

# COMMITTEE REPORT

**Date:** 5 August 2020

**Ward:** Guildhall

**Team:** East Area

**Parish:** Guildhall Planning Panel

**Reference:** 20/00505/FUL

**Application at:** Dean Court Secure Car Park To Rear Of Portland Street York  
**For:** Erection of two storey block of 9no. apartments with associated cycle and refuse stores. Part retention of existing car park.

**By:** Mr B White

**Application Type:** Full Application

**Target Date:** 24 August 2020

**Recommendation:** Approve

## 1.0 PROPOSAL

### APPLICATION SITE

1.1 The application site is located at the northern end of Bootham Row. It accommodates an overspill car park used for private/contract parking. The site is surrounded by walls which are approximately 3.7m high.

1.2 There are 2-storey houses set within landscaped grounds to the southwest; Bootham Square and a terrace of houses along Portland Street (ranging in scale and height from 2-3 storey) to the north-east. The grounds of Bootham School are to the western side of the site.

1.3 The site occupies an area of approx. 675 sq m. It is within the Central Historic Core Conservation Area. There are no Listed Buildings immediately surrounding the site and the development would not affect the setting of any Listed Buildings. The site is in an area where there is a low probability of flooding.

1.4 The application has been called-in by Cllr Craghill on residential amenity grounds. Specifically around the height of the building and overlooking.

### PROPOSALS

1.5 The scheme has been revised since the original submission and has been subject to a second round of public consultation. In the superseded scheme all apartments were at upper floor level, above the ground floor car park.

1.6 The application is for 9 apartments, contained within a two storey building which, along with its courtyard would utilise around half of the car park. The building would be behind 13, 14, 15 Portland Street. The dwellings would have a bin storage building by the site entrance and a cycle store. The remaining half of the site would

continue to operate as a private car park (i.e. it is not intended to be parking for future residents).

1.7 Of the apartments 8 would be studios; 1 unit would be larger. The building would be clad in brick, it would have a mono-pitched, almost flat roof that would receive sedum planting.

## RELEVANT SITE HISTORY

1.8 A building of similar height and vernacular, which utilised the entire site and would have provided 16 dwellings, was assessed at planning committee in June 2019. The decision was to approve subject to completion of a S106 agreement. The application was withdrawn as the applicants have instead decided to proceed with this alternative scheme. The previous application was 18/02853/FULM.

## 2.0 POLICY CONTEXT

2.1 The Publication Draft City of York Local Plan 2018 ('2018 DLP') 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.

2.2 Key relevant Publication Draft Local Plan 2018 Policies are as follows -

- SS1 Delivering Sustainable Growth for York
- H2 Density of Residential Development
- H3 Balancing the Housing Market
- D1 Placemaking
- D4 Conservation Areas
- D6 Archaeology
- CC1 Renewable and Low Carbon Energy Generation and Storage
- CC2 Sustainable Design and Construction of New Development
- ENV5 Sustainable Drainage

2.3 Relevant policies of the Draft Local Plan 2005 are as follows -

- GP1 Design
- HE2 Development in Historic Locations
- HE3 Conservation Areas
- HE10 Archaeology
- H2a Affordable Housing
- H4a Housing Windfalls
- L1c Provision of New Open Space In Development

### 3.0 CONSULTATIONS

#### CITY ARCHAEOLOGIST

3.1 This site lies within the central Area of Archaeological Importance and the Central Historic Core Conservation Area in an area that has produced significant undesignated archaeological heritage assets. It lies close to the Roman fortress and medieval city wall, close to the line of a major Roman road, in an area known to contain Roman burials.

3.2 An archaeological evaluation was carried out nearby in Bootham School in May 2011. Natural deposits were recorded at a depth of 1.65m below the modern ground level. Due to the location of the site and evidence from investigation at nearby sites it is probable that this site will contain a similar profile of deposits, and that Roman archaeology may survive on the site in the form of features cut into the natural, truncated by medieval ploughing at a depth of between 1.3 and 1.7m below current ground surface.

3.3 In order to mitigate the impact of the development and to record the loss of significance that will arise if the development is approved, it will be necessary to carry out an archaeological watching brief on all ground disturbances.

#### PUBLIC PROTECTION

3.4 Ask for conditions to provide -

Construction management plan

Electric Vehicles - passive provision to allow installation of an electric vehicle charging facilities in future.

