

COMMITTEE REPORT

Committee: Planning Committee **Ward:** Guildhall
Date: 24 July 2008 **Parish:** Guildhall Planning Panel

Reference: 08/00737/FUL
Application at: Hungate Development Site Hungate York
For: Variation to condition 3 of outline permission (02/03741/OUT) to amend the siting of the focal building
By: Hungate (York) Regeneration Ltd
Application Type: Full Application
Target Date: 15 May 2008

1.0 PROPOSAL

Application site

1.1 The application relates to the proposed focal building, within the Hungate development site. The building is proposed to contain space for community uses and will sit between the recently approved phase II building and block F at the southwestern corner of the site. The building would front onto two proposed areas of open space, St John's Square, which is central to the Hungate site and Friars Quay by the River Foss.

The proposal

1.2 The application is to vary condition 3 of the outline permission for the entire Hungate site. The condition specified the footprint and location of the focal building, as shown on the approved plans. However due to the location of a sewer route through the site it is asked that the building be moved 9m back from St John's Square. The sewer cannot be relocated further north due to the archaeological remains that are located in St John's Church Graveyard. To ensure this relocation does not compromise the size of Friars Quay it is proposed also to reduce the length of the focal building by around 4.5m. As such the amount of floorspace proposed in the building would be reduced from 3,481 sq m to 3,241 sq m.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006
Conservation Area Central Historic Core 0038
Contaminated Land
City Boundary York City Boundary 0001
DC Area Teams Central Area 0002
Floodzone 2 Flood Zone 2 CONF
Floodzone 3 Flood Zone 3

2.2 Policies:

CYGP1	Design
CYHE3	Conservation Areas
CYHE4	Listed Buildings

3.0 CONSULTATIONS

Internal

Design, Conservation and Sustainable Development

3.1 The increase in width of the central square by 9m would be welcome given the building heights enclosing the area. Friars Quay would still be around the size of St Helen's Square in the city centre, and thus a reasonable size.

3.2 The focal building would retain its presence within the square when viewed from the main access routes, Pound Lane, Dundas St, and Hungate. The corner of Block F would now appear to define a threshold area for the building and its corner must not be overdesigned.

3.3 The proposal would result in no significant change to the setting of the conservation area, or the context of the listed building at Navigation Wharf.

Highway Network Management

3.4 Asked for details of the vehicle swept paths to be provided so it can be confirmed that the building can be adequately serviced. These have been provided and whilst it is noted that manoeuvring is tight, outline consent has been granted for the width/position of the focal building and the building to each side (phase II which has been approved and block F). As such it is suggested the vehicle route to the rear of the focal building could be annotated on the surface, this can be implemented through the landscape scheme for the whole site.

External

Planning Panel

3.5 No objection.

Conservation Areas Advisory Panel

3.6 No objection.

York Consultancy, Drainage

3.7 No objection.

Environment Agency

3.8 No objection. Ask that the floor level be retained at 10.7AOD.

Publicity

3.9 The application was publicised by site notice, press notice and letters of neighbour notification. The deadline for comments was 29.4.08. No written representations have been made.

4.0 APPRAISAL

4.1 Key issues

- Any implications on the comprehensive redevelopment of the Hungate site as agreed in the outline application.
- Visual impact/effect on the setting
- Highway safety

Background

4.2 The aspiration for the focal building, as agreed when the outline application was approved, was that it would become a community space comprising possibly of a crèche, exhibition space, art/technology workspaces, media centre, museum or similar. The legal agreement associated with the outline consent requires that up to 8,000 sq ft of space in the building be proposed for community use. The exact use will be agreed with the council at the time of development.

4.3 According to the approved plans the building will be used for offices, retail, cafes, bars and restaurant on the ground and first floors. Above would be some residential (22 units, 14 2-bed, 8 1-bed) and the community space. The central strip of the building would be 6 storey in height.

Any implications on the comprehensive redevelopment of the Hungate site as agreed in the outline application.

