

COMMITTEE REPORT

Date: 13 August 2020 **Ward:** Guildhall
Team: East Area **Parish:** Guildhall Planning Panel

Reference: 19/02563/FULM
Application at: 23 Piccadilly York YO1 9PG
For: Erection of no.132 bed hotel with bar/ restaurant, after demolition of existing office building
By: Mr Gareth Jackson
Application Type: Major Full Application
Target Date: 17 August 2020
Recommendation: Approve

1.0 PROPOSAL

APPLICATION SITE

1.1 The existing office building on-site is dated 1939. It has a stone plinth (which varies in height to suit local ground levels) with 3 floors and mansard roof above. The building is not listed and nor is it identified as a building of merit in the Central Historic Core Conservation Area Appraisal. The site is in the Central Historic Core Conservation Area; the Piccadilly character area. It is an urban block surrounded by streets between Walmgate and Piccadilly, with a varied context.

1.2 St Denys's Church and its grounds are to the north-east. The church is listed at Grade I. Along St Denys' Road are 2-storey domestic buildings and a 7-storey mid-20th century office block, sat behind car parking, recently converted to apartments. This building; formerly United House is identified as a detractor in the conservation area appraisal. To the opposite side along Dennis Street is the rear access to the temporary Spark commercial complex, recently completed housing at Nelson's Court which is 3.5 storey and more historic domestic sized properties on Dennis Street. Opposite the site on Piccadilly a hotel building is currently under construction. Next door to that site is Ryedale House, another mid 20th century office block, that is currently being modernised and converted into residential.

PROPOSALS

1.3 The application is for a 132 bedroom hotel, reduced from 146 since the original submission. The proposed building is part 6, part 4 storey. The Piccadilly side of the building would be sheer 5-storey with the top floor recessed, with an angled façade in decorative brick. The front of house area, with reception and restaurant,

would front onto Piccadilly giving the building an active frontage. The pavement will be widened here and the public realm improved, as part of the scheme, following aspirations within the Castle Gateway masterplan. The rear section of the site steps down to 4-storey (lower than the existing building) to respect the scale and setting and neighbouring Nelson's Yard housing and the Grade I listed St Denys Church.

1.4 Servicing will be from St Denys Road. The road is one way but has 2 lanes connecting into Piccadilly. A drop off is also allowed for on Piccadilly by the main entrance. There is no car parking, as per the existing offices.

BACKGROUND / RELEVANT SITE HISTORY

1.5 The existing building was subject to an application for change of use to residential (prior approval under permitted development rights) to which there were no objections in 2017 - 17/02624/ORC.

2.0 POLICY CONTEXT

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

2.2 The National Planning Policy Framework ('NPPF') is a material consideration in the determination of this planning application. Key policies / sections of the NPPF are as follows –

- 6 Building a strong competitive economy
- 7 Ensuring the vitality of town centres
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 16 Conserving and enhancing the historic environment

2.3 The Publication Draft City of York Local Plan 2018 ('2018 DLP') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF its 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.

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

SS3 York City Centre
SS5 Castle Gateway
EC1 Provision of Employment Land
EC4 Tourism
D1 Placemaking
D4 Conservation Areas
D5 Listed Buildings
D6 Archaeology
CC1 Renewable and Low Carbon Energy Generation and Storage
CC2 Sustainable Design and Construction of New Development
ENV4 Flood Risk
ENV5 Sustainable Drainage

3.0 CONSULTATIONS

INTERNAL

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

CITY ARCHAEOLOGIST

3.1 During construction of the extant building at 23 Piccadilly in the 1930s two rows of columns were recorded. These were interpreted at the time as a Roman wharf.

3.2 As part of this application several phases of evaluation have now taken place including a three point borehole survey, a ground penetrating radar (GPR) survey and two 2m x 2m evaluation trenches within the basement. Trench 1 at the Piccadilly frontage revealed a possible foundation and dump deposit interpreted as Roman at the base of the trench c. 7.05m AOD.

3.3 The archaeological evaluation has suggested that potential Roman archaeological deposits and features exist c. 1.2m below the existing basement floor at 6.85m AOD. These will likely be affected by the foundation design and potentially the lift pit.

3.4 Based on the evaluation to date officers are content works can progress subject to conditions for a watching brief on groundworks and an approved foundation design to preserve 95% archaeology.

DESIGN CITY ARCHITECT

3.5 Officers consider the scheme has less than substantial harm to the significance of the panoramic key view from Clifford's Tower (one of the key views in the Central Historic Core Conservation Area Appraisal). The impact is deemed to be very minor though in terms of the setting of St Denys's Church.

3.6 The proposed building competes with the height of the tower of St Denys' Church in views to a minor degree, because whilst it does not obscure the tower, it sits immediately to the side of it.

3.7 The additional impact of this proposal is minor compared to the impact of 46-50 Piccadilly. There is cumulative impact to consider when adding both, although there is still less than substantial harm to the setting of the church. The harm is the interrelationship with Clifford's Tower "key view 16". The exceptional quality of this view is acknowledged, when the view is taken in the round, as its significance is linked to it being a 360 degree view, rather than a static view of a particular corridor. Therefore I only consider very minor impact on the significance of this view resulting out of the proposal, and so the harm to the church is, to me, at the lower end of less than substantial despite the exceptional significance of key view 16.

3.8 With regards the existing building whilst neutrally identified in the conservation area appraisal, would undoubtedly be a non-designated heritage asset if it had the chance to undo insensitive changes through renovation- like restoring windows to the original design. The value of this building to the setting of the church is how it appropriately contextualises the church to the south west. Officers view is the proposed building does not harm the setting of St Denys's as it is experienced from local streets.

