

COMMITTEE REPORT

Committee: Main P & T Committee **Ward:** Micklegate
Date: 28 February 2008 **Parish:** Micklegate Planning Panel

Reference: 08/00010/FUL
Application at: Factory Bishopthorpe Road York YO23 1NA
For: Addition of third storey with 3 storey extension to rear, cycle and refuse stores, external alterations and car parking at the Time Office Block
By: Mr Chris Hale
Application Type: Full Application
Target Date: 28 February 2008

1.0 BACKGROUND

1.0.1 Members may recall that planning permission was granted in June 2007, for the change of use and refurbishment of the former time office building. These applications were:-

- 07/00539/LBC - Refurbishment, partial conversion and extension of the Former Time Office building to form offices; and
- 07/00540/FUL - Change of use to B1 offices and external alterations to the former time office building, including extension to existing car park.

1.02 5 additional planning applications were also associated with the redevelopment of this building. They were:-

- 06/02552/LBC - Refurbishment, conversion and extension of the former Time Office Building to form offices This was withdrawn. This application was submitted with the original suite of planning applications, pertaining to the development of this site, in late November 2006. The application was withdrawn upon advice from officers. The alteration and erection of a glazed roof extension to this building, was not be supported by the Planning Department, due to the detrimental impact such a development would have had upon the listed building, Terry's Conservation Area and the adjacent group of listed buildings.
- 07/00538/FUL - Change of use to B1 offices and external alterations and extension to the former time office building including extension of existing car park and 07/00541/LBC - Internal and external alterations to the former time office building. Committee may also recall that these applications were refused at the same meeting (June 2007). These applications, whilst similar to the aforementioned approved applications, included a glazed extension of the roof (similar to 06/02552/LBC). These applications were refused by Committee, on the recommendation of the planning department, as it was considered that they would cause undue harm to interests of acknowledged

importance, with particular reference to the former Time Office Building (which is a listed building) and the Terry's Conservation Area.

- 07/00976/FUL - Erection of two storey temporary office accommodation (460 m²) to time office building and 07/00977/LBC - Erection of 2-storey temporary office accommodation (460 m²) to time office building, these were withdrawn prior to the Committee meeting in June.

1.1 PROPOSAL

1.1.1 This application relates to the conversion and alteration of the Former Time Office Building to form office accommodation. A parallel application for Listed Building Consent (08/00009/LBC) has also been lodged.

1.1.2 The proposal includes:

- The addition of a glazed extension to create a second floor. The extension will comprise of the formation of a low profile zinc roof with integral fascias and gutters. The glazing (below the roof) will be of a ribbon design with concealed opening lights which will extend around the perimeter of the building between the parapet and the roof soffit. An external terrace is also proposed to be formed (adjacent Bishopthorpe Road) but within the parameter of the existing building facade.
- The addition of a rear flat roofed extension. The extension will provide a circulation core to service the office accommodation. The core will provide toilet facilities (male and female), a new stairwell, a lift, and showering facilities as well as providing for modern services to the existing building;
- Internal alterations to the layout of the building to create high quality serviced office accommodation on the ground floor and first floor. The applicants (S. Harrison Developments LTD) intend to occupy the proposed 2nd floor accommodation for their business.
- External alterations would include the replacement of existing window frames and formation of car-parking area at the rear of the building.

1.2 SITE AND HISTORICAL BACKGROUND

1.2.1 The former Time Office Building lies within the site confines of the Terry's Factory site. The Factory site is situated to the south of the city centre on the periphery of South Bank. The Factory site is partially located within The Racecourse and Terry's Factory Conservation Area (no.10). The former Time Office building is located within this identified Conservation Area.

1.2.2 The Terry's Factory site is bounded by Campleshon Road to the north. Bishopthorpe Road lies adjacent the site to the east. An area used for car-parking by the racecourse during race events lies to the south which is encompassed by Green Belt, which extends to Bishopthorpe. The race course itself and Mickelgate Stray are situated to the west.

