

13/00571/FULM Erection of a Three Storey Biomedical Sciences Building, University Department of Biology Wentworth Way, Heslington.

Since the Committee Report was produced consultation responses have been received from Heslington Parish Council and the Foss(2008)Internal Drainage Board each raises no objection to the proposed development.

A consultation response has also been received from the Environmental Protection Unit raising no objection to the proposal but which requests the inclusion of the following conditions as part of any planning permission:-

- 1) All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site, shall be confined to the following hours:-

Monday to Friday 08:00 to 18:00

Saturday 09:00 to 13:00

Not at all on Sundays and Bank Holidays.

Reason:- To safeguard the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

- 2) Details of all machinery, plant and equipment to be installed or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (L_{Amax}(f)) and average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority, The machinery, plant or equipment and approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason:- To safeguard the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

- 3) 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.

Reason:- To safeguard the residential amenity of neighbouring properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

- 4) In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part 2A of the Environmental Protection Act 1990.

Reason:- To secure the residential amenity of Neighbouring properties and to prevent land contamination.

And the following Informative:-

CONTROL OF POLLUTION ACT 1974:-

- 1) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".
- 2) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.
- 3) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

- 4) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.
- 5) Any asbestos containing materials shall be removed by licensed contractors to a licensed disposal site.
- 6) There shall be no bonfires on the site.

Concern has also been expressed in respect of the level of landscape screening at the boundary of the site with Walmgate Stray, the following additional condition is therefore also recommended:-

“ Prior to the commencement of the development hereby authorised, details, including types and species and a programme of planting and maintenance, of additional landscape planting, along the western boundary of the site with Walmgate Stray shall be submitted to and approved in writing by the Local Planning Authority. Any tree or shrub which dies or becomes diseased within a period of five years from the date of this permission shall be replaced with a specimen of similar size and species to the satisfaction of the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the setting of Walmgate Stray and to secure compliance with Policy NE8 of the York Development Control Local Plan.”