HIGHWAY NETWORK MANAGEMENT

Impact on the network

3.9 Officers anticipate that a development of this scale will have a slight negative impact on the operation of Piccadilly due to additional trips by taxi/coach trips. No parking is proposed as part of the scheme. This is an acceptable approach in this location and for this development purpose. As part of the Travel Plan, the applicant should propose a strategy to encourage guests to travel to and from the site by sustainable means. The applicant should also provide a strategy to direct those guests accessing the site by car to nearby car parks.

3.10 A hotel/bar/restaurant is likely to generate a significantly higher number of servicing trips compared to the existing office use. The proposed service area on St Denys is acceptable to highways. The street is one way only and wide enough to enable traffic to pass by a loading vehicle. Double yellow lines are in place in this location so loading would need to take no more than 10 minutes. Any amendments to the TRO (as proposed in the supporting Transport Statement) will need to be funded by the applicant.

Construction management

3.11 Conditions requested - dilapidation survey, keeping of highway clean during works and management of vehicular movements and contractor parking.

Temporary parking restrictions might be required and will need to be requested in advance from the highway authority.

3.12 The secondary pedestrian access point on Dennis Street still seems to show a door that opens outwards onto the footway. Doors need to be set so they would not encroach onto the footway area when open.

Cycle parking

3.13 Steps are proposed internally from the back of the house entrance on St Denys Road. Preferably there would be a ramp for loading/servicing and to gain access to the cycle store. The access door needs to be wider than the standard 0.9m width and automated if possible. 14 spaces are provided: 8 stacked and 6 Sheffield Stand – details should be provided through condition.

Public Realm

3.14 The layout of Piccadilly would be agreed with the highway authority at a later stage as part of the Castle Gateway / Piccadilly Masterplan, through S278 highways agreement process. This includes the planters and trees shown in the D&A statement as their location / feasibility depends on utilities, visibility.

PUBLIC PROTECTION

Noise

3.15 Officers ask for approval of a scheme to demonstrate noise breakout from the restaurant/bar area will not have an undue impact on noise levels required within bedrooms. It is asked that noise levels in the bedrooms achieve BS4142: 2014 compliance.

Deliveries

3.16 Ask for delivery times to be restricted.

Construction management

3.17 Request measures to control noise/vibration, dust and light pollution and restricted hours of working.

Odour

3.18 Restaurant – measures to deal with cooking odours requested.

Land contamination

3.19 Require for remediation strategy to be approved and implementation

EXTERNAL

CONSERVATION AREAS ADVISORY PANEL

3.20 The panel objected to the original scheme

- The current building whilst an undistinguished 1930s construction is an example of its time, now somewhat rare in the city centre, and gives some dignity to the street and therefore the Conservation Area. The Panel questioned the need to demolish the building and considered a use could be found which would ensure its retention.
- It was felt strongly the replacement building with its false gables had no architectural merit, would harm the setting of the adjacent Grade I listed St Denys Church and could be regarded as a detractor to the Conservation Area.

HISTORIC ENGLAND

3.21 Historic England have concerns over the application. Their preference would be that the scale and height of the development be reduced to avoid any impact on the views of St Denys' Church from Clifford's Tower. The scheme is deemed to have less than substantial harm on the setting of St Denys Church.

3.22 In the revised scheme the elevation treatment, including the form and size of the window openings, and the use of brick detailing, are all improvements in terms of design quality. There would be a reduction in the size of the building closest to St Denys' Church which would reduce its impact on the immediate setting of the church to some degree, however the proposed new building would still be a full storey higher than the existing building fronting Piccadilly which means that key views and the wider context of the church would still be significantly affected.

3.23 The tower and the north aisle of St Denys' Church can be appreciated from Clifford's Tower. The ability to appreciate a number of churches and spires from the top of the Clifford's Tower makes a strong contribution to illustrating the relationship between the River Foss, the Castle defences and the area of the medieval settlement. This creates a strong sense of place with a great sense of time depth and character.

3.24 HE advise that the view of the tower of the St Denys' Church from Clifford's Tower should be maintained. The 6th floor block on the front section of the proposed building would compete with the height of the tower of St Denys' Church when viewed from Clifford's Tower and that the view of the church would still be partly obscured.

PLANNING PANEL

3.25 Object as follows–

- The existing building is of architectural interest and thus deserves preserving.
- The building height appears to be out of keeping with the rest of the vernacular architecture and particularly in relation to St Denys.
- The building profile at the front and the basement placing of the restaurant presents an un-friendly aspect to the street frontage.
- Concerned about the potential disturbance of the foundations of St Denys Church
- The services are going to obstruct the pavement and the road on St Denys Road, which is a busy bus route.
- Concerned the local infrastructure will not be able to cope with yet another hotel sending a large amount of sewage into the drains.

POLICE

3.26 With regards secure by design officers recommended the following –

- Access points should be well lit
- Controlled lift and stairwell access is recommended. This will increase the security of the hotel as only guests
- Public entrances and exits into and out of the building should be covered by CCTV and in particular the entrance foyer/reception area.
- Secure cycle parking should be provided for the staff. The stands must facilitate the locking of both wheels and the frame and should be located so that it can be supervised by hotel staff as cycle crime is an issue in the area.

YORK CIVIC TRUST

3.27 Object due to the environmental impact of the loss of the building, the scale and design of the proposed building and intensification of use of the surrounding area and possible implications for operation of the church.

Unjustified environmental cost

- Further to the latter point, considering the Climate Emergency declared by York City Council in March 2019, the Trust feels that it is irresponsible to condone the loss of a building that has not come to the end of its useful life.

Visual impact

- The proposal is gross over-development, five storeys being too tall for such a sensitive location and would result in partially blocking Key View 6 (as identified in the York Central Historic Core Conservation Area Appraisal) from Clifford's Tower to St Denys Church.