1.2.3 The Factory site is approximately 10 ha (24.9 acres) in area and comprises of a number of redundant buildings, including 6 Grade II listed buildings and more modern warehousing. The listed buildings were erected in and around the 1920's/30's. The former Time Office building is one of these listed buildings and forms an important part of the group value of these listed buildings.

1.2.4 The Historic Buildings Assessment (HBA) which accompanies the Listed Building application attributes the original design to Lewis E Wade and the construction date is placed at 1927, making it one of the earlier buildings on site.

1.2.5 The actual site boundary of the former Time Office Building is by comparison far less in area than the extent of the whole site. Its total site area is 0.1067 ha. The building is sited adjacent the main entrance of Terry's Factory site adjacent Bishopthorpe Road. The building can be clearly seen from Bishopthorpe Road, being set back approximately 12.00 m from the road. The building is directly adjacent the former Headquarters Building to the north. The former Headquarters building is 2 stories in height and is approximately 24.00 m from the Time office building. To the west side is the former Factory building . This building is 5 stories in height and is approximately 22.00 m from the former Time Office Building. To the south are the gardens. This area is principally the only formal 'green' area within the site. At present there is a 6.00 m strip of tarmaced area, at the rear of the building which was partially used for storage of materials from out of the former Time Office building and possibly for car-parking at some stage. To the east are the boundary walls of the Factory site, a public footpath and then Bishopthorpe Road.

1.2.6 The building was purpose built as the main control point, for deliveries etc. in and out of the site. The original carriageway arches which ran through the building were blocked a number of years ago. Consequent alterations to the façade were based on the existing architecture and appear convincing. The portico, which was used to control the main access to the site and booking in of deliveries etc. has been glazed with modern tinted glass. Other alterations to the exterior of the building are considered to be of little significance/ impact.

1.2.7 The building has been significantly altered throughout the years, for reuse into 2 distinctly separate parts. This has resulted in the insertion of modern partition walls and a spiral staircase at ground floor level. The upper floor has also been subdivided with a late 20th Century office partitioning system. Both floors have modern suspended ceilings. An investigation of the building's structure has revealed that it is steel framed with concrete casing.

1.3 REASON FOR REFERRAL TO COMMITTEE

1.3.1 This application is reported to Planning Committee due to officer discretion. This application forms part of the wider proposal/s for the development of Terry's Factory site which will be presented to Planning Committee in due course.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Racecourse 0035

Contaminated Land

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

Listed Buildings Grade 2;Terry's Of York Time Office Block Bishopthorpe Road

2.2 Policies:

CYE4

Employment devt on unallocated land

CYE3B

Existing and Proposed Employment Sites

CYGP1

Design

CYGP4A

Sustainability

CYGP11

Accessibility

CYHE2

Development in historic locations

CYHE3

Conservation Areas

CYHE4

Listed Buildings

CYT4

Cycle parking standards

3.0 CONSULTATIONS

3.1 INTERNAL

Design, Conservation and Sustainable Development

3.1.1 The Council's Conservation Architect addressed a number of issues regarding the impact of the proposals upon the listed Building. These have been addressed in the parallel Listed Building Application (08/00009/LBC).

3.1.2 The officer also commented upon the differences between the previously approved scheme and this scheme concerning impact upon the conservation area.

Environmental Protection Unit:

3.1.3 The environmental protection unit (EPU) raised no objections, in principle, to this application but recommended that general conditions regarding the following were attached:-

- A construction environmental management plan (CEMP) should be submitted to and approved in writing by the Local Planning Authority. The CEMP should identify the steps and procedures implemented to minimise the noise impact and vibration and dust resulting from the site preparation, groundwork and construction phases of the development;
- All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site, shall be confined to recommended hours;
- The hours of operation for the new offices shall be agreed by the local planning authority;
- The hours of delivery to and dispatch from the new offices shall be confined to recommended hours; and
- Details of all new fixed machinery, plant and equipment to be installed in or located on the new offices, shall be agreed with the Local Planning Authority prior to being installed.

