

COMMITTEE REPORT

Date: 5 December 2012 **Ward:** Guildhall
Team: Major and **Parish:** Guildhall Planning Panel
Commercial Team

Reference: 12/03155/FULM
Application at: 2 - 16 Piccadilly York
For: Change of use of existing ground floor retail units (Use Class A1) to flexible A1, A2, A3 or A4 use, change of use of former White Swan Hotel (Use Class C1) to residential (Use Class C3) to form 14no. apartments, at first, second and third floor level, external extensions to the rear and side, at first and second floor level, and associated works.
By: Mr & Mrs A Graham
Application Type: Major Full Application (13 weeks)
Target Date: 31 December 2012
Recommendation: Approve subject to Section 106

1.0 PROPOSAL

1.1 The application relates to the White Swan hotel, which is located on the corner of Piccadilly and Coppergate. The host building was built around 1912, at the time when Piccadilly was constructed. The building was constructed in a mock Tudor style. The ground floor shop fronts were added in the mid C20. The building is not listed; it is in the Central Historic Core Conservation Area.

1.2 Planning permission is sought to bring the building back into use. The ground floor would remain in commercial use, and there would be apartments on the upper floors. The works would include a 2.5-storey extension on the Piccadilly side, infilling the gap between the host building and the modern commercial unit which is occupied by Pavers shoes. The outbuildings at the rear would be replaced with a single storey flat roof building, which would cover over ancillary space required for the commercial units and provide an outside amenity area for the flats. The shop-fronts would be refurbished.

1.3 The development would provide 14 flats, 9 x 1 bed, 5 x 2 bed, and 461 sq m commercial floor-space, either for retail, cafe/restaurant or drinking establishments.

COMMUNITY INVOLVEMENT

1.4 A public exhibition was held on 18.7.2012, which local residents, businesses, Conservation Trust, York Open Planning Forum and councillors were informed of

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(including an advertisement in the Press). The exhibition was attended by 36 persons. All feedback provided was positive, and welcomed the plans to retain and refurbish the building and the uses proposed.

1.5 York Civic Trust supported of the principle of refurbishment of the building, rather than demolition and provision of residential premises in the city centre. They asked that the refurbished shop fronts respect the historic context.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest: City Centre Area

Conservation Area: Central Historic Core

Listed Buildings

- Grade 2 Star; 28-30 Coppergate York YO1 1NR
- Grade 2 Star; 32 Coppergate York YO1 1NR

2.2 Policies:

CYGP1	Design
CYGP12	Access to upper floors
CYGP16	Shopfronts
CYHE3	Conservation Areas
CYH4A	Housing Windfalls
CYNE6	Species Protected by Law
CYS3	Mix of use in certain shopping streets
CYS6	Control of food and drink (A3) uses
CYL1C	Provision of New Open Space in Development
CYED4	Developer contributions towards Educational facilities

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

3.1 Officers support the scheme. The approach to this scheme has been sensitive to the qualities of the existing building and its environment. The significance of the building has been well researched and understood. The scheme will enhance the existing building and its details and the modest extensions will preserve important views and settings. The apartments appear to be well designed and they have a good standard of amenity for city centre living. The scheme should help to reinvigorate this part of York.

Countryside Officer

3.2 There are a number of loose, missing and broken roof tiles, as well as pieces of loose lead flashing, particularly around roof lights, dormer windows and also round the tops of the turrets to the front of the building. These features potentially provide some good roosting opportunities for bats. Officers have investigated the building and assessed the Ecology surveys submitted by the applicants (which found evidence of a bat roost in the roof-space). Officer's view is that the works that actually require planning permission can occur, subject to mitigation, without an adverse affect on bats. A condition to cover bat mitigation is recommended. A license would also be required from Natural England, which would be more comprehensive (it would be required before any repairs or building insulation could be added for example) and the applicants must be aware of such.

Education

3.3 Ask for a contribution (£11,984) towards primary school provision as the local school, Fishergate, is at capacity.

Environmental Protection Unit

3.4 No objection. Comments are as follows -

Construction

- Noise from construction works associated with the development has the potential to cause adverse noise impacts on local residential dwellings and the City centre. As such officers request a condition be placed on any approval requiring a Construction Environmental Management Plan (CEMP) and suggest controlling hours of construction.