3.28 Rather than having the effect of reducing massing, the glazed fifth floor is thought to be a detractor, which will reflect the sun by day and become a beacon of light at night.

Access

- Impeded access between St Denys Church and the Church Hall

The hall contains the church's only toilet and is a much-used community asset. The change of use on the site from offices to a hotel will result in significantly different access requirements and will necessitate frequent deliveries and taxi pick up/drop off.

4.0 REPRESENTATIONS

4.1 There was a second round of consultation on the revised scheme in July 2020. Overall objections, from 25 contributors, have been received. Comments as follows

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IMPACT ON ST DENYS CHURCH AND ITS GROUNDS AND THE CHURCH HALL

4.2 The church stands very close to the potential building site of the proposed new hotel. Extensive structural works have recently (2016-8) taken place at the church, at a cost of over £300,000, whose principal purpose was to stabilise and restore the previously critically endangered north aisle. This essentially dates from c.1340 and contains outstandingly important mediaeval stained glass. The aisle proved to have only very sketchy foundations, especially to the north aisle west wall (the wall nearest the proposed hotel building site). There is concern that the impact of the proposed demolition and building works and the heavy traffic likely to be involved, may endanger and further destabilise not only the church's north aisle but also other parts of the church.

4.3 Concern building works will prevent or impede use of the church hall. The church hall serves as a community facility open to use by all and at a low cost.

4.4 Concern over the possible loss of mature trees within the church grounds as a consequence of demolition.

ASPIRATIONS FOR CASTLE PICCADILLY / OBJECTION TO HOTEL IN PRINCIPLE

4.5 The proposed use would be in conflict with the aspirations for Castle Piccadilly. The wide-ranging consultation for Castle Gateway found a desire for small-scale businesses creating interest and diversity. The adjacent Walmgate area provides an excellent example of this process in action. Instead proposed for this site is a

large corporate hotel; there are already two similar proposals for this type of development along Piccadilly. The concentration of hotels in the site has a detrimental impact due to their transient nature and disturbance caused by some guests.

4.6 There is some evidence that there is now an excess of supply over demand for hotels, which in turn results inevitably in the reduction of prices, so that what was intended as so called mid-range becomes cheaper, lower range. Therefore question the desirability and viability of yet more corporate style hotel accommodation.

4.7 The site is currently in-use which demonstrates need for the existing use. There is a preference for retention of offices or conversion to residential – both are needed in the city, rather than another hotel.

4.8 The function and design of the surrounding streets should be re-considered, putting pedestrians first in a similar way to around Clifford's Tower; to improve the public realm and be a more attractive part of the pedestrian/cycle network (including the aspirations for a new bridge over the Foss).

UNNECESSARY DEMOLITION / UNSUSTAINABLE APPROACH

4.9 The existing building does not detract from the area and should be retained. It arguably makes a positive impact being of historic and architectural interest; it is a good example of inter-war British Architecture, of good quality materials and detailing and of appropriate scale. It represents a style of 1930s-50s 'official' architecture which is now becoming unusual nationally, and which is very rare in York. Buildings of this kind are now beginning to be listed Grade II in other parts of the country.

4.10 The existing building makes efficient use of the site, being 4-storey and utilising the majority of the plot. A new use should be found for the building rather than demolition; an unsustainable option (therefore consequently against the principles of the NPPF), the process of which will cause considerable local disruption to surrounding occupants and the transport network.

4.11 Should this building be demolished given the amount of change and recent demolition / new build that would occur in Piccadilly, its inclusion within Conservation Area would no longer be justified.

VISUAL IMPACT OF THE PROPOSED BUILDING

4.12 The building due to its bulk and height is inappropriate and out of character with the traditional scale of buildings within the city. There would be harm to the setting of the surrounding buildings.

4.13 Its harsh, brutal like appearance will detract from the setting compared to the light brick and design of the existing building.

NOISE / DISTURBANCE / POLLUTION

4.14 Concern over the disturbance as a consequence of the activities associated with the comings and goings of a hotel – staff, guests and servicing which will be constant / Putting out of waste, such as glass at night / Possible noise from plant and machinery / Disruption during building works.

IMPACT ON THE HIGHWAY

4.15 Another hotel will bring in more traffic. Generally around 80% of guests arrive by car and hotel operators have arrangements with local car parks. No car parking only means guests arrive expecting to park but can't. The two nearest car parks (Peel Street and on Piccadilly) are already seriously over-subscribed, and illegal / indiscriminate on-street parking in the surrounding area is already a serious problem. The hotel can only exacerbate this problem and create safety issues.

Servicing

4.16 Originally servicing appeared to be from Dennis Street. This was objected to as such activity would block the access to residential development at Nelson's Yard. The revised submission contained an updated transport assessment and confirmed the intention was for servicing from St Denys. This led to further objections.

- The proposed service bay would create traffic delays and increased pollution.
- Loss of car parking.
- St Denys is primarily residential and the servicing associated with a hotel will cause undue noise disturbance. It is asked that deliveries be restricted to daytime hours and that taxi drop off be from Piccadilly.

IMPACT ON AMENITY DUE TO SCALE OF BUILDING

4.17 The building proposed is still a storey taller than the existing where facing Piccadilly; there will be overlooking / loss of privacy / loss of sunlight to surrounding houses, on Nelson's Yard and St Denys. Loss of views of Clifford's Tower would devalue surrounding properties.

ARCHAEOLOGY

4.18 Roman activity in this area and therefore the site should be subject to adequate investigation / preservation of remains.

FLOOD RISK

4.19 Inadequate commentary and details of how the building would be flood resilient, in particular to basements areas. It is also noted that no other development have been permitted to have bedrooms at levels susceptible to flooding.