Highway Network Management (HNM)

3.1.4 The HNM department raised no objections to the proposed scheme. The officer noted that this proposal would not have a significant impact, in terms of traffic generation, upon the surrounding area, especially considering the historic use of the building.

3.1.5 The officer did however note, that the HNM department is currently involved in ongoing negotiations, regarding the potential highway implications of the redevelopment of the whole of the Terry's Factory site (06/02560/OUT). However he does not consider that the applications, regarding the development of the former Time office Building, will be prejudicial to their final assessment. Comments relating to proposed conditions and minor modifications to the site are discussed in section 4.5.

3.2 EXTERNAL

Bishopthorpe Parish Council

3.2.1 Bishopthorpe Parish Council commented that the changes do not reflect the style and character of the existing listed building. They also note there have been

previous applications associated with this building which have been refused or withdrawn. The Parish Council believe no evidence has been submitted which overcomes the earlier reasons for refusal and the proposal is therefore not justifiable as the overarching outline planning application for the whole site proposes more than enough office space.

3.2.2 A number of comments were made regarding traffic impact of the scheme upon Bishopthorpe, these related to :-

- The Parish Council and residents of Bishopthorpe are concerned about the effect of the development upon traffic flows in/out of the village;
- They consider that the information which has been submitted regarding traffic impact upon Bishopthorpe is unrealistic. A case in point is the new College site;
- The Parish Council advise that until a traffic plan is produced that reflects accurate traffic movements for the whole site and also minimises the impact upon Bishopthorpe village, they will oppose all applications for the site;
- This scheme is to be completed ahead of the principal part of the site, such piecemeal development will conceal the cumulative impact of traffic movements through Bishopthorpe; and
- The City of York guidelines (regarding traffic) are unrealistic.

Mickelgate Planning Panel

3.3 Mickelgate Planning Panel commented that they did not support the application. The panel are not opposed, in principle, to the 3rd floor extension as they believe it would not be prominent from the ground. However the panel consider that the rear extension is completely out of keeping with the main office.

Conservation Area Panel

3.4 The panel stated that the extra floor would affect the group of listing buildings, which have a coherent roof structure. It was felt that the extra floor would affect the character of the building and destroy the historic interest. The panel also felt that the lift and stair well extension would be less obtrusive if reduced in height by one floor.

Neighbours

3.5 2 site notices were displayed at the entrance to the main entrance to the site, to advertise the Listed Building Consent application and the full planning application. Comments have been received from 1 interested party.

3.5.1 The objector commented that the Time Office Building is recognised in the Conservation Area appraisal as "one of a complex of buildings consisting of the headquarters offices, the factory, clock tower, Time Office block and liquor factory. Together they form a strong group in architectural terms, presenting a unified style which reflects the strength and importance of the corporate image of Terry's chocolate firm. The buildings have a strong historic interest representing the most complete surviving expression of the importance of the confectionary business in York". The objector notes that the wording is taken from the list description of the

building and makes it clear that one of the main reasons for listing all factory buildings derives from their completeness as a group. This application would affect not only the building but the group as a whole and will alter the roof line of the time office building and detract from the functional character of the building.

3.5.2 Finally the objector commented that the introduction of a new roof cannot fail to be noticed, especially when seen against the sky. It will be highly visible from Bishopthorpe Road, especially when approaching from the east, at the junction with Southlands Road and Richardson Street, where the ground rises and offers an important view of the Terry's site.

4.0 APPRAISAL

4.1 KEY ISSUES

- Principal of development;
- Effect on character and appearance of the character and appearance of the conservation area and the gardens;
- Highway's and parking issues;
- Comments raised by Bishopthorpe Parish Council; and
- Sustainability.

