

COMMITTEE REPORT

Date: 11 January 2018 **Ward:** Guildhall
Team: Major and **Parish:** Guildhall Planning Panel
Commercial Team

Reference: 17/02224/FULM
Application at: Fiesta Latina 14 Clifford Street York YO1 9RD
For: Conversion of basement and ground floor from restaurant (use class A3) to office use (use class B1), and upper floors from office (use class B1) to 10no. dwellings (use class C3). Construction of roof extension, second floor rear extension and alterations to elevations
By: Mr M Easterby
Application Type: Major Full Application (13 weeks)
Target Date: 29 December 2017
Recommendation: Approve

1.0 PROPOSAL

1.1 14 Clifford Street occupies a corner building fronting Clifford Street and Lower Friargate within York City Centre. It is a building that occupies basement, ground, first, second, third and part fourth floors. Currently the building is in mixed use, with the basement and ground floors providing two separate restaurants (Class A3); one which is now vacant (former Pizza Hut) and one which is still operational (Fiesta Latina). Both restaurants have separate access from Clifford Street. The upper floors are in office use (Class B1), some are vacant and some remain occupied. Access to the upper floors is taken from ground floor access on Lower Friargate.

1.2 The building is not listed but located within the Historic Central Core Conservation Area Character Area 12: King's Staith and Coppergate Centre. The site lies within Flood Zone 2. It is located outside the Primary Shopping Area.

1.3 To the north, the building adjoins Kuda Bar and Night Club at 12 Clifford Street and is adjacent to the Law Courts on the opposite side of Lower Friargate. To the rear the application building is separated from the Riding Lights Theatre by a pedestrian access route, which provides access to the rear of the buildings within the Clifford Street/Cumberland Street, King's Staith and Lower Friargate block. Vehicular access to the rear for deliveries can be taken from Cumberland Street.

1.4 Planning permission is sought for the conversion of the basement and ground floor to office use (Class B1). The upper floors to 10no. dwellings (Class C3) and the construction of an extension on the third floor, second floor rear extension and alterations to elevations.

1.5 The building would be arranged with cycle and waste storage provided within the basement with access taken from the rear. Within the building, it is sought to provide 3 separate offices, A, B and C. Office A and B will occupy the ground and basement floors and office C only occupy an area on the ground floor. Offices B and C will utilise the existing egress points onto Clifford Street with a new egress proposed onto Lower Friargate to provide access to Office A.

1.6 The existing Lower Friargate egress will be retained and will form a lobby including internal lift to serve the proposed residential uses on the upper floors. The scheme seeks to provide 10 residential units in total 6 x 2 bedroom flats and 4 x 1 bedroom flats and arranged thus:

Table 1.1 Schedule of Accommodation

Level	Unit No.	Bedrooms	Gross Internal Area (GEA) m ²
1	1	2B	58
	2	2B	59
	3	1B	38
	4	2B	59
2	5	1B	46
	6	2B	66
	7	1B	41
2-3 (Duplex)	8	2B	76
3	9	2B	76
3-4 (Duplex)	10	1B	85

1.7 The external extensions include a part single, part two storey rear extension at first and second floor level including windows in the northern and western elevation. Set behind a parapet wall is a proposed mansard roof extension to the Clifford Street elevation at third floor level, which contains two windows in the front and rear elevations. A patio area will be created at third floor level, and set behind a parapet wall.

1.8 Other alterations involves the insertion of windows and doors. Specifically this includes four new windows to the northern elevation at ground floor level and the insertion of windows into blind openings at second floor level on the Lower Friargate elevation. The shopfronts to both the existing restaurants on Clifford Street will have subdivided glazing. Additional doors shall be inserted in the Lower Friargate elevation at ground floor level and a further opening within the northern elevation to the basement.

1.9 The submitted plans indicate that the individual air conditioning units and extract ducts shall be removed from the northern elevation, which would be redundant following the proposal to replace the restaurants.