5.0 APPRAISAL

5.1 The key issues are as follows –

- Principle of the proposed use
- Design
- Impact on designated heritage assets (listed buildings / conservation area / archaeology)
- Impact on residential amenity
- Highway network management and safety
- Drainage / Flood Risk
- Public Protection
- Sustainable design and construction
- Ecology

PRINCIPLE OF THE PROPOSED USE

5.2 Both the existing and proposed uses are ‘town centre’ uses in NPPF terms and are appropriate in this part of the city centre according to the NPPF and strategic policy SS3 of the 2018 DLP, which sets out the approach for the city centre.

5.3 The economic objectives of the NPPF are to build a competitive economy and support growth. Paragraph 80 states “decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”. Fundamentally in principle the application accords with the economic objectives of the NPPF.

5.4 Within the 2018 DLP there are aspirations to avoid the loss of office space, if it is viable and demonstrably needed to meet identified needs (policy EC2). Whilst policy EC4 Tourism seeks to maintain and improve the choice of visitor accommodation. The background text to EC4 states “A key aim of the York Economic Strategy (2016) is to continue to creatively develop York’s tourism and culture offer and to raise the city’s profile as a quality visitor destination”. Local policies can be applied with limited weight only given that the plan is not adopted.

5.5 The existing building provides low cost / low quality office space, which would need significant investment to accommodate grade A quality space. Policy EC2

which relates to the loss of employment land stresses the need to retain grade A / grade 1 spaces in 'high access locations'. The grade of office space provided affects the value of the current building to the landowner and there is risk associated with any re-provision / upgrade which would be speculative.

5.6 The tourist industry is a key component of the York economy and is experiencing growth. In 2019 York was in the UK top ten for regional markets (considering revenue per room) and occupancy rates of over 80%. There is evident need for further hotel accommodation and the 2018 DLP promotes growth of the sector.

5.7 The tourist sector is experiencing growth and the re-build proposed allows more efficient use of the site, increasing useable floorspace from 2,908 sq m to 4,615 sq m. As such the proposed re-use of the site is consistent with the economic policy and policies for making effective use of land within the NPPF.

DESIGN

5.8 NPPF paragraph 127 states that planning decisions should ensure that developments:

- will function well and add to the overall quality of the area;
- are visually attractive as a result of good architecture, layout and landscaping;
- are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space); and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.9 Local Plan policy D1 Place-making contains local design policy and covers –

- Urban structure and grain
- Density and massing
- Streets and spaces
- Building heights and views
- Character and design standards

5.10 Policy SS5 for the Castle Gateway with regards to Piccadilly has aspirations that regeneration schemes provide active frontages and contribute to public realm improvements (reducing the size of the vehicular carriageway on Piccadilly and improve the size and quality of the pedestrian foot streets, including tree planting).

5.11 Since the application was submitted there have been significant amendments to the scheme. The number of bedrooms has reduced to 132, the building scale has been moderated to reflect the urban grain, and the design has been given further thought; materials chosen to respect local vernacular and detailing refined to give increased visual interest. The servicing is from St Denys Road (as currently) and the scheme contains provision for public realm improvements consistent with the most recent Council plans for Piccadilly. The changes are illustrated in the Design and Access addendum.

Scale & massing

5.12 The building proposed is taller on its Piccadilly side, where it would be 6-storey. The top floor would be higher than the existing building; it would be setback from the edge of the main façade to reduce its prominence. The rear section of the building steps down to 4-storey - this section is lower than the existing building. Both side elevations have elements, most evident on the Dennis Street side, where the building line is cranked on the upper floors; to reduce the prominence of the building and reveal St Denys's Church in views.

5.13 The taller scale on the Piccadilly side of the site is appropriate; the existing building is of lesser scale and height than surrounding buildings it is viewed in context with along Piccadilly. Only the top floor of the proposed building exceeds the height of the existing building and this level is designed so it will be subtle in views from the street. Two of the neighbouring buildings; Ryedale House and Piccadilly Residence (previously United House) are both some 2-storey taller, the two developments to the south are a mix of 5 and 6 storey and the proposed building scale is comparable to the approved hotel (under construction) at 46-50 Piccadilly directly opposite.

Public realm / frontage

5.14 The hotel would have a front of house area – reception and restaurant at ground level fronting Piccadilly and involves public realm improvements. The footpath would be widened and there is capacity to accommodate cycle stands, seating and planting. These improvements would be secured by condition. The existing building has a substantial plinth at ground level and has little interaction with the street. The scheme in this respect conforms with the Local Plan aspirations for Piccadilly.

Materials

5.15 The proposed building is now predominantly (red) brick and no longer contains metal cladding as a secondary material to the façade and roof. The design contains brick detailing that gives order, visual interest and decoration.

5.16 The building will be contemporary, attractive and respectful of its setting. Officers are content that the scheme complies with local policy D1 – place-making in

respect of ensuring proposals are not a pale imitation of past architectural styles, the use of appropriate materials and the scheme would be a good example of contemporary urban design and place making.

IMPACT ON DESIGNATED HERITAGE ASSETS (LISTED BUILDINGS / CONSERVATION AREA / ARCHAEOLOGY)

5.17 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. Section 66 of the 1990 Act requires that in considering whether to grant planning permission for development, which affects a listed building or its setting, the local planning authority shall pay special regard to the desirability of preserving the building or its setting or exercise of any features of special architectural or historic interest which it possesses. The Courts have held that when a local planning authority finds that a proposed development would harm a heritage asset the authority must give considerable importance and weight to the desirability of avoiding such harm to give effect to its statutory duties under sections 66 and 72 of the 1990 Act. The finding of harm to a heritage asset gives rise to a strong presumption against planning permission being granted.