4.2 PLANNING POLICY

4.2.1 PPS1: Planning for Sustainable Development aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2.2 POLICY E4 OF THE APPROVED NORTH YORKSHIRE STRUCTURE PLAN (the statutory development plan for the area) states that buildings and areas of special townscape, architectural or historic interest (e.g. conservation areas, listed buildings) will be afforded the strictest protection.

4.2.3 DRAFT LOCAL PLAN POLICY CYGP1 states that development proposals will be expected to (i) respect or enhance the local environment, (ii) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.2.4 DRAFT LOCAL PLAN POLICY HE2 of the City of York Deposit Draft Local Plan (Fourth Set of Changes), approved for development control purposes on 13 April 2005 states that within or adjoining conservation areas, and in locations which affect the setting of listed buildings, development proposals must respect adjacent

buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

4.2.5 DRAFT LOCAL PLAN POLICY HE3 seeks to protect the character and appearance of Conservation Areas. The policy states that proposals for development in conservation areas should reflect street proportions, which are given to floor heights, door and window sizes and disposition. Supporting text of the policy further states that the elevational treatment of all sides of any development and roofscape are important, not simply the street frontage.

4.2.6 Other relevant draft Local Plan Policies include; GP4a: Sustainability, GP11: Accessibility, T4: Cycle Parking Standards, T5: Traffic and Pedestrian Safety; E4: Employment Development on unallocated, HE4 Listed Buildings, E3b: Existing and proposed employment sites, and I 4 and I12 of The North Yorkshire Structure Plan, which are concerned with Industry and employment.

TERRY'S DEVELOPMENT BRIEF

4.2.7 The Development Brief sets out the main issues and planning policies relating to this site and provides guidance on how it should be redeveloped.

4.2.8 The Brief was subject to public consultation and has been approved by Members. The Brief is being used as guidance in negotiating with developers and progressing planning and listed building / conservation area consent applications on the site.

THE RACECOURSE AND TERRY'S FACTORY CONSERVATION AREA CHARACTER APPRAISAL

4.2.9 Part of the Terry's site is located within the Racecourse and Terry's Factory Conservation Area. A character appraisal has been produced in order to properly consider the character of the conservation area and development proposals which may affect it.

4.3 PRINCIPLE OF DEVELOPMENT

4.3.1 The principle of employment/ business use is encouraged through the Development Brief approved for the site in June 2006. Permission to change the use of the building to B1 - Business, as well as internal and external alterations has previously been granted (June 2007). The applicants have already moved into the building and are currently using the building as office accommodation.

4.4 EFFECT ON CHARACTER AND APPEARANCE OF THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA AND THE GARDENS.

4.4.1 This scheme has been developed in conjunction with advice from the Council's Conservation Officer and the author of this report. Works to be undertaken upon this listed building are considered in the parallel listed building application (08/00009/LBC).

4.4.2 However the impact of this scheme upon the conservation area and the gardens is a concern which should be considered as part of this application. Indeed this issue was previously raised by the Council when previous applications were submitted. In particular, the design and consequent impact of the rear car-parking area upon the conservation area is pertinent to this planning application and is therefore considered below.

4.4.3 The garden area is considered to be a particularly important constituent of the conservation area and the Terry's Factory site. Indeed it is recognised as such within the Development Brief for the site (section 6.37). It was agreed with the previous owners of the site that it would be acceptable to extend (minimally) into the garden.

4.4.4 The Council's Conservation Architect commented that the location of the circulation core (rear extension) has resulted in the need to reconfigure of the car-park layout. The extent of hard surfacing is approximately the same as previously approved. However the narrower footprint would extend 3.00m further into the garden (from that previously approved). However surface materials would be improved and the car-park area would not intrude into the garden area any further than the existing concrete covered service chamber (marked on the submitted plan). It is therefore considered that the garden setting would not be adversely affected by this scheme. In addition ancillary facilities, such as the cycle shelter and the refuse area can now be located in a position which would protect the setting of the building. Previously planning permission conditioned the location of these elements to approved at a later date. However, due to the previously approved layout they would have to have been either located in the garden area or the car-park would have had to be reconfigured to accommodate them.