2.0 POLICY AND LEGISLATIVE CONTEXT

2.1 Draft 2005 Development Control Local Plan

CYGP1	Design
CYGP3	Planning against crime
CYGP4A	Sustainability
CYGP4B	Air Quality
CYH12	Conversion of redundant offices
CYE7	B1 office devt in Existing Buildings
CYHE2	Development in historic locations
CYHE3	Conservation Areas
CYT4	Cycle parking standards

2.2 Pre-publication draft Local Plan (2017)

D1:	Placemaking
DP3:	Sustainable Communities
ENV1:	Air Quality
T1:	Sustainable Access
EC1:	Provision of Employment Land
EC2:	Loss of Employment Land
H2:	Density of residential development
H3:	Balancing the housing market
D4:	Conservation Areas
D11:	Alterations and extensions to existing buildings
D12:	Shopfronts

2.3 NPPF

2.4 S72 Planning Listed Buildings and Conservation Areas Act 1990

3.0 CONSULTATIONS

INTERNAL

PLANNING AND ENVIRONMENTAL MANAGEMENT (CONSERVATION)

3.1 The building is a significant Victorian building originally built as two properties with both elements making a very positive contribution to the character of the conservation area and streetscape, given their scale, materiality and detailing.

3.2 The principle of the change of use and most of the alterations are not objectionable, but negotiation has been undertaken on other aspects of the scheme.

The applicant has addressed nearly all of the previous concerns; the application can now be supported and the positive response from the applicant has been welcomed.

3.3 It is noted that the applicant has sought to install new windows in the existing blind openings. There will be a net gain of one new window, which is reduced from the previous scheme as one of the existing windows will be blocked up. This alteration is considered to cause some harm to the character of the conservation area. However the level is deemed to be less than substantial and is outweighed by the improvements to the shop fronts at ground floor level on Clifford Street including the removal of the inappropriate Fiesta Latina shop front and replacement with something more in keeping with the character of the building. The shop front alterations and the replacement of the oriel window are deemed to be an enhancement of this building.

PUBLIC PROTECTION (PP)

3.4 An objection has been withdrawn following receipt of a noise assessment and clarification the application building is not listed, which means that compliance with internal noise levels is possible.

HIGHWAY NETWORK MANAGEMENT

3.5 No objection. The proposed apartments and office accommodation are located in a very sustainable location. We will require the developer to provide contributions of £2k to remove the property from the Residents Parking Zone R11, so as not to cause serious impact on the existing residents within this highly subscribed zone. The property is located in the city centre on a very tight site, close to bus stops and high footfall. We therefore request a method of works condition to cover highway impact throughout construction.

ECONOMIC DEVELOPMENT

3.6 Any comments will be reported verbally.

FLOOD RISK MANAGEMENT TEAM

3.7 No objections. The flood risk statement is satisfactory.

EXTERNAL

HISTORIC ENGLAND

3.8 Do not wish to offer any comments

GUILDHALL PLANNING PANEL

3.9 No objection

YORK CIVIC TRUST

3.10 Supports the conversion which offers an opportunity to improve the internal layout at lower levels and fenestration of the upper floors facing Lower Friargate.

3.11 It is a welcome opportunity to improve the fenestration on Clifford Street and unattractive shopfronts (Fiesta Latina). We also commend the restoration of fettling across this elevation. They should look at the possibility of restoring the first floor oriel window above Fiesta Latina, evident from the local archives (c.1990).

POLICE DESIGNING OUT CRIME OFFICER (DOCO)

3.12 Crime and anti-social behaviour levels within the vicinity of the proposal can be described as being at a very high level. An issue is the alcohol related activity in the street late at night upon the amenity of the residents of the flats, due to the close proximity of a night club. External lighting is recommended to the elevations and service alleyways and target hardening such as the physical security of doors, windows and cycle stores.

CONSERVATION AREA ADVISORY PANEL (CAAP)

3.13 No objection to the use of the building. Concern was raised to the provision of additional accommodation by means of the mansard roof over Fiesta Latina and the extra floor on the Friargate elevation. The mansard roof extension should not interfere with the tower element of the former club.

ENVIRONMENT AGENCY

3.14 Any comments will be reported verbally.

PUBLICITY AND SITE NOTICE

3.15 One letter of comment was received from the occupier of 15 Kings Staith who states that they are generally in favour of the application with the appearance of the building improved. Concern is raised to the flood risk assessment; the basement has previously been subject to flooding.