5.18 The approach to determining planning applications, in terms of assessment on Heritage Assets, is set out in section 16 of the NPPF. The starting point is to understand the significance of the Heritage Assets affected. In considering impact, where a development proposal will lead to “less than substantial harm” to the significance of a designated heritage asset, this harm must be weighed against the public benefits of the proposal. Public benefits can derive from either of the social, environmental or economic objectives of the NPPF.

5.19 The Heritage Assets that require assessment are as follows –

- St Denys’s Church - Grade I listed
- The Central Historic Core Conservation Area
- City Centre Area of Archaeological Importance

Assessment of impact

Setting of St Denys Church

5.20 The church dates from the 14th and 15th Century. The listing description references in detail its historic architectural features, both interior and exterior and its stained glass, which dates from the 13th, 14th, and 15th centuries. It sits tightly within its grounds, which are elevated in comparison to the surrounding streets. It is primarily experienced from Walmgate with the application site as a backdrop. The

north aisle and upper section of its tower are currently evident in views from Clifford's Tower.

5.21 The north aisle will be obscured in views from Clifford's Tower when the hotel on Piccadilly is complete. Historic England have raised concerns that the proposed top floor will obscure views of the church tower from Clifford's Tower. In the Central Historic Core Conservation Area Appraisal the 360 degree view from Clifford's Tower is identified as a key view (number 16). The appraisal states that "the towers and spires of the city's churches form another significant group in this view, highlighting in their density the paramount role of the Church in medieval life. The character and materials of the roofscape of the historic core are significant as the context and foil to these landmarks".

5.22 Whilst in the proposed scheme there is a further floor added, this is setback typically some 1.5 m from the building edge, and only extends above part of the proposed building. The key views analysis reasonably demonstrates that as one were to move around Clifford's Tower there would briefly, at a certain point around the south-east corner, be a temporary loss of view of the church tower. However as one were to perambulate around Clifford's Tower views of the upper section of the tower would remain. The hotel under construction at 46-50 Piccadilly will also have a considerable effect on this view and compete with the church. The introduction of taller buildings along Piccadilly is evidently affecting the view from Clifford's Tower. As a direct consequence of this building, the impact on the view of St Denys's and therefore its setting, would be very minor. However a minor impact does equate to 'less than substantial harm'.

Character and appearance of the conservation area

5.23 The scheme will have effect on two of the character areas within the Central Historic Core Conservation Area the Fossgate and Walmgate area and Piccadilly area. Aside from the impact on the views from Clifford's Tower, as assessed in the previous paragraphs, the scheme would preserve the character and appearance of both areas.

5.24 Fossgate and Walmgate (to the extent they are within character area 15) are lined predominantly with domestic scaled buildings dating from the 18th and 19th century. St Denys's Church sits within this townscape, and is identified as a landmark building.

5.25 To respect this townscape the proposed building steps down to 4-storey, lower than the existing building, and the buildings detailing breaks up the scale of the elevation which would form a backdrop to the church. Due to the scale, detail and materials proposed the building would maintain the character and appearance of the conservation area.

5.26 Piccadilly is a street with 20th century origins. Building plots are larger than those found elsewhere in the Central Historic Core Conservation Area. The character appraisal states “at the southern end, the street’s character is dominated by large modern office blocks which obscure the view to the Castle beyond. A number of buildings are in poor condition suggesting neglect and lack of investment over many years”. There are no listed buildings in the character area and what was the only identified building of merit – the former trolleybus depot has since been demolished. The area is not identified as having any “strengths” in the area appraisal.

5.27 The proposed building would sit alongside taller buildings; Ryedale House and Piccadilly Residence (the latter on the opposite side of St Denys Road) that have been recently refurbished and other buildings upwards of 5-storey of late 20th century and more recent vernacular. The proposed building would be 6-storey where fronting Piccadilly, clad in brick and of contemporary appearance. The development would introduce an active frontage onto Piccadilly and the scheme includes public realm enhancement. The scale, materials and detailing of the building would sit comfortably in the emerging context. No harm is identified to the Piccadilly character area.

Archaeology

5.28 The site is within the City Centre Area of Archaeological Importance. NPPF paragraph 189 states that “where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”.

5.29 There have been multiple site investigations to inform this scheme; a borehole survey, ground penetrating radar (GPR) survey and evaluation trenches within the basement. As a consequence of this investigation conditions are proposed, to comply with the local requirement to preserve 95% of archaeology, and for a watching brief on groundworks.

Consideration of Public Benefits

5.30 Because the scheme has been deemed to have ‘less than substantial harm’ in terms of its impact on designated heritage assets this has to be weighed against the public benefits in order to conclude whether the scheme can be deemed NPPF compliant.

5.31 The identified harm is as a consequence of the proposed top floor of the building, which will mean that from a certain point, the view of the top section of the church tower from Clifford’s Tower will be obscured. As the effect is temporary in what is a panoramic view from Clifford’s Tower, and given the visible extent of the

Church affected, the level of harm is considered to be very low, even when paying special regard to the importance of the setting, as required by the Act.

5.32 The development would deliver the economic objectives of the NPPF in terms of making more efficient use of the site and enabling its re-use, for a commercial sector which is experiencing growth. This re-use of the site fits with the objectives of the city's economic strategy as reported in the 2018 draft local plan. There also wider environmental and social benefits in that the scheme includes public realm improvements, in accordance with the aspirations for Castle Piccadilly, again as set out in the 2018 draft local plan.

5.33 Given the low level of harm to heritage assets the public benefits identified do outweigh the identified harm.

IMPACT ON RESIDENTIAL AMENITY

5.34 The NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.35 The site is within the defined city centre, where hotel uses are appropriate in principle, as defined in both national and draft local policy. With regards town centres the NPPF policy is based on ensuring vitality and that the need for 'town centre uses' can be accommodated within the city centre. This policy context has to be borne in mind when assessing the impact on surrounding residential uses.