4.4.5 With regard to the impact of the proposed extension upon the existing building and the conservation area, any significant extension would encroach upon the garden and it also change the simple rectilinear form of the building. Either of these outcomes would be unwarranted as they would have a significant impact upon the character and appearance of the conservation area.

4.4.6 Previous proposals for additional accommodation on the roof could not be supported. They would have created an over-dominant feature upon the building (butterfly roof form exaggerated the eaves height) and were designed with an overtly new character which was seen to be in conflict with the intrinsic nature of the building. The new scheme seeks to minimize the impact of the additional floor by proposing a shallow roof with a low eaves height. This would be set back from the inside of the parapet, with the perimeter wall further recessed under the eaves. Towards the public side on Bishopthorpe Road the set-back has been increased to 2.00 m. The shallow pitched roof would enable the eaves to be low whilst achieving sufficient height within the depth of the plan. Floor to ceiling heights in the existing building are approximately 4.00 m in for each floor and there is a further 1m minimum provided by the parapet i.e. 9m to top of parapet (at its lowest point). By comparison the new floor would be approx 2.30 m in height at its outer edge, leaving an exposed glazed area of less than 1.20 m above the parapet.

4.4.7 The simplicity of the roofline, the relatively low level of the eaves and the position of the new perimeter wall (being 800mm back from the outer edge of the masonry), are considered sufficient measures to visually detach the new floor from the architectural expression of the existing building.

4.4.8 The scheme would appear to maintain the visual coherence of the group of listed buildings. The scale of change on site would appear to preserve the character and appearance of the conservation area. As a consequence, it is considered that the design is acceptable and satisfies policies HE2 and HE3 of the Local Plan. Therefore the Time Office building will still continue to contribute to the group value of the factory complex and the Conservation area as a whole.

4.5 HIGHWAY AND PARKING ISSUES

4.5.1 Central Government advice in Planning Policy Guidance Note 13 ("Transport") (PPG13), seeks to promote:-

- More sustainable transport choices for both people and for moving freight;
- Accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling;
- and to reduce the need to travel, especially by car.

4.5.2 A key planning objective of PPG19 is to ensure that jobs, shopping, leisure facilities and services are accessible by public transport, walking, and cycling. PPG19 states businesses should make every effort, for instance by adopting travel plans to encourage car sharing, and use of non-vehicular modes of transport.

4.5.3 The HNM officer noted that the applicant proposes 20 car parking spaces to serve the future occupants of the building. This is 2 less than the maximum car parking levels prescribed within the authority's parking standards (Annexe E - Local Plan). Also 2 of the spaces would be marked for disabled drivers and would be located near the main entrance of the building. However, given the sustainable transport measures being proposed by the applicant, the officer considers this level of provision is considered acceptable.

4.5.4 The officer also commented that cycle parking provision satisfies Council standards. However he notes only 12 of the spaces are covered. He advises that 16 cycle spaces should be covered and secured, with a couple of un-covered spaces positioned at the front of the building to serve visitors.

4.5.5 Furthermore the officer notes that the applicants propose an impressive list of measures, designed to promote sustainable transport by its employees and visitors. He comments that this is to be highly commended and will hopefully act as a benchmark to which future businesses on the Terry's Factory site seek to match. Such measures include:

- An in-house travel plan co-ordinator, responsible for promoting sustainable transport;
- Interest free loans to assist employees to purchase cycles;
- Travel information packs for employees;

- Electric cycle for use by staff for work trips;
- Real time passenger information boards within offices; and
- Showers and lockers provided for cycle users.