Air Quality

- Monitoring of nitrogen dioxide in this general area is indicating breaches of the (health based) annual average air quality objectives. Officers advise trickle vents should not be installed to the elevations facing Coppergate or Piccadilly and that such windows should be non-opening.

Amenity of future occupants

- As the ground floor areas could be used as restaurants, or similar, officers ask that details of plant and machinery and kitchen equipment be agreed to ensure the residents of the development do not suffer from noise disturbance or from cooking smells.

Highway Network Management

3.5 No objection, comments as follows:

- Given the city centre location of the site and nature of the development proposed a car free development is considered acceptable and appropriate.
- The adjacent highway is protected by waiting restrictions which manage on-street parking. This includes the lay-by/hard standing area to the property frontage to Piccadilly. Currently the restrictions will allow servicing traffic associated with the development (deliveries to the commercial premises/residents moving in etc) to load/unload between the hours of 11:00 and 18:00. A contribution has been sought towards the amendment/introduction of waiting restrictions in the locality to further balance the needs of differing users once the development, if approved, is complete.
- The applicant has indicated that they are willing to provide contributions towards the city's car club scheme. This figure will be based upon the provision of membership and free drive time provision for first residents and can be secured through the S106 Agreement.
- Cycle parking for staff and residents has been proposed and can be secured through a suitably worded condition.
- The site is located on the junction of Coppergate and Piccadilly. This junction is one which is being considered by the authority through the Reinvigorate York Project. Whilst there is no formal detailed scheme in place the aims are to improve the linkages between Parliament St and Piccadilly. The proposed development will increase footfall in the area and as such officers consider it appropriate that the development contributes towards the wider CYC improvement scheme.

Parks and Open Spaces

3.6 As there is no on site open space commuted sums should be paid to the Council for amenity open space - to improve a local site such as Tower Gardens, play space - to improve a local site such as Dewsbury Terrace and sports pitches - to improve a facility within the East or South Zone of the Sport and Active Leisure Strategy.

EXTERNAL

Conservation Areas Advisory Panel

3.7 No objections. Welcome the proposed shop fronts.

Police Architectural Liaison Officer

3.8 No objection. Note that the proposals have considered security of the main residential entrance, windows, cycle stores and the communal terrace area.

Yorkshire Water

3.9 No comment.

Guildhall Planning Panel

3.10 Support the application.

Publicity

3.11 Deadline for comments was 7.11.2012. One letter in support has been received from the owners of Llyods Bank on the opposite side of the road.

4.0 APPRAISAL

4.1 Key Issues

- Principle of residential use of the upper floors and the type of commercial development proposed
- Impact on the appearance of the host building and the conservation area
- Highway Network Management
- Amenity
- Sustainable design and construction
- Ecology

Principle of residential use of the upper floors

4.2 The National Planning Policy Framework asks Local Planning Authorities to plan positively and enhance the vitality and viability of city centres. It notes that residential development can play an important role in ensuring the viability of town centres. In York there is an identified need for housing in the city, some of which is expected to be delivered through windfall sites such as this, i.e. those not allocated for such development in the Local Plan. Local Plan policy GP12 promotes residential development in the city centre, in particular utilising unoccupied space on the upper floors of buildings. To bring the host building back into use and provide residential accommodation would be compliant with planning policy, provided the development would have an acceptable impact on the conservation area and provided amenity for future and existing occupants would be acceptable.

Commercial premises

4.3 The application requests that the ground floor area can either be used as retail, commercial, cafes or drinking establishments. The premises fronts onto Coppergate and part of Piccadilly which are designated primary shopping streets in the Local Plan.

4.4 Previously only the corner unit (Jessops) was in commercial use, one unit was occupied as a cafe but otherwise the building was boarded up; vacant at ground floor level. The main desire as part of the refurbishment works is to bring the building back into full occupation, which will improve the vitality of the immediate area. As such there is no objection to this flexible approach, which would also be in line with Government proposals to enable economic development. A condition is suggested that at least the width of frontage that was previously in A1 be retained in such a use, and this has been agreed with the applicants.