3.16 One letter of objection has been received from the operators of Kuda Bar and Night Club at 12 Clifford Street. They state that their premises license allows it to open seven days a week and it can be open until 04:30. They consider that whilst they have a duty (under the Premises Licence) to control people entering and leaving the premises and the behaviour of customers within the club, it cannot control their activities in the surrounding streets or the transference of sound from within the club through the party walls to neighbouring properties. In summary, their main objections include:

- noise and disturbance to residents of the proposed flats from this existing and longstanding authorised late night use
- complaints could lead to possible restrictions on this existing authorised late night use and opening hours impacting upon profitability and viability of this use.
- developer's are responsible for ensuring new developments do not threaten the future of existing late night business
- The noise assessment showed that noise levels on Clifford Street remained particularly high until 0100-0200. The report recommends that specific double-glazed windows be fitted to bedrooms but these can still be opened
- suitable noise mitigation measures should be included within any proposal
- a High Court decision on 8 September 2015 relating to residential development adjoining KoKo nightclub in Camden, which was quashed, is referred to - the local planning authority failed to pay sufficient attention to the setting of nearby heritage assets and that noise impact had not been adequately addressed.

4.0 APPRAISAL

Key Issues:

- Principle of development (loss of A3 uses/proposed residential (C3) use/reconfiguration of office floorspace (B1))
- Impact of external extensions and alterations upon the Conservation area
- Impact of external extensions upon any neighbouring occupiers
- Amenity of residential units
- Highways
- Flood Risk
- Crime and Security
- Sustainability
- Environmental Impacts (Contaminated Land/Air Quality)

POLICY CONTEXT

4.1 Section 72(1) of the 1990 Act refers to any buildings or other land in a conservation area and places a duty on Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. The framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. A principle set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.3 Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible.

4.4 Paragraph 23 advises that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. Local Planning Authorities in drawing up their local plans should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality. They should also define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations.

4.5 A core principle set out in paragraph 17 is to always seek to secure a good standard of amenity for all existing and future occupants of the land and buildings and to conserve heritage assets in a manner appropriate to their significance. Section 12 of the NPPF is relevant to the site's Conservation Area Status. Paragraph 129 says that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including any development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 134 says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal, including its optimum viable use.

4.6 The Development Control Local Plan (DCLP) was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.7 New developments are required to respect or enhance the local environment in terms of density, layout, scale, mass and design and to ensure that residents living nearby are not unduly affected by noise and disturbance (Policy GP1) and have regard to the principles of sustainable development in accordance with Policy GP4a.

4.8 Policy H12 allows the conversion of office space to residential use where a) there is a sufficient supply of offices to meet both immediate and longer term requirements over the plan period; and b) the proposal will not have an adverse impact on the vitality and viability of the City and District Centres; and c) it has no adverse impact on residential amenity.

4.9 Policy HE3 which advises that consent will only be granted for external alterations where there is not adverse effect on the character or appearance of the area.

4.10 Developments are also expected to be carefully designed and sited where they are adjacent to rivers to reduce flood risk and problems of flooding, erosion and pollution downstream by increasing surface water run off from impermeable surfaces or by reducing flood plain capacity (Policy GP15a).

4.11 Policy E7 states that the change of use to B1 uses at ground floor level will be permitted where it would not harm the vitality of existing centres.

4.12 The shopping policies of the DCLP have been superseded by the Emerging Plan and Retail Study Update (2014) (RSU), which is part of its evidence base. The site is sited outside the Primary Shopping Area and neither Clifford Street nor Lower Friargate are identified as a secondary shopping frontage.

Emerging Local Plan

4.13 Consultation on a new pre-publication draft local plan and revised evidence base has recently been completed. (30th October 2017). A public consultation on the Publication version of the Local Plan is expected to start in February 2018.

4.14 The emerging Local Plan policies can only be afforded limited weight at the present time, given the stage that they have reached in the statutory process. The National Planning Policy Framework (paragraph 216) provides that weight may be given to relevant policies in emerging plans according to: the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies; and the degree of consistency with the Framework.

ASSESSMENT

PRINCIPLE OF DEVELOPMENT (LOSS OF A3 USES/PROPOSED RESIDENTIAL (C3) USE/RECONFIGURATION OF OFFICE FLOORSPACE (B1))

4.16 The application seeks to relocate some of the existing office accommodation to the basement and ground floor resulting in the loss of the existing restaurants and equating to 573m² of Class A3 floorspace. One of the restaurants within the building has ceased trading prior to the submission of the application, with the other one still operating during the assessment of the application. No marketing details have been provided that indicates that another restaurant or retail user could accommodate the ground floor units. However, the site is not within the primary shopping area nor is it located on a secondary frontage. It is considered that the site is located on the periphery of the city centre, which is more connected with legal and professional services, given its proximity to the law courts.

4.17 Taking into account its location outside the Primary Shopping Area, the loss of the restaurant uses and the relocation of existing office use within the building to the basement and ground floors are not considered to be detrimental to the vitality of the city centre.