5.36 The proposed building is essentially, in volume/height, part 1-storey lower than the existing and part 1-storey higher. Where it is a storey higher, this accommodation is set back from the main building edge and furthest from surrounding houses. In relation to the existing building, the proposed building will not be materially any more over-bearing or over-dominant and nor would it have an impact on daylighting of surrounding buildings.

5.37 The building is no closer to neighbouring houses than the existing. It is approximately 19 m from the front elevation of houses on Nelson's Yard and 30 m from Piccadilly residence. 59 St Denys Road is the closest neighbour, being around 13 m away; the buildings would not directly face each other. The level of overlooking that will occur between buildings is akin to that would be expected in a densely populated part of the city centre such as this.

5.38 In terms of noise, as a consequence of the hotel operation, the building will front onto Piccadilly which is a commercial street with multiple hotels of a similar scale. The level of associated activity, including servicing has to be expected in this

part of the city centre. In mitigation a condition is proposed to prevent waste (such as glass) being emptied at night-time and the plans show a drop off bay by the main entrance on Piccadilly, which will most likely be used for taxis.

HIGHWAY NETWORK MANAGEMENT

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

- Appropriate opportunities to promote sustainable transport included.
- Safe and suitable access to the site can be achieved for all users.
- 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.

5.40 The NFFPF also states “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.

Sustainable travel

5.41 It is a Council aspiration to reduce private car use in the city centre and it is reasonable to expect that guests and staff associated with a hotel in a city centre location such as this, use alternative modes of travel. There is also adequate car parking nearby within walking distance. There is a current planning application for a car park with 372 spaces at St Georges Field. The scheme would be able to accommodate bus drop off on St Denys and taxi / vehicle drop-off on Piccadilly. Staff cycle parking will provided within the building. 14 spaces are shown on plan with a further 6 spaces outside on Piccadilly. A condition will require a travel plan, which will promote sustainable travel to staff and explain how it will be communicated to guests that there is no parking on site and detail available alternatives.

Access

5.42 The building would have inclusive access.

Impacts on the network

5.43 Servicing is proposed from St Denys road. Servicing could occur under existing arrangements (where vehicles can stop for 10 minutes) but will be formally accommodated through a Traffic Regulation Order. The road has two lanes, both one way towards Piccadilly, and there is space to accommodate servicing vehicles.

The area where servicing is proposed is double yellow currently so there would be no loss of existing parking spaces.

5.44 A planning condition will require that the Travel Plan for the site explains how guests are aware that there is no car parking on site and how to access the site alternatively or make use of local car parks. This is not uncommon at city centre hotels; the Indigo hotel at 88-96 Walmgate has some 100 bedrooms and operates in a similar way. In terms of volume of traffic on the network, the impacts would potentially be similar for varying alternative uses for the site; the extant office use, or residential use, which could occur under permitted development. For example, the TRICS database (which can be used to estimate traffic use) if applied to this site would predict 30 vehicle trips at AM peak for the existing office, compared to 27 vehicle trips for the proposed hotel.

DRAINAGE / FLOOD RISK

5.45 The approach to managing flood risk set out at Section 14 of the NPPF is to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. The proposed building is within Flood Zone 2. In national policy terms the proposed use is 'more vulnerable' which is appropriate in principle in Flood Zone 2. However the sequential test has to be passed and a site specific FRA is required to ensure the development will be safe from flood risk and would not increase flood risk elsewhere.

5.46 The scheme would be compliant with the policy for flood risk in the NPPF. The site is already developed and the scheme has a beneficial impact in that it will be reasonably safe from flooding for its lifetime and surface water run-off from site will be reduced, therefore reducing the risk of flooding elsewhere.

Sequential Test

5.47 According to the NPPF, the aim of the sequential test is to steer new development to areas with the lowest risk of flooding; development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The sequential test is considered to be passed. This is because the site is already developed and given the Local Plan aspirations for regeneration of the Castle Gateway area as part of a vibrant city centre.

Protection from flooding

5.48 The 1 in 100 year flood level 10.05 m AOD. Local recommendations is for FFL to be set 600 mm above the 1 in 100 level. The ground floor level, where bedrooms are proposed is at 11 AOD and consequently reasonably safe from flood risk.

Planning conditions can be applied in terms of avoiding future risk and flood resilient construction to the building. Access and egress routes are shown onto Dennis Street, above the 1 in 100 flood event as recommended by national planning guidance.

Flood risk elsewhere

5.49 The strategy proposes surface water run-off from the site to be reduced by 30% as required by local policy (this also achieves BREEAM points).

PUBLIC PROTECTION

Noise

5.50 Noise levels within bedrooms meet the British Standards expected for dwellings. This would accord with the NPPF (para 180) which states planning decisions should “mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”.

Land contamination

5.51 Conditions will require a full site investigation and implementation of an appropriate remediation strategy. The requirement accords with NPPF paragraph 178 which states that planning should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

SUSTAINABLE DESIGN AND CONSTRUCTION

5.52 Local policies CC1 and CC2 are applicable to this development. These require the following –

Carbon emissions enhanced by 28% in relation to Building Regulations
BREEAM Excellent

5.53 The scheme includes documents on sustainable design that show intent to comply with local requirements. These requirements will be secured through planning conditions.

5.54 The building would have low/zero carbon technology in the form of mechanical ventilation/heat recovery, air-sourced heat pumps and PV panels. Combined with fabric efficiency the 28% carbon emission target can be met.