4.5 There will also need to be conditions applied to control residential amenity if there are cafes and drinking establishments within the development. Conditions proposed cover the playing of amplified music and hours of operation.

Impact on the appearance of the host building and the conservation area

4.6 The host building is not a listed building; it is though within the Central Historic Core Conservation Area. Section 12 of the National Planning Policy Framework advises that in conservation areas it is desirable developments sustain and enhance the area, if there would be a harmful impact, there will need to be justification to outweigh the identified harm. The proposed changes and their impact are listed below -

Shop-fronts

4.7 The building started to accommodate shop-fronts from the 1930s onwards, though none of the earlier shop-fronts remain. The various shop-fronts which remain date from the 1960s, they are of poor quality and their replacement is proposed.

4.8 The shop-fronts proposed would be separated from the upper floors with a continuous timber fascia of appropriate scale, with the shop-fronts set back behind a series of timber pilasters (above the Mock-Tudor areas) and brick columns. The entrance to the upper floor apartments would be situated along Piccadilly, surrounded by timber panelling and below one of the set of pronounced oriel windows. The pilasters would pick up the rhythm of the bays above and brick columns would give such parts of the building more solidity. The shop-fronts would

respect the host building considering scale, proportions and materials, and the restoration would improve the appearance of the building.

Extension at SE end (along Piccadilly)

4.9 A single storey section of the building (next to the Pavers Shoes shop) would be redeveloped to 2.5 storeys with a red-tiled mansard type roof facing onto Piccadilly. The extension would be of matching materials to the brick part of the host building to which it would connect. The massing of the building provides a comfortable transition between the host building (3.5-storey) and the lower unit next door (2-storey) and would preserve views of All Saint's Church from Piccadilly. In addition the external fire escape would no longer be viewed in the street scene. The extension would enhance the appearance of the street.

Alterations at the rear

4.10 The lower building behind the main structure would be rebuilt and (rather than the pitched roof) given a flat roof, providing an outside amenity space for the upper floor residential. The alteration would provide amenity space for the residents (away from the main road) and improve the environment in this area, to the benefit of the character and appearance of the conservation area,

Balcony at the corner of Coppergate & Piccadilly

4.11 The original balustrade above the previous corner entrance has been replaced with a brick parapet wall that now accommodates an unattractive sign panel. It is proposed to reinstate a timber balustrade, of Edwardian design, in this location. The side window of the large corner flat would be made into a narrow door to allow access. The change would enhance the appearance of the building, although having a balcony in such a public location is uncharacteristic of the conservation area; so it will be asked that the balustrade is designed so any furniture left out on the balcony will be screened from view.

Highways Issues

4.12 The National Planning Policy Framework advises developments should be design so, where practical, they:

- have adequate servicing arrangements
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- incorporate facilities for charging plug-in and other ultra-low emission vehicles

4.13 Because of the location of the site this is a sustainable location for residential development. As such and given the type of units proposed (1 and 2 bed flats) it would not be necessary to provide off-street car parking. To promote alternative means of travel, cycle parking for residents is proposed and the applicants will offer future residents incentives to join the car share scheme.

4.14 Cycle storage would be in the basement (accessed by a lift). 1 space per residential unit and 6 spaces for staff of the commercial premises are proposed. The spaces would be covered and secure. The amount for the residential part of the development meets the requirements within the Local Plan and the staff parking is a gain, given there was none previously.

4.15 Servicing arrangements: Delivery vehicles to the commercial premises will be able to park in the waiting areas along Piccadilly through the daytime. It is likely deliveries will take place in the morning, before 11am. This approach has been agreed with officers in Highway Network Management

4.16 Pavement outside the premises: We would be unable to require the applicants contribute/pay for replacement footpaths outside the host building. The requirement would be unreasonable according to the National Planning Policy Framework; the obligation would not be directly related to the development and nor would it be necessary in order make the development acceptable in planning terms.

Amenity

4.17 A core planning principle within the National Planning Policy Framework is that in making decisions planning should always seek to secure a good standard of amenity for existing and future occupants of land or buildings.