Land contamination – a set of standard conditions is recommended to ensure the site is suitable for residential use.

Noise – it is required that the dwellings achieve internal noise levels as follows –

- Habitable rooms - no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and 30 dB LAeq (8 hour) at night (23:00-07:00 hours).
- LAFMax level during the night should not exceed 45dB(A) on more than 10 occasions in any night time period in bedrooms and should not regularly exceed 55dB(A).

## YORKSHIRE WATER

3.5 Satisfied with the proposed site drainage details which restrict surface water run-off to 5 litres / second.

## GUILDHALL PLANNING PANEL

3.6 Objected to the original scheme on the following grounds – overdevelopment of the site. The units are too cramped with insufficient outside green open space, offer the risk of overlooking and do not appear to be of a quality that we would welcome in York.

## CIVIC TRUST

3.7 The trust opposed the intention to accommodate car parking with residential units above and considered this overdevelopment that would be impractical operationally.

## 4.0 REPRESENTATIONS

4.1 The following objections (8 objectors) were raised over the original scheme -

- Objections to the height of the building (that would exceed the boundary wall) and consequently lead to loss of light over housing Portland Street.
- Overlooking and light pollution due to the proposed access corridor.
- Future resident's amenity – lack of internal and external amenity and poor quality of life due to being in such proximity to a commercial car park.
- Building design and type out of keeping with local character.

4.2 Three further comments (from 9, 12, 14 Portland Street) on the revised scheme:

- Appreciate the removal of the corridor overlooking Portland Street, and the removal of parking spaces from underneath the dwellings.
- The building height will have a significant impact on both the residential and conservation area.
- It is directly behind no.14 and will cause loss of privacy due to two overlooking windows.
- Continue to object to the inadequate size of the dwellings; do not believe that these provide suitable living space for permanent residents and are likely therefore to be limited only to short-term/ holiday lets. It would seem more appropriate, and in-line with the council's commitment to provide affordable homes for city-living, to create 4 duplex properties rather than the 9 tiny bedsits.

- Loss of light to surrounding property.

4.3 Cllr Fitzpatrick objected to the original scheme on the following grounds:

- The loss of light into the small gardens at the rear of houses on Portland St.
- The long corridor at the back of the proposed units overlooks the back gardens and will have lights that could cause both lack of privacy and light disturbance.
- Unlike the previous application, this one does not sit sympathetically or unobtrusively within its setting,
- The 9 units are cramped and as well as offering little space internally, there is no outside amenity. This is not the sort of housing that's acceptable by CYC's usual high standard. What is needed is more affordable, quality family housing. In no way does it contribute to this.

## **5.0 APPRAISAL**

5.1 The Keys Issues are as follows

- Principle of the proposed use
- Character and appearance of the Conservation Area
- Amenity of surrounding occupants
- Amenity of future occupants
- Drainage
- Archaeology
- Sustainable design and construction
- Highways

## **ASSESSMENT**

### **PRINCIPLE OF THE PROPOSED USE**

5.2 According to section 5 of the NPPF the Government's objective is to significantly boost the supply of homes. Section 11 promotes the effective use of land. It states "Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions". It goes on to state that planning decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively".

5.3 The section on Promoting Sustainable travel, in paragraph 103, states "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of

transport modes. This can help to reduce congestion and emissions, and improve air quality and public health".

5.4 The site currently is underused and accommodates a private car park; this itself facilitates a method of travel which is not sustainable. The city has demonstrable housing need and this is an accessible, central, sustainable location. Policy is strongly in favour of the proposed re-use of the site in principle.

5.5 Policy H3 states that "proposals for residential development will be required to balance the housing market by including a mix of types of housing which reflects the diverse mix of need across the city. This includes flats and smaller houses for those accessing the housing market for the first time, family housing of 2 to 3 beds and homes with features attractive to older people". This scheme provides small dwellings which would be low cost. Consequently the proposals do not conflict with the approach proposed in policy H3.

## CHARACTER AND APPEARANCE OF THE CENTRAL HISTORIC CORE CONSERVATION AREA

5.6 The site is within the Central Historic Core Conservation Area. The Council has a statutory duty (under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to consider the desirability of preserving or enhancing the character and appearance of designated conservation areas.