4.5.6 In terms of the location of this development and its proximity to sustainable transport routes, there is currently an existing bus service which picks up outside the site, operating between Bishopthorpe and the City Centre on a 30 minute frequency timetable. The building is well within cycling distance of many of the City's residential suburbs and there is an off-road pedestrian /cycling route passing close by which follows the riverside into the City Centre and connects with the new Millennium Bridge, giving access to the University and eastern areas of the City.

4.5.7 The HNM officer notes that traffic generation from the additional storey is predicted to be in the region of 5 to 6 vehicle movements in the morning and evening peak periods, which when compared to existing traffic movements along Bishopthorpe Road is well below the 5% significance threshold.

4.5.8 Penultimately, the officer comments that the only issue which should be considered, as part of this proposal, is to protect a 2.00 m wide strip (running alongside the access road into the site from any structures or planting). This would allow a footway running along this line to be formed at a later date, to meet future pedestrian needs (if the major redevelopment of the site is approved). He also advises that the two parking spaces proposed on the western side of the building should be accessed from the southern side and some strategically sited bollards will be needed to enforce this requirement.

4.5.9 Finally, the officer does not consider there are strong highway reasons to seek to defer or refuse the application until the over-arching outline planning application (for the Terry's) site has been determined.

4.6 COMMENTS RAISED BY BISHOPTHORPE COUNCIL

4.6.1 The Parish Council advise that until a traffic plan is produced that reflects accurate traffic movements for the whole site and also minimises the impact upon Bishopthorpe village, they will oppose all applications for the site;

- A condition has been suggested, should the application be approved, requiring a green travel plan to be agreed with the Council prior to development commencing.

4.6.2 This scheme is to be completed ahead of the principal part of the site, such piecemeal development will conceal the cumulative impact of traffic movements through Bishopthorpe.

- All impact upon the highway network will be taken into account when calculating the traffic impact of the redevelopment of Terry's upon the road network. Therefore the impact of this scheme will not be 'concealed'

4.7 SUSTAINABILITY

4.7.1 As a reflection of its commitment to sustainable development, the applicant has gone beyond the statutory requirements in a host of areas -

- BREEAM assessment - Currently the building performs to 20%. An "excellent" rating requires 70%. Harrison's proposals achieve 82%.
- CO2 emissions - The proposal achieves a 47% improvement over Building Regulation requirements.
- Sustainable materials - the proposed upper storey SIP panel external wall using recycled insulation - sheep's wool.
- Energy generation
- Domestic hot water is generated by solar thermal panels
- 10% of the building's total energy requirement will be generated on-site via photovoltaic panel technology
- Heat pump technology will result in the provision of 75-80% of the buildings heat requirement from outside air

5.0 CONCLUSION

5.0.1 Permission to change the use of the building to B1 (Business), as well as internal and some external alterations has previously been granted (June 2007). It is therefore considered that these proposals continue the legacy of employment uses on this site. The aforementioned proposals are considered justified and would not appear to adversely affect the special historic and architectural interest of the building or the character and appearance of Conservation Area no.10 or affect the outcome of the undecided planning applications which are currently being negotiated.

5.0.2 The proposed extension and conversion and the former Time Office Building to general B1 office accommodation, is considered acceptable and satisfies policies HE2, HE3 and T20 of the Draft Local Plan and National Planning Guidance PPS1, PPG15 and PPG19.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS2 Apprvd plans and other submitted details

3 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 protect the amenity of neighbouring residents.

4 Any contaminated material detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect human health and the wider environment.

5 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.

Reason: So as to achieve a visually cohesive appearance.

6 Details of soil and vent stacks, heating and air conditioning plant etc, including fume extraction and odour control equipment, with details of any external ducting, shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences.

Reason: In the interests of visual amenity and to protect the amenities of occupants of adjoining properties.

7 Prior to any works commencing on site, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the site preparation, groundwork and construction phases of the development. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of occupants of adjacent and adjoining properties during the development of the premises.

8 The hours of operation for the new offices shall be approved in writing by the local planning authority. Once approved, the agreed hours shall be complied with at all times, unless agreed otherwise in writing by the local planning authority.