5.55 The BREEAM rating covers a range of topics - management, health and well-being, energy, transport, water efficiency, materials, waste, land use and ecology, pollution and innovation. The pre-assessment report shows the intention to achieve BREEAM Excellent.

ECOLOGY

5.56 Bat surveys were undertaken in 2018. The Ecologist reported that building has few features to support roosts and there was no evidence of roosting bats, and no bats were observed emerging from the building. However there is potential that bats could occupy the building and it does have features that could accommodate bats. A condition is proposed which sets out procedures for demolition and requires mitigation – bat boxes on the proposed building.

6.0 CONCLUSION

6.1 The proposed hotel use is acceptable in principle at this city centre site and fits with the aspirations for economic growth in the NPPF and the 2018 DLP, by facilitating a sector where there is growth and evidentially demand. The scheme is appropriate for the site; the design is acceptable and relates to the context.

6.2 There would be a very low level of harm to designated Heritage Assets, which is considered to be outweighed by the public benefits of the scheme. The benefits are predominantly economic but are also environmental and social given the public realm enhancements involved.

6.2 With regards demolition, given the acceptable impact on Heritage Assets, there are no policy grounds to oppose this; in accordance with NPPF advice the re-development makes more efficient use of the site (providing additional floor-space) and the new build will comply with Local Plan policies on Sustainable Design and Construction. A condition will prevent any premature demolition, before there is a contract in place for the construction project.

6.3 There would be no unacceptable impact on amenity, which cannot be reasonably controlled through the use of planning conditions. Other technical matters can also be dealt with, to the extent the scheme would be NPPF compliant by way of conditions.

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:-

Site Plan - A-100-100 P0

Floor Plans - A-100- 099 P2, 100 P2, 101 P2, 103 P1, 104 P2, 105 P2, 106 P1

Elevations - A-100 - 001 P1, 002 P1, 003 P1, 004 P1, 010 P1, 011 P1

Sections - A-120 - 001 P2, 002 P1, 003 P1, 010 P1

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

3 Demolition only when contract in place for redevelopment

Prior to any demolition works a binding contract for the carrying out and completion of works of redevelopment of the site, for which planning permission has been granted, shall be entered into, and evidence of that contract submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the demolition is followed by immediate rebuilding; to maintain the character and appearance of the Conservation Area and to prevent the unnecessary loss of office space.

4 Construction management

Prior to commencement of development a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The approved plan shall be strictly adhered to throughout the construction period of the development. The plan shall include the following details-

Dilapidation survey

A dilapidation survey of the highways adjoining the site which shall be jointly undertaken with the Council's highways department and the results of which shall be agreed in writing with the Local Planning Authority.

Management of vehicular movements associated with construction and contractor parking.

Wheel washing facilities to prevent mud and detritus getting on to the public highway.

Measures to control the emission of noise, dust and dirt during construction.

To include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and a package of mitigation measures commensurate with the risk identified in the assessment and measures to control noise during any piling of foundations.

A scheme for recycling/disposing of waste resulting from construction works.

Means of preventing light pollution, including the angling of lighting and times of operation.

Point of contact on site for enquiries.

A complaints procedure.

The procedure should detail how a contact number will be advertised to the public, and procedure once a complaint had been received. 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 and planning.enforcement@york.gov.uk

Reason: To protect the amenity of the locality.

5 Times of construction

The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Any working outside of the permitted hours is subject to prior approval in writing by the Local Planning Authority. (It is asked that any requests to work outside of the permitted hours contains justification and details of practical measures to avoid noise disturbance).

Reason: To protect the amenities of adjacent residents.

6 Archaeology - watching brief

A programme of post-determination archaeological mitigation, specifically an archaeological watching brief and excavation (the latter if required) is required.

A) No groundworks (including grubbing up of foundations or ground breaking works) 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 grubbing up of foundations or ground breaking works shall take place other than in accordance with the agreed WSI. The WSI should 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 (and evidence for 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: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an Area of Archaeological Importance and the development may affect important archaeological deposits which must be recorded prior to destruction.

7 Archaeology

A foundation design and statement of working methods, which preserve 95% of the archaeological deposits, is required for this site.

No groundworks shall commence until a foundation design and statement of working methods (including a methodology for identifying and dealing with obstructions to piles and specification of a level in metres AOD below which no destruction or disturbance shall be made to archaeological deposits except for that caused by the boring or auguring of piles for the building foundation) which preserve 95% of the archaeological deposits on the site has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved foundation design and statement of working methods.

Reason: This condition is imposed in accordance with Section 16 of NPPF and City of York Historic Environment Policy HE10 or D6 of the publication draft Local Plan. The site lies within an Area of Archaeological Importance or the site is of Archaeological Interest which contains significant archaeological deposits. The development must be designed to preserve 95% of the archaeological deposits within the footprint of the building(s).

8 LC1 Land contamination - Site investigation

9 LC2 Land contamination - remediation scheme

10 LC3 Land contamination - remedial works

11 Large scale details

Large scale drawings, including sections showing typical details of the building facade shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of construction and the works shall be carried out in accordance with the approved details. Details shall include any permanently fixed equipment for

servicing and maintenance (ladders, guarding etc). Note these will generally not be expected unless already on the permitted drawings or are not visibly intrusive.

Reason: In the interests of good design, in accordance with NPPF paragraph 127.

12 Materials

Samples of the external materials to be used shall approved in writing by the Local Planning Authority prior to the commencement of construction. The development shall be carried out using the approved materials. Details shall include manufacturer's details and colour finish. Samples shall be provided on site for approval as required by the local planning authority.

A sample panel of the brickwork to be used on the building shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of construction. The panel(s) shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: In the interests of good design and visual amenity, in accordance with the NPPF, paragraph 127.