5.7 The NPPF in section 16 explains how to assess the impact on heritage assets and when identified harm can be out-weighed by public benefits. It 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 (and the more important the asset, the greater the weight should be). Local policies on conservation areas are HE2 and HE3 in the 2005 Draft Local Plan and D4 of the 2018 Publication Draft Local Plan.

5.8 The building footprint is essentially half of what was deemed acceptable in the 2018 application. The massing/height, form, detailing and materials are the same. The building would be approximately 1.3 m higher than the surrounding boundary wall. Soft landscaping including tree planting will be introduced which is beneficial.

5.9 The buildings rectangular shape and its orientation follows the urban grain. Given that the depth of the building is roughly half of the houses on Portland Street a mono-pitched roof form would be of suitable shape and scale for this plot. The building would differ from its neighbours in that it would have a planted sedum roof rather than being of slate or tile, these being the prevalent roof materials in the locality. This approach was approved previously and has sustainability credentials; consistent with the environmental objectives of the NPPF. On a low lying building such as that proposed, in a discreet location, with the impact on the townscape

being limited to private views from surrounding houses only, the approach is considered not to cause harm to the conservation area.

## AMENITY OF SURROUNDING OCCUPANTS

5.10 The NPPF states that developments should create places with a high standard of amenity for all existing and future users. It goes on to state that decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

### Daylight / sunlight

5.11 The building is concentrated towards the north (Portland Street) side of the site. It would exceed the height of the boundary wall by approx. 1.3 m, and spaced almost the same distance from the boundary wall. Beyond the wall there is an alleyway behind the houses on Portland Street. Applying the Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (2011) and its 25 degree guideline for assessment of daylight, it can be concluded that there would not be a material impact on sunlight or daylight within surrounding houses and their rear gardens.

### Overlooking

5.12 Neighbours originally objected to the corridor proposed at first floor level that was adjacent the boundary. This is no longer part of the scheme. Only the end dwelling has windows on its rear elevation and this section of the building is beyond the western extent of Portland Terrace. The roof-lights are primarily for natural light gain and ventilation. Due their location and orientation they will not allow for overlooking.

5.13 On the south side of the proposed building there would not be views into the communal gardens in Bootham Square because of the boundary wall. 1st floor windows between dwellings would be some 14m apart. The windows at the rear of houses on Bootham Square serve bedrooms. The level of separation would be acceptable for an inner city location such as this. Buildings on Gillygate for example are less than 12m apart in places.

### Overbearing / Over-dominance

5.14 The building would predominantly be contained by the boundary walls. It would be the same height as the scheme previously assessed by members and deemed acceptable. It is not considered to be over-bearing or over-dominant.

## AMENITY OF FUTURE OCCUPANTS

5.15 The outlook from the dwellings would be south towards the proposed private courtyard. The scheme would create an intimate development with a secure and fairly tranquil setting, in particular for a city centre site. Such a space would

encourage social interaction, which is promoted in section 8 of the NPPF. The levels of amenity for future residents is considered to be acceptable.

## DRAINAGE

5.16 National policy on drainage / flood risk is to ensure developments are reasonably safe from flood risk and do not increase such risk elsewhere. Local policy in the Strategic Flood Risk Assessment explains drainage and flood risk requirements, including to allow for climate change and to avoid increased flood risk off site.

5.17 The site is not at risk of river flooding. The surface water run-off will be restricted to prevent increased flood risk elsewhere. Run off rates will be in accordance with local requirements (a reduction of 30%); secured through condition. The use of storage onsite and restricted connection into the public sewer is appropriate, being the most sustainable option, because there is not space for a soakaway system at this site and there is no watercourse to directly connect into. Building Regulations dictate that a soakaway cannot be used within 5m of a building or road, 2.5m of a boundary.

## ARCHAEOLOGY

5.18 Policy D7 of the Emerging Local Plan requires an understanding of archaeology affected, to avoid substantial harm (preserve 95% of deposits) or where there would be harm, undertake adequate mitigation.

5.19 An understanding of archaeology in the area in part derives from investigation at the neighbouring Bootham School where evaluation was carried out by On-Site Archaeology in May 2011. Natural deposits were recorded at a depth of 1.65m below the modern ground level. Based on understanding of archaeology in the locality officers are content that a watching brief on groundworks (followed by submission of an evaluation of the works) is adequate and can be secured through condition.

