel No: 01904 552405



CITY OF
YORK
COUNCIL

DANESGATE PUPIL SUPPORT CENTRE, FULFORD CROSS - 06/1623/FULM

SCALE 1:2500
Originating Group

DRAWN BY PSL
Project

DATE 13/10/2006
Drawing No.