4.18 In total, there would be a net loss of 155m² of B1 office floorspace, with 513m² retained within the scheme. The building currently provides over 600m² of office floorspace arranged with a number of interlocking rooms in an irregular arrangement. It is not considered that office accommodation of this size would have a detrimental impact upon the supply of offices.

4.19 A general overarching aim of local and national planning policies is to protect the vitality and viability of individual streets and City Centres as a whole. The reconfiguration of uses contained within the building, including the partial loss and relocation of office accommodation to the ground and basement floors, the use of the upper floors as residential and the loss of restaurant use at basements and ground floors is considered acceptable in principle. Given the location of the site on the periphery of the city centre, the proposed scheme is considered not to have an adverse impact on the vitality and viability of the city centre. The scheme therefore accords with Policies E7, H12 of the Development Control Local Plan (DCLP), the Emerging Plan and Retail Study Update (2014) (RSU) and Paragraph 23 of the NPPF.

IMPACT OF EXTERNAL EXTENSIONS AND ALTERATIONS UPON THE CONSERVATION AREA

4.20 A number of amendments have been sought, particularly in respect to materials of the proposed extensions, the detailing/opening up of blind windows and improvement to the Clifford Street facade including the shopfronts and oriel window. Whilst the proposals (specifically the opening up of 1 of the blind windows to the Lower Friargate facade) will cause some harm to the conservation area, this is considered to be less than substantial and even when the desirability of avoiding such harm is given considerable importance and weight, it is outweighed by the improvements to the shopfronts and first floor window on the Clifford Street elevation. The proposals therefore are considered overall to result in an enhancement of the building and this part of the Central Historic Core Conservation Area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Paragraph 134 of the NPPF

IMPACT OF EXTERNAL EXTENSIONS UPON ANY NEIGHBOURING OCCUPIERS

Overshadowing

4.21 The surrounding uses to the application site are commercial in nature, and as such the external extensions including a part single, part two storey rear extension at first and second floor level and a proposed mansard roof extension to the Clifford Street elevation at third floor level are not considered to result in any overshadowing to any neighbouring buildings that would result in any detrimental harm.

Overlooking

4.22 Additional windows are proposed to all elevations of the building; the surrounding building uses are predominately commercial in nature and any new windows are not considered to directly overlook any neighbouring property that would be detrimental to the amenity of any of the occupiers of neighbouring properties.

AMENITY OF RESIDENTIAL UNITS

Location and surrounding uses

4.23 Whilst the application site is located on the periphery of the city centre, the surrounding area comprises of a mix of uses. The application site on the northern elevation adjoins Kuda Bar and Nightclub. The operators of Kuda have objected to the proposal citing that there is potential for noise and disturbance to residents of the proposed flats from this existing and longstanding authorised late night use.

4.24 The Public Protection officer initially raised concerns as to whether the occupants of the proposed flats would be adequately protected from external noise sources from Clifford Street and Low Friargate. An updated noise report and further monitoring was undertaken (over a weekend in November) to the rear of the property and to investigate the potential for noise break -in through the party walls of the adjacent nightclub. The noise monitoring identified that noise remained high until 01:00 and 02:00, peaking at midnight. The report notes that no music noise was recorded, which may be partially as a result of the layout of the nightclub with customer toilets and ancillary areas adjacent to the party wall rather than the club dance floors or bars.

4.25 The noise report details that the current single glazed windows are to be refurbished and retained with mitigation in the form of secondary glazing. The updated noise report indicates the mitigation required for both habitable rooms and bedrooms within the properties overlooking Clifford Street and Lower Friargate.

4.26 To the rear, the property will overlook the nightclub smoking area and rear yard. The noise report indicates that noise levels were not sufficient to prevent the development and correctly fitted single glazed units would be sufficient to ensure acceptable internal noise levels in all rooms, including bedrooms.

4.27 In regards to the external amenity area on the third floor on the western elevation, the noise report outlines that no mitigation is required, as the western facade does not overlook either Clifford Street or the adjacent nightclub. Noise levels at this level achieve the lowest practicable levels and no mitigation is required.

4.28 The acoustic report identifies that all windows are required to be fixed shut, with appropriate ventilation to be provided within all habitable rooms. This will be in the form of passive ventilation to each flat which requires a simple ducted system intake/extract pipe at roof level.

4.29 The public protection officer is satisfied that mitigation would be achievable, subject to a condition for a detailed scheme of noise insulation measures. It is therefore considered that, subject to the installation of noise mitigation, the occupiers of the proposed flats would be adequately protected against neighbouring longstanding uses.