## SUSTAINABLE DESIGN AND CONSTRUCTION

5.20 Publication Draft Local Plan Policy CC2 states all new residential buildings should achieve:

- at least a 19% reduction in Dwelling Emission Rate compared to the Target Emission Rate (calculated using Standard Assessment Procedure methodology as per Part L1A of the Building Regulations 2013); and
- a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).



5.21 The policies should be given moderate weight given the advanced stage of the emerging Plan's preparation, and the lack of significant objection to these emerging policies.

5.22 The applicants have provided an energy statement specific to the scheme. This predicts that through design of the building fabric (thermal performance, air permeability) and by reducing demand for lighting and restricting water use, the scheme can achieve a reduction in energy use of up to 15% compared to current building regulations. In addition low/zero carbon technology could be incorporated in the form of PV panels on the roof. The energy efficiency measures can be secured through condition.

## HIGHWAYS

5.23 The NPPF states that in assessing applications for development, it should be ensured that:

- appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

5.24 The NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.25 The scheme is acceptable on highways grounds due to the following -

- Due to the central location, the size/type of dwellings proposed and availability of alternative and sustainable means of travel low parking provision is acceptable here.
- Secure covered cycle parking for each dwelling is proposed and will be secured through planning conditions.
- The bin store has been located at the front of the site and is therefore practical for waste collection.
- The scale and type of development means there would be a negligible impact on the highway network.

## 6.0 CONCLUSION

6.1 This scheme is similar to the 2018 application which members recommended for approval. The difference is that 9 rather than 16 dwellings are proposed and the building would not be as long. It is concentrated towards the end of the site and some car parking would remain.

6.2 This is an underused urban site where in principle the NPPF recommends redevelopment, in particular development for which there is demonstrable need. The scheme would not have an adverse effect on the Central Historic Core Conservation Area and have no undue detrimental impact on neighbouring amenity. It does not raise any highway safety issues and other technical matters can be addressed through planning conditions.

## **7.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 Approved Plans

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

Revised Plans - CLE-309-005 10E, 11F, 12E

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

3 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan shall provide for:

### Noise

For noise details on hours of construction and deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, shall be provided. Where particularly noisy activities are expected to take place then details should be provided on mitigation i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, including the location of positions, recording of results and identification of mitigation measures required.

### Vibration

Details of any activities which may result in excessive vibration, e.g. piling, details of any monitoring, details of standards used for determining the acceptability of any vibration undertaken.

## Dust

A site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) is required and a package of mitigation measures commensurate with the risk identified in the assessment.

Mitigation, measures may include, but would not be restricted to, on site wheel washing, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>.

## Lighting

Details on artificial lighting to be provided on site, and measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

## Complaints

The CEMP shall provide a complaints procedure, so the site manager has a clear understanding of how to respond to complaints received. The procedure shall detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses [public.protection@york.gov.uk](mailto:public.protection@york.gov.uk) and [planning.enforcement@york.gov.uk](mailto:planning.enforcement@york.gov.uk)

Reason: To protect the amenity of the locality, given the close proximity of the development site to residential property.

## 4 Archaeology

A) No groundworks shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in

accordance with the agreed WSI. The WSI shall conform to standards set by LPA and the Chartered Institute for Archaeologists.

B) The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) 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.

C) A copy of a report shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 2 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: In accordance with Draft Local Plan (2018) policy D6 as the site is considered to be an area of archaeological interest. Therefore, the development may affect important archaeological deposits which must be recorded prior to destruction.

## 5 Land contamination - Site investigation

Prior to development, an investigation and risk assessment (in addition to any assessment provided with the planning application) shall be undertaken to assess the nature and extent of any land contamination. The investigation and risk assessment must be undertaken by competent persons. A written report of the findings shall be produced, submitted to and approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination (including ground gases where appropriate);
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

## 6 Land contamination - remediation scheme

Prior to development, a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) shall be submitted to and approved in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

## 7 Land contamination - remedial works

Prior to first occupation or use, the approved remediation scheme shall be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be produced and 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.

## 8 Tree Protection

Prior to any groundworks on site details of tree protection measures for the Lime tree to the south-west of the application site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

The details shall include consideration of groundworks, including drainage, the installation of services, and the re-surfacing works. (It is noted that the previously submitted arboriculture report recommends that to ensure tree roots are not damaged during any resurfacing, the parking area will be surfaced over a cellular

confined system which is to be specified within a separate Arboricultural Method Statement).