Noise and air quality

4.18 The noise survey undertaken concludes that adequate internal noise levels will be achieved provided secondary glazing is installed to the Piccadilly and Coppergate facades, allowing the existing windows to be retained. Adequate insulation can be secured through a planning condition.

4.19 Mechanical ventilation, drawing air from areas away from the road, is proposed and therefore adequate air quality for future occupants of the building can be achieved.

Amenity of surrounding occupants

4.20 The windows which would serve the flats would be at least 18m away from the apartments above the retail premises along Coppergate Walk. This separation

distance is acceptable within the city centre, and populating the upper floors with residents would not lead to undue overlooking. It must also be noted that the outlook/environment within this area would be enhanced significantly through the introduction of the "communal terrace" which would replace unsightly outbuildings. The properties on the opposite side of Piccadilly are predominantly in commercial use. Given the established urban grain no overlooking objections are raised regarding this elevation.

4.21 The development would not be over-bearing or over-dominant. The proposed new structures, between the side of the building and 20 Piccadilly and the terrace at the rear would be of comparable volume to the existing buildings in the area.

Space for future occupants

4.22 The scheme includes 1 and 2 bed sized flats. The smallest 1-bed flat would be 50 sq m and the smallest 2-bed flat 85 sq m. The council's draft supplementary planning guidance document on space standards recommends 51 sq m as the minimum area for 1-bed flats (assuming they are occupied by 2 persons), and 66 sq m for 2-bed flats. Although one of the flats would fall just under the standard, the other units exceed the minimum requirement. The smallest flat would be suitable for a single occupant and overall it is considered there would be reasonable space for future occupants.

Education and open space requirements of future occupants

4.23 In accordance with Local Plan policies L1c: Open Space and ED4: Contributions Towards Education Facilities, contributions are required towards open space and education provision, the latter as there is no capacity at the local primary school. The contributions are open space: £11,984 and education: £8,920. These will be secured through a legal agreement.

Sustainable design and construction

4.24 In accordance with the Council's Supplementary Planning Document on Sustainable Design and Construction the building will be refurbished so to secure a BRE very good rating, which will include improving the environmental performance of the building, and at least 10% of the building's energy demand will be sourced from low/zero carbon technology (air-sourced heat pumps in this case).

Ecology

4.25 Local Plan policy NE6 relates to species protected by law. It states that where a proposal may have a significant effect on protected species or habitats, applicants will be expected to undertake an appropriate assessment demonstrating proposed

mitigation measures. The policy accords with the thrust of the National Planning Policy Framework which requires proposals minimise impacts on biodiversity and provide net gains where possible.

4.26 Surveys undertaken by the applicants found evidence of a bat roost in the roof void at the south end of the building. The works that are the subject of the planning permission would not directly affect areas where there are either known or potential roosts. As such a condition can secure adequate mitigation, relating to both construction and the provision of bat roost features (types of roof tiles and bat boxes for example) in the development. The applicants are aware that they will require a license from Natural England because of the bat activity in the building. The license will need to be obtained before works (including repairs) in pertinent areas can commence and will also need to secure appropriate mitigation.

5.0 CONCLUSION

5.1 The proposed development would regenerate this significant building in the city centre. The scheme is welcome and complies with national and local planning policy. Approval is recommended subject to conditions to deal with the use of the ground floor area, design, sustainable construction, amenity and bat mitigation. There is an associated legal agreement to secure contributions toward education (£8,920), open space (£11,984), car club membership related to the residential aspect of the scheme and amendments to traffic regulation orders in the area.

6.0 RECOMMENDATION: Approve subject to Section 106

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:- Package 1620 PL

Floor plans and Roof Plan

200 REV7, 201 REV6, 202 REV6, 203 REV6, 204 REV6, 205 REV8

Elevations

210 REV5, 211 REV5, 212 REV3, 213 REV3, 214 REV3

Sections

220 & 221 REV4

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

3 Use of commercial floor space

At all times at least 19 metres of the ground floor frontage of the host building shall be in A1: retail use.

Reason: In the interests of the vitality and viability of the primary shopping streets on which the site is located.