Air Quality

4.30 The site is located adjacent to, but outside the boundary of the Air Quality Management Area. Recent monitoring has shown that concentrations of nitrogen oxide have been below health based standards at this location on Clifford St. Based on recent monitoring, it is not considered that sealed glazing or mechanical ventilation would be required for habitable rooms facing Clifford Street at first floor level and above. The offices to be relocated to the ground and basement floor are not considered to be sensitive in terms of long term exposure to air pollution and no air quality mitigation is therefore required at this level.

Outlook

4.31 The 10 residential flats all have a single aspect; some of the flats particularly those located within the Clifford Street/Lower Friargate corner part of the building will be dual aspect. Outlined in Table 1.1 at paragraph 1.6 each flat provides an adequate internal area.

4.32 All of the habitable rooms within the flats would receive adequate natural light and outlook. Generally, the occupiers of the proposed flats would have a good standard of living accommodation and residential amenity.

HIGHWAYS

4.33 There is no provision within the application to provide any off-street car parking. The site is located within the city centre, which is a highly sustainable location, in terms of access to public transport links. Notwithstanding this, it is acknowledged that an increase in the number of residential units would have an impact on residents parking bays which are heavily oversubscribed in the vicinity of this property. Therefore, in line with other development proposals, the proposed site would be removed from the Residents Parking scheme. A condition requiring an amendment to the Traffic Regulation Order to remove the site from the Residents Parking zone is recommended.

4.34 Cycle parking is indicated to be provided within the basement providing 13 cycle parking spaces in total. This area can be accessed independently of the both the office and residential uses, from the northern elevation. The Council's cycle parking standards advise that 10 cycle parking spaces are required (one for each flat) and based on the office floorspace at least 8 cycle parking spaces should be provided for the offices. It is felt that there is adequate space in the dedicated cycle store to

accommodate a further 5 cycles in accordance with the Council's requirement. This will assist in encouraging transport modes other than the car.

FLOOD RISK

4.35 A comment has been received that the basement has been subject to previous flooding and concern is raised to the details provided in the flood risk assessment. It is noted that the conversion provides non-residential uses at ground and basement levels, which is similar to existing, and residential use at upper floor level. It has been identified that the entrance to the residential flats are located within flood zone 1. The general floor of the ground floor rooms is 11.95 AOD, the entrance to the residential units have an existing level of 11.51AOD. The highest recorded flood level in York is 10.40 AOD.

4.36 The Council's Flood Risk Management officer does not raise any issues in this regard.

CRIME AND SECURITY

4.37 The police designing out crime officer has provided advice as to how the security of the site and measures to reduce the fear of crime could be implemented. This includes lighting, particularly the pedestrian links to the waste and cycle stores to the rear. A condition shall require an external lighting scheme to be submitted.

5.0 CONCLUSION

5.1 The site is an existing mixed-use corner building that is currently partly occupied. The proposals involve the internal relocation of offices within the building, the loss of existing restaurant uses and the introduction of residential use within the building. The scheme is not considered to have an adverse impact on the vitality and viability of the city centre. The site is considered to be a sustainable location for residential and office uses, with the most vulnerable uses (residential) not at risk of flooding.

5.2 The applicant has undertaken further investigations, in respect to noise from neighbouring late –night uses and has detailed mitigation measures to ensure that any occupants of the flats would be adequately protected and an adequate standard of residential amenity would be provided. The objection raised by the operators of the adjoining late night bar and nightclub is considered to have been addressed.

5.3 The proposal has been amended in design terms, and offers sensitive extensions and alterations to preserve the Conservation Area. The proposal is therefore recommended for approval subject to the suggested conditions including a condition that amends the Traffic Regulation Order, removing the site from the Residents

Parking Zone. The proposals accords with national guidance in the NPPF and the Draft Development Control Local Plan Policies,

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

109 P01 110 P02 111 P02 112 P02 113 P03 114 P01 130 P02 131 P03 150 P02
120 P00

Demolition Plans:

079 P01 080 P02 081 P02 082 P02 083 P02 084 P01

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

3 LC4 Land contamination - unexpected contam

4 No development shall take place until a detailed scheme of noise insulation measures for protecting the approved residential from externally generated noise has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the insulation scheme works no part of the development shall be occupied until a noise report demonstrating compliance with the approved noise insulation scheme has been submitted to and approved in writing by the Local Planning Authority.