Reason: In the interests of good design as required by paragraph 127 of the NPPF; to avoid damage to any trees which have amenity value and make a positive contribution to the character and appearance of the conservation area.

## 9 Materials

A schedule of external materials, to include manufacturer's details and colour finish, shall be submitted to the Local Planning Authority for approval prior to commencement of construction of the development. In addition to the schedule, a panel of the brickwork to be used shall be erected on the site, which shall illustrate the colour, texture and bonding of brickwork and the mortar treatment. The development shall be carried out using the approved materials.

Reason: In the interests of good design and the character and appearance of the conservation area, in accordance with NPPF paragraphs 127 and 185.

## 10 Large scale details

Large scale details, illustrating typical sections of the proposed apartments building and its cycle store shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction and the works shall be carried out in accordance with the approved details.

Reason: In the interests of good design and the character and appearance of the conservation area, in accordance with NPPF paragraphs 127 and 185.

## 11 Sustainable design and construction

Details of the reduction in carbon emissions the development hereby approved would achieve when compared against Part L of the Building Regulations (the notional building) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation and the development shall be carried out in accordance with the approved details.

The details shall explain how this will be achieved either through efficient building fabric and/or low or zero carbon technology. Where low or zero carbon technology is proposed details of any visual impact on the building shall be included in the details. The details are expected to demonstrate at least a 19% reduction in dwelling emission rate (DER) compared to the target fabric energy efficiency rates (TFE).

The development shall also achieve a water consumption rate of no more than 110

litres per person per day (calculated as per Part G of the Building Regulations).

Reason: In the interests of sustainable design and in accordance with policies CC1 and CC2 of the Publication Draft Local Plan 2018.

## 12 Noise

Prior to construction of the building envelope a detailed scheme of noise insulation measures for protecting the approved dwellings from externally generated noise (in particular the retained car parking area) shall be submitted to the Local Planning Authority for approval in writing. The development shall be constructed in accordance with the approved details.

The scheme shall demonstrate the building envelope shall be constructed so as to achieve the following internal noise levels -

- Habitable rooms of no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and 30 dB LAeq (8 hour) during the night (23:00-07:00 hours)
- LAFMax level during the night should not exceed 45dB(A) on more than 10 occasions in any night time period in bedrooms and should not regularly exceed 55dB(A)

These noise levels shall be observed with all windows open in the habitable rooms or if necessary windows closed and other means of ventilation provided.

Reason: To protect future residents amenity in accordance with DLP 2018 policy D6 and paragraphs 127 and 170 of the NPPF.

## 13 Land contamination - unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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.

#### 14 Electric Vehicle Charging facilities

The development shall incorporate sufficient capacity within the electricity distribution board to allow for the future addition of an Electric Vehicle Recharge Point (minimum 32A) on-site. There shall be provision for cabling to supply the relevant space(s). The provision shall be provided prior to first occupation of the apartments hereby permitted.

Reason: To ensure future electric vehicle charge points can be accommodated in line with the NPPF and CYC's Low Emission Strategy.

#### 15 Drainage

The development hereby permitted shall incorporate the drainage principles as shown on the proposed drainage strategy drawing 103 P2 prepared by Dudleys. Surface water run-off from the site shall be restricted to 5 litres/second.

Reason: In the interests of good design and to reduce flood risk, in accordance with DLP 2018 policy ENV5.

#### 16 Landscaping

The development shall not be occupied until the species and stock size of the proposed trees (as shown on the approved plans) have been approved in writing by the Local Planning Authority.

The approved details and the landscaping scheme, as shown on the approved plans, 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 in the interests of the character and appearance of the conservation area and residential amenity.

#### 17 Storage facilities (cycles and waste)

The covered and secure cycle parking facilities and waste storage facilities shall be provided in accordance with the approved plans prior to first occupation of the development hereby approved. The cycle storage shall have lockable doors and the



internal space shall have facilities for locking cycles (using Sheffield type stands or similar).

External doors to the cycle store and refuse/recycling store, shall be illuminated with vandal resistant security lighting, operated by a photocell sensor.

Reason: In the interests of visual and residential amenity and to promote sustainable travel in accordance with paragraphs 108 and 127 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) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome: sought revised plans to address objections and through the use of conditions.

#### **Contact details:**

**Case Officer:** Jonathan Kenyon

**Tel No:** 01904 551323