Reason: To protect the amenity of local residents.

9 The hours of delivery to and dispatch from the new offices shall be confined to the following times, unless otherwise approved in writing by the local planning authority:

Monday - Saturday	08:00 - 18:00
Sunday & Bank Holidays	09:00 - 18:00

Reason: To safeguard the amenities of local residents

10 Details of all new fixed machinery, plant and equipment to be installed in or located on the new offices, which is likely to be audible at any noise sensitive

location, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (LA_{max}(f)) and average sound levels (LA_{eq}), 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 any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of the locality.

11 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs ****. 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: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

12 None of the existing trees shown to be retained on the approved plans shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority until 12 calendar months after completion of the permitted development. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased before the end of that period shall be replaced with trees of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: The Local Planning Authority considers it important to safeguard these trees in a positive manner so as to secure their continued well being.

13 All works should be carried out in accordance with BS3998.

Reason: To ensure that the trees are properly maintained in line with current standards.

14 Prior to the accommodation hereby permitted being first occupied, bin storage facilities shall be provided to a design, siting and materials specification previously approved in writing by the Local Planning Authority and shall thereafter be retained.

Reason: To provide acceptable refuse facilities for the occupants of the accommodation and to ensure satisfactory appearance to the finished development.

15 Prior to the development commencing details of the design/layout and number of car spaces shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until such car parking spaces have

been constructed and laid out in accordance with the details as approved in writing by the Local Planning Authority.

Reason: The car-parking provision proposed exceeds the City of York Council parking standards.

16 HWAY9 Vehicle areas surfaced

17 HWAY18 Cycle parking details to be agreed

18 HWAY19 Car and cycle parking laid out

19 Prior to commencement of any works, details shall be agreed in writing with the LPA of surface treatments along the northern and western side of the building adjacent to the vehicular carriageway.

Reason : to allow the possible future introduction of a pedestrian footway running along these frontages and to control access to proposed vehicle parking spaces.

20 The development shall not commence until a Green Travel Plan has been submitted and approved by the Local Planning Authority, such travel plan to include the items listed below together with a timetable for the implementation of each such element.

- appointment of travel plan co-ordinator
- interest free loans for staff to purchase cycles
- travel information packs for employees
- electric cycle for work trips
- real time passenger information boards within offices
- showers and lockers for use by staff

Reason: so as to promote sustainable modes of transport by future employees and reduce reliance on the private car.

21 The design of the hereby approved scheme shall be in accordance with the contents of the design and access statement dated December 2007 submitted by the applicants' agent and date stamped by the Council on the 3rd January 2008, which will satisfy the requirements of policy GP4a.

Reason: In the interests of sustainable development

22 Notwithstanding the information contained on the approved plans, the height of the office building including glazed roof extension shall not exceed 12.30 metres and the rear extension (service core) shall not measure more than 12.10 m, as measured from existing ground level. In addition, The service core (rear extension) shall not exceed the height of the main building with roof extension. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be

retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

7.0 INFORMATIVES: Notes to Applicant

1. Reason for approval

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the Former Time Office Building which is a listed building and the Racecourse and Terry's Conservation Area. As such this proposal complies with policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies GP1, HE2, HE3, HE4, GP4(a), GP11, T4, E3b and E4 of the City of York Local Plan Deposit Draft.

2. The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval:

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".

- 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.
- 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.
- 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.
- Any asbestos containing materials shall be removed by licensed contractors to a licensed disposal site.
- There shall be no bonfires on the site.

3. Under Section 1 and 99 of the Wildlife and Countryside Act 1981 it is an offence to intentionally damage or destroy any birds nest whilst it is in use being built or to deliberately damage or destroy a bat roost.

Reason: Requirement under Section 1 and 99 of the Wildlife and Countryside Act

1981.

Contact details:

Author: Richard Beal Development Control Officer

Tel No: 01904 551610