INFORMATIVE: The building envelope of all residential accommodation shall be constructed so as to achieve internal noise levels in habitable rooms of no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and 30 dB LAeq (8 hour) and LAFMax level during the night (23:00-07:00 hours) should not exceed 45dB(A) on more than 10 occasions in any night time period in bedrooms and should not regularly exceed 55dB(A). These noise levels shall be observed with all windows open in the habitable rooms or if necessary windows closed and other means of ventilation provided.

Reason: The site is adjacent to a late night use and this level of noise mitigation is required to protect future residents from noise.

5 Prior to the development commencing details of the cycle parking area shall be submitted to and approved in writing by the Local Planning Authority. The cycle

parking area shall accommodate up to 18 cycles for both the residential and office occupiers. The building shall not be occupied until the cycle parking area has been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: The plans currently do not show the required levels of cycle parking for the proposed uses within the site and their provision will promote the use of cycles thereby reducing congestion on the adjacent roads.

6 Prior to the commencement of works, a sample of the proposed slate for use in all new roof works hereby approved shall be submitted to and approved in writing by the Local Planning Authority. All new roof works shall be constructed in accordance with the approved sample and plans.

Reason: In the interest of preserving the visual amenity of the building and this part of the Central Historic Core Conservation Area to accord with policies HE2 and HE3 of the Draft Development Control Local Plan 2005 (incorporating 4th set of changes) and the NPPF.

7 Prior to the commencement of works, a sample of the proposed brick for use in all new external construction hereby approved shall be submitted to and approved in writing by the Local Planning Authority. All new external areas shall be constructed in accordance with the approved sample and plans.

Reason: In the interest of preserving the visual amenity of the building and this part of the Central Historic Core Conservation Area to accord with policies HE2 and HE3 of the Draft Development Control Local Plan 2005 (incorporating 4th set of changes) and the NPPF.

8 Prior to the works commencing scaled drawings at 1:20 of all new windows shall be submitted to and approved in writing by the Local Planning Authority and thereafter constructed only in accordance with the approved details. The proposed windows shall be of timber construction with narrow moulded glazing bars, traditionally painted and without trickle vents.

Note- You are advised that the glazing bar details shall be included in any details that you may submit.

Reason: In the interest of preserving the visual amenity of the building and this part of the Central Historic Core Conservation Area to accord with policies HE2 and HE3 of the Draft Development Control Local Plan 2005 (incorporating 4th set of changes) and the NPPF.

9 Before works commence, construction details (including finishes) of the following shall be submitted to and approved in writing by the Local Planning Authority and thereafter constructed only in accordance with the approved details:

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- a. External alterations to Office Units B and C, including details of columns, cills, window reveals
- b. Replacement window to first floor above Unit C, including sill, head, surround and mullion details
- c. Mansard roof and dormer

Reason: In the interest of preserving the visual amenity of the building and this part of the Central Historic Core Conservation Area to accord with policies HE2 and HE3 of the Draft Development Control Local Plan 2005 (incorporating 4th set of changes) and the NPPF.

10 Prior to works commencing on site, details of the location and specification of all new services (where they terminate externally), including SVPs and extracts shall be submitted to and approved in writing by the Local Planning Authority and thereafter constructed only in accordance with the approved details.

Reason: In the interest of preserving the visual amenity of the building and this part of the Central Historic Core Conservation Area to accord with policies HE2 and HE3 of the Draft Development Control Local Plan 2005 (incorporating 4th set of changes) and the NPPF.

11 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 details which shall have been previously submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same.

Measures to remove the site from the Residents Parking R11 zone.

Reason: In the interests of residential amenity and highway safety as the residents parking bays are heavily oversubscribed in the vicinity of this property.

12 Prior to the commencement of any works of demolition or construction on the site, a detailed method of works statement identifying the programming and management of site clearance/excavation/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority. Such a 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
- how vehicles are to access and egress the site
- how pedestrians are to be safely routed past the site
- details of any implications to the highway of demolition and waste removal vehicle

operation

- where contractors will park to avoid affecting the highway
- how large vehicles will service the site
- where materials will be stored within the site
- measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

Contact details:

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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 (paragraphs 186 and 187) 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:

- Negotiation on design aspects of the proposals

2. INFORMATIVE:

The developer's attention is 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 adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch 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.

(b)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".

(c) 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.

(d) 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.

(e) 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.

(f) There shall be no bonfires on the site