13 Sustainable construction

The development hereby permitted shall achieve a reduction in carbon emissions of at least 28% compared to the target emission rate as required under Part L of the Building Regulations.

Prior to first use details of the measures undertaken to secure compliance with this condition shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policies CC1 and CC2 of the Publication Draft Local Plan 2018.

14 BREEAM

The development hereby permitted shall achieve a BREEAM rating of at least excellent.

A Post Construction Assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate submitted to the Local Planning Authority within 12 months of first use (unless otherwise agreed). Should the development fail to achieve

an 'Excellent' BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve an 'Excellent' rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.'

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policies CC1 and CC2 of the Publication Draft Local Plan 2018.

15 Cycle parking

Full details of the cycle parking facilities within the building shall be submitted to and approved in writing by the Local Planning Authority and installed in accordance with the approved details prior to first use of the development hereby permitted. The cycle parking facilities shall be retained thereafter. Details shall include the following -

- Access door, which shall be at least 1 m wide. Details of secure opening and closing / access control to be provided.
- Measures to facilitate level (ramped) access where practical otherwise measures to assist cycles travel the steps.
- The provision and type of securing cycles shall be at least as per the approved floor plans.
- Facilities to allow electric charging.

Reason: In order to deliver sustainable transport objectives of the NPPF and the draft local plan.

16 Public realm improvements / external works

Details of the highway works and public realm improvements (the widening of footpaths, provision of drop-off, landscaping and street furniture) as indicatively shown on the approved ground floor plan and a timescale for implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation. The works shall be carried out in accordance with the approved details and timescale thereafter.

Reason: In the interests of promoting sustainable modes of travel, highway safety and to secure regeneration improvements to Piccadilly proportionate to the development proposed in accordance with draft local plan policy SS5.

Notes

- The developer will also require approval from the Highway Authority for the works being proposed, under the Highways Act 1980.
- Works are expected to widen the footpath in accordance with WSP plan 70034291-

PIC-GA-1 P01, which includes the narrowing of St Denys Rd to 6 m at the junction with Piccadilly (or any updated version of this plan).

17 The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with the approved plans, or arrangements entered into which ensure the same.

Highway works - Provision of servicing / loading bay on St Denys Road

Reason: In the interests of good design and the safe and free passage of highway users.

18 Noise insulation

The building shall be constructed so as to achieve internal noise levels in guest rooms of no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and at night (23:00 - 07:00 hours) 30 dB LAeq (8 hour). These noise levels shall be observed with all windows open in the relevant rooms or if necessary windows closed and other means of ventilation provided.

Reason: In the interests of good design and the amenity of future users of the building.

19 Cooking Odours

There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

Note: It is recommended that the applicant refers to the updated Guidance produced by EMAQ in September 2018 titled "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018)" for further advice on how to comply with this condition. The applicant shall provide information on the location and level of the proposed extraction discharge, the proximity of receptors, size of kitchen or number of covers, and the types of food proposed. A risk assessment in accordance with APPENDIX 3 of the EMAQ guidance shall then be undertaken to determine the level of odour control required. Details should then be provided on the location and size/capacity of any proposed methods of odour control, such as filters, electrostatic

precipitation, carbon filters, ultraviolet light/ozone treatment, or odour neutraliser, and include details on the predicted air flow rates in m³/s throughout the extraction system.

20 Travel plan

The development hereby permitted shall not be brought into use until a Travel Plan, specific to the site operator, has been submitted to and approved in writing by the Local Planning Authority.

The travel plan shall explain how guests will be advised that the site has no car parking on-site and how they can alternatively access the site. This shall encourage and promote sustainable modes of travel and be reasonably updated over the lifetime of the development.

It shall also contain details as to how staff will be encouraged and incentivised to use sustainable modes of travel and include targets and monitoring in accordance with national planning guidance on travel plans.

The approved Travel Plan shall be implemented in all respects following the commencement of the use hereby approved.

Reason: In order to deliver sustainable transport objectives of the NPPF and the draft local plan.

21 LC4 Land contamination - unexpected contamination

22 Surface water drainage

Site drainage shall be provided in accordance with the drainage strategy in the Dudleys FRA01 revision B, unless an alternative scheme is approved in writing by the Local Planning Authority. The strategy shows run off restricted to 8.7 l/s and 17 sq m of attenuation provided on site.

Reason: In order to avoid increased flood risk elsewhere in accordance with Publication Draft Local Plan policy ENV4 and NPPF paragraph 163.

23 Flood Resilience

The development shall include the flood resilient measures (as recommended in the Dudleys FRA01 revision B) as follows -

- There shall be no sleeping accommodation below 11 m AOD
- Access and egress / evacuation routes shall be provided which are set at a level in excess of the 1 in 100 year flood level.

- Flood resilience to the basement, specifically regarding equipment required to allow operation of the building, shall be considered and the development carried out accordingly.

Reason: To protect against flood risk in accordance with NPPF paragraph 163.

24 Ecology / Bats

Demolition shall occur in accordance with the method statement in section 7 of the Wold Ecology Bat Activity Survey Report 2018 (or alternative strategy with prior approval from the Local Planning Authority).

At least 2 bat boxes shall be incorporated on the building hereby permitted, which shall be installed prior to first use. The bat boxes shall be Schwegler bat boxes or similar and shall be installed south, east or west orientated elevations and at least 3 m from ground level.

Reason: In accordance with NPPF paragraph 170 to minimise impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

25 Noise - waste

There shall be no putting out of rubbish / emptying of bins within any external area between the hours of 23:00 and 07:00 the following day.

Reason: To avoid noise disturbance, such as the smashing of glass, that would cause undue disturbance to surrounding occupants.

26 HWAY29 No door or gate etc to open in highway

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 planning conditions.