4.4 Although the size of the building will be reduced the applicants assure that the amount of community space that may be accommodated within the building will not be compromised. As such if required 8,000 sq ft of floor area could be dedicated to a community use. The legal agreement associated with the outline consent for the Hungate site specifies the size of the focal building in its definition, therefore the variation in size of the building will need to be agreed in writing by the Council and the applicants. The smaller building raises no other concerns regarding what will be delivered across the entire site as the amount of community space, nor the amount of affordable housing are compromised.

Visual impact/effect on the setting

4.5 The focal building in its original position, by virtue of its height and location would impose itself upon St John's Square. It is now proposed the focal building would be setback, so just behind the building lines of the proposed neighbouring buildings where they would face onto the square. Moving the building further away from St John's Square will not harm the setting; it would enhance the feeling of space and openness and increase light penetration in the square. The external appearance and height of the building is not affected by this application, these issues will be

subject to the application for reserved matters for this building. Friars Quay would be reduced in size as a consequence of the proposal. However, it would not be affected by loss of light or overshadowing and the space is still adequate to provide a pleasant riverside area.

4.7 It is considered the relocation of the building would have a neutral affect on the conservation area (which terminates at the river at the south of the Hungate site) and nearby listed buildings such as Navigation Wharf.

4.8 Moving the building will affect outlook from some of the flats (2 flats on each floor) on the side elevation of the phase II block where it faces the focal building. However the level of outlook would be comparable to that offered from a number of the flats on the elevation (separation distance of some 15m to the focal building), which is considered to be reasonable in this high density development.

Highway safety

4.9 There is some concern from Highway Network Management that manoeuvring space for vehicles around the focal building is tight. Vehicle access is required to behind the focal building (into Friars Quay) for servicing/maintenance only. In this application the width of the focal building and the separation between the building and its neighbours (5-6 m) remains as in the masterplan that was granted outline consent. As part of the outline consent there is a landscaping scheme for the Hungate site, which is being agreed by Highway Network Management and Landscape Officers. Highway Network Management agree that the landscaping scheme could include surfacing and street furniture, for Friars Quay and to each side of the focal building if necessary to assist vehicle movement, and that this would adequately preserve highway safety.

5.0 CONCLUSION

5.1 The proposed relocation of the focal building will not compromise what has been agreed in the outline consent, i.e. the amount of community space and affordable housing to be delivered. There are no other planning objections, as the principle of relocating the building will not affect visual or residential amenity, highway safety or the appearance of the conservation area and nearby listed buildings.

5.2 It is recommended that the application be approved and that the planning obligation for the Hungate site be updated to include the revised size of the focal building.

6.0 RECOMMENDATION: Approve

1 Approval of all reserved matters shall be made to the Local Planning Authority not later than the expiration of six years beginning with the date of outline approval for the site (July 2006) and the development hereby permitted shall be begun either before:

- a) the expiration of eight years from the date of outline consent permission 02/03741/OUT; or
 - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved;
- which ever is the later.

Reason: To ensure compliance with Section 92 and 93 of the Town and Country Planning Act 1990.

2 Fully detailed drawings illustrating all of the following details for each phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works for each phase and the development shall be carried out in accordance with such details:

Details to be submitted: design, external appearance, boundary treatment and landscaping of the proposed development to be carried out, including a schedule of all facing materials to be used, noise attenuation measures and fume extraction systems.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of the development.

3 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Revised schedule of uses, floorspace and accommodation, as set out in Hungate - Outline application revised master plan (Document 4a) revised June 2005

Document 3 a - Town Planning Statement Addendum (January 2004)

Master Plan and Drawings: - PL001 (November 2004) , PL002 (November 2004), PL003 (Revised June 2005), PL004 (November 2004), PL005 (31 May 2005 and extracts 28 June 2005) , PL007 (29 March 2005), PL008 (29 March 2005), PL009 (29 March 2005), PL010 (31 May 2005)

Revised location of focal building J Thompson drawing 040

Document 5a - Revised Design Statement (November 2004) and addendum including revised focal building location received 20.3.2008

Document 6a - Revised landscape design Guidelines November 2004)