4 Residential amenity

Amplified music from any of the commercial premises shall be inaudible in the residential premises. Any A3 or A4 uses within the building shall only be open to customers between the hours of 07:00 and midnight each day of the week.

Reason: In the interests of the amenity residents.

5 Materials

Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

- Notwithstanding the approved plans the replacement rainwater goods shall be in aluminium or cast iron (not uPVC).
- Roof-lights shall be conservation type.

A sample panel of the external brickwork 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 building works. 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: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of the conservation area location.

6 Landscaping

Prior to occupation of the development hereby approved a detailed hard and soft landscaping scheme for the rear terrace, which shall illustrate the number, species, height and position of trees and shrubs to be planted shall be approved in writing by the Local Planning Authority.

This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or

diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the conservation area and the amenity of future occupants.

7 New windows to front elevations and on the rear of the existing building shall be to match existing in all respects unless otherwise agreed. Repairs to existing windows shall be on a like for like basis, unless agreed otherwise. Windows and doors to the rear elevation of the new extension shall be fully recessed within their reveals.

Reason: To preserve the appearance of the host building and the conservation area.

8 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- a) The balustrade on the NE corner and means of screening any furniture from view
- b) Front dormer (to apartment 1) within mansard roof
- c) Residential entrance (to include details of timber panelling and any additions such as security lighting/access control) and shop-fronts (including pilasters)
- d) Shop-fronts with timber stall-risers
- e) Ventilation louvers to rear walls in context (showing how they relate to their brick surrounds and recessed from brick columns)
- f) Air-sourced heat pumps where external

Reason: To preserve the appearance of the host building and the conservation area.

9 Cycle and bin storage

The area shown as cycle and bin storage on the proposed basement floor plan shall be retained for such use at all times, unless otherwise agreed in writing by the Local Planning Authority. The development shall provide at least 14 secure cycle spaces for the residential units and 6 secure spaces for the commercial units.

Reason: To ensure adequate space for such storage, and to promote recycling and sustainable modes of transport in accordance with policies GP4a and T4 of the City of York Draft Local Plan and the National Planning Policy Framework.

10 Sustainable construction

The development shall be constructed to a BRE standard of 'very good'. A Post Construction stage assessment shall be carried out and a Post Construction stage certificate shall be submitted to the Local Planning Authority prior to occupation of

the building. Should the development fail to achieve a standard of 'very good' a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures should be undertaken to achieve a standard of 'very good'. The approved remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of GP4a of the City of York Development Control Local plan and Paragraphs 5.1 to 5.3 of the Interim Planning Statement 'Sustainable Design and Construction' November 2007.

11 Low/zero carbon technology

At least 10% of the development's predicted energy requirements shall be provided from low or zero carbon technology. Confirmation of how this will be achieved shall be approved by the Local Planning Authority prior to occupation of the building and the development shall be carried out in accordance with the approved details. The site thereafter must be maintained to the required level of generation.

Reason: In the interests of achieving a sustainable development in accordance with the requirement of GP4a of the City of York Development Control Local plan and the Interim Planning Statement 'Sustainable Design and Construction' November 2007.

12 Retention of C18 brickwork at rear

Prior to such works commencing a method statement shall be approved by the Local Planning Authority which details the extent of C18 brickwork which will be retained and where it will be re-claimed and incorporated into the development.

Reason: In the interests of the character and appearance of the conservation area.

13 Noise insulation:

Prior to occupation of the residential units which face onto Piccadilly and Coppergate secondary glazing shall be installed to all habitable room windows (living and bed-rooms) in the aforementioned units. The secondary glazing shall at least meet the specification established in the Noise Survey report 18419/EBF1 section 12 (which includes 6mm thick secondary glazing).

Reason: In the interests of the amenity of future occupants.

14 Air Quality:

All windows to habitable rooms (bedrooms and living areas) facing onto Piccadilly and Coppergate shall have ventilation provided through continuous mechanical supply and extract (with heat recovery) away from the roadside (i.e. roof level or to the rear). The systems shall be maintained appropriately for the lifetime of the development.

Reason: To protect the health of residents given the levels of air quality in the area.