Document 7 - Transport Assessment (November 2002)

Document 7a - Transport Assessment S supplementary Statement (December 2004)

Document 8 - Environmental Statement (November 2002)

Document 8a - Environmental Statement Addendum (January 2005)

Document 9 - Environmental Statement Technical appendix A Scoping Opinion (July 2002)

Document 10 - Environmental Statement Technical appendix B Revised Air Quality Monitoring Study (Nov 2004)

Document11 - Environmental Statement Technical appendix C Noise and Vibration Information (Nov 2002)
Document12 - Environmental Statement Technical appendix D Archaeological Assessment Vol 1 (Nov 02)
Document 12a - Environmental Statement Technical appendix D Archaeological Assessment Supplementary Statement (January 2005)
Document 13 - Environmental Statement Technical appendix D Archaeological Assessment Vol 1 (Nov 02)
Document 14 - Environmental Statement Technical appendix E Built Heritage Assessment (Nov 2002)
Document 15 - Environmental Statement Technical appendix F Consolidated Environmental Review (Nov 02)
Document 16 - Environmental Statement Technical appendix G Flood Risk Assessment (November 2002)
Document 17 - Environmental Statement Technical appendix H Ecological Appraisal (November 2002)
Document 18 - Environmental Statement Technical appendix I Ecological Management Plan (Nov 2002)
Document 19 - Environmental Statement Non Technical Summary (November 2002)
Document 19 a - Environmental Statement Non Technical Summary (January 2005)
Document 20 - Sustainability Statement (November 2002)
Document 21 - Residential Market Overview (November 2002)
Document 22 - Leisure and Retail Market Overview (November 2002)
Document 23 - Offices at Hungate - Marketing Strategy (October 2002)
Document 24 - Design Code (December 2004) and revised extract 'Spatial Hierarchy' (31 May 2005)
Document 25 - Statement of Community Involvement/responses to Issues Raised During Consultation (January 2005) and revised schedule of responses (20 July 2005)
Document 26 - Environmental Statement Technical Appendix J Ground Water Monitoring Strategy (Jan 05)
Document 27 - Design Solutions/ Internal Flats Layouts (29 March 2005)
Document 28 - Courtyard Section - Illustrative Design Solutions (31 May 2005)
Document 29 - Open Space Audit (4 May 2005)
Document 30 - EIA Implications of Design Amendments (June 2005)

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

4 Notwithstanding the details submitted on the Masterplan drawings, the precise siting of buildings H and the Landmark office block (G) shall be agreed in writing by the Local Planning Authority prior to commencement of the relevant phase of the development. The precise siting shall be within the area marked on the attached plan,

Reason: In order that the Local Planning Authority may be satisfied with the siting of these buildings having been informed by more detailed works carried out under the programme of archaeological investigation and excavation.

5 The external design details for each phase of the development shall be fully in accordance with the submitted Design Code (January 2005), to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that the design of the development reflects the original principles of the design as agreed by the Local Planning Authority.

6 The buildings to be erected on this site shall not exceed the building ridge heights as specified as O.S. datum levels on the Sections on pages 38 and 39 of the amended Design Statement received on 11th January 2005.

Reason: In the interests of protecting the amenities of the adjoining residents and to assist the development being integrated into the area.

7 The phasing for the development shall be in accordance with that established in the planning obligation. Unless otherwise agreed in writing by the Local Planning Authority.

Reason; In order that the impact of the phasing of the development can be properly assessed, prior to commencement of the development.

8 Fully detailed drawing illustrating the design and materials of roads, footpaths and other adoptable open spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site.

Reason: In the interests of highway safety.

9 No dwelling in respect of each phase of development to which this planning permission relates shall be occupied unless or until the carriageway basecourse and kerb foundation to the new estate road and footpath to which it fronts, is adjacent to or gains access from, has been constructed. Road and footway wearing courses and street lighting shall be provided within three months of the date of completion the construction of the phase of the development.

Reason: To ensure appropriate access and egress to the properties, in the interests of highway safety and the convenience of prospective residents.