15 Details of all machinery, plant and equipment to be installed which would be audible either outside of the site boundary or within the residential apartments when in use shall be submitted to the local planning authority for approval.

The details shall include the location, maximum sound levels (L_{Amax}(f)), average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. The report shall be undertaken by a specialist noise consultant or suitably qualified person and it shall be conducted in accordance with BS4142:1997. The report shall assess the impact of the additional noise sources on residential properties and include any mitigation measures that are required. The approved mitigation measures shall be implemented prior occupation of the development and maintained accordingly thereafter.

Reason: In the interests of amenity of nearby residential and commercial premises.

Note that any external plant not shown on the approved plans will require planning permission.

16 Cooking odours

Adequate facilities shall be provided for the treatment and extraction of odours, fumes and gases created by cooking in association with any A1, A3 or A4 use, such that there is no adverse impact on the amenities of local residents by reason of fumes, odour or noise. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for approval prior to installation; once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: In the interests of the amenity of future occupants.

17 Construction Management:

Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration, dust and lighting during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

The plan shall confirm that all demolition and construction works and ancillary operations which are audible beyond site boundary or at the nearest noise sensitive dwelling, including deliveries to and dispatch from the site, shall be confined to the following hours:

Monday to Friday 07:00 to 19:00

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Saturday 08:00 to 17:00
Not at all on Sundays and Bank Holidays.

All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the noise emitted by vehicles, plant, machinery or otherwise arising from on-site activities, shall be minimised in accordance with the guidance provided in British Standard 5228 (1984) Code of Practice; 'Noise Control on Construction and Open Sites', and Minerals Planning Guidance Note 11 (1993) 'The Control of Noise at Surface Mineral Workings'.

In the interests of highway safety the document shall also advise on the following:

A detailed method of works statement identifying the programming and management of clearance/preparatory and construction works. The statement shall include at least the following information;

- the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- where contractors will park
- where materials will be stored within the site
- requirement for hoarding or scaffolding that may be necessary including temporary footway closures

REASON: To protect the amenities of adjacent residents and in the interests of highway safety.

18 Photographic recording of interior

A photographic recording of the interior of the building shall be submitted to the Local Planning Authority prior to internal works to the building commencing. The recording shall be annotated and shall show remaining features of historic interest, as established in the Historic Building Assessment undertaken by Donald Insall Associates.

Reason: In order that a historical record of the listed building is kept, in accordance with paragraph 14 of the National Planning Policy Framework.

19 Travel Plan

No part of the site shall be occupied until a Travel Plan has been developed which shall include details for both commercial and residential occupants. The travel plan shall be developed and implemented in line with local and national guidelines and be updated on an annual basis. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

Reason: To reduce private car travel and promote sustainable travel in accordance with paragraph 36 of the National Planning Policy Framework and policy T13a of the City of York deposit Draft Local Plan.

20 Bat mitigation

The development hereby approved shall not commence until details of bat mitigation and conservation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter. The measures shall include:

- a) A detailed plan of how construction work is to be carried out to accommodate the possibility of bats being present (including scaffolding locations).
- b) Details of provision to be made within the re-development of the site to replace the features lost through demolition and conversion work. Features suitable for bats include the use of special tiles, bricks, soffit boards, bat boxes and bat lofts and there should be no net loss in habitat features.
- c) The timing of all operations.

Reason: To take account of and to enhance the habitat for a protected species in accordance with Local Plan policies NE6 and NE7.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the conservation area, the vitality and viability of the city centre, amenity, species protected by law and highway safety.

As such the proposal complies with Policies GP1, GP12, GP16, HE3, H4a, NE6, S3a, S6, L1c and ED4 of the City of York Development Control Local Plan.

2. LEGAL AGREEMENT

Your attention is drawn to the existence of a legal obligation under Section 106 of the Town & Country Planning Act 1990 relating to this development

3. BATS

Note that a European Protected Species license from Natural England will be required due to the presence of bats within the building. The license must be obtained prior to pertinent works being undertaken.

Contact details:

Author: Jonathan Kenyon Development Management Officer

Tel No: 01904 551323