10 Safety Audit:

A full 3 stage road safety audit carried out with advice set out in the DMRB HD19/03 and guidance issued by the council, will be required for the internal highway layout and all off-site works requiring alteration, stage 1 of which must be submitted to and agreed in writing by the LPA prior to each phase of works commencing on site.

Reason: To minimise the road safety risks associated with the changes imposed by the development.

11 Prior to each phase of the development commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building or buildings within that phase

shall not be occupied until the cycle parking areas and means of enclosure (including the public cycle parking areas within that phase) have 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. Cycle parking shall be in accordance with the schedule Summary of Cycle Parking Requirements 1056/70 dated 23/05/05

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

12 Prior to each phase of the development commencing details of the measures to be employed to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted to and approved in writing by the Local Planning Authority. Such measures as shall have been approved shall be employed and adhered to at all times during construction works.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

13 Prior to the commencement of the use hereby approved in each phase of development, provision shall be made within the site for accommodation of delivery/service vehicles in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority. Block G - accommodation for servicing will be made within the courtyard with access via Carmelite Street; Block H - will include service bay provision on the Stonebow frontage. Thereafter all such areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To ensure that delivery/service vehicles can be accommodated within the site and to maintain the free and safe passage of highway users.

14 Prior to the commencement of any phase of the development hereby permitted a programme for the following of site works by phase shall be submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same.

- Zebra crossing and pedestrian refuges on Peasholme Green at junction with St.Saviours Place,
- Pedestrian tables/plateaus at the junctions of Dundas Street, Hungate and Garden Place, including street furniture/signage.
- Surface improvement at the Fossgate junction,
- A scheme covering street furniture along The Stonebow (adjustment/enhancement),
- A scheme covering new and improved highway signage, to surrounding streets, including cycle and pedestrian links.

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

15 Prior to the commencement of any phase of the development hereby permitted a phased programme of works as set out in the Outline Specification for

Upgrade of Existing Streets, dated 22/6/05 Revision E, shall be submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same. These works shall be in accordance with the Street Section Drawings, 1056/70/101, 1056/70/102 B & 1056/70/103 B dated 24/5/05.

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

16 Prior to commencement of each phase of the office or commercial development hereby permitted a stage one (interim) Travel Plan which shall include details of modal split targets and default provisions in the event that those targets are not met and within six months of first occupation of any part of the office or commercial development to submit to the Council a stage two (final) Travel Plan and to implement such Travel Plan as maybe approved by the Council in accordance with a timetable which shall have been previously agreed in writing by the Council provided always that in the event that there shall be any change of occupier of any part of the office or commercial development that occupier shall submit to the Council prior to its occupation a revised Travel Plan and implement such Travel Plan as maybe approved by the Council throughout its period occupation.

Reason: to ensure the delivery of sustainable transport objectives including reductions in car usage and increased use of public transport, walking and cycling.

17 No development in any phase 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 6 months of the completion of the relevant phase of development. Any trees or plants which within a period of 5 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.

18 The detailed drawings for each phase of development should be submitted for the approval of the local planning authority and should include a plan and schedule of all trees and shrubs on the site. Such plan shall show the spread of each tree. It will identify those trees and shrubs to be retained and those to be felled. Trees and shrubs to be retained shall be protected during the development of the site by the following measures:

- i A chestnut pale or similar fence not less than 1.2m high shall be erected at a distance of not less than 4.5m from the trunks;
- ii No development (including the erection of site huts) shall take place within the crown spread of the trees;
- iii No materials (including fuel or spoil) shall be stored within the crown spread of the trees;

iv No burning of materials shall take place within 3m of the crown spread of any tree;

v No services shall be routed under the crown spread of any tree without the express written permission of the local planning authority;

Reason: Some of the existing planting is considered to make a significant contribution to the amenities of this area.

19 A scheme of works for the restoration of the Foss Riverbank/wall, excluding the Kings Pool site, shall be submitted and agreed with the Local Planning Authority prior to the commencement of the relevant phase of development.

Reason: In the interests of the visual amenities of locality, flood defence and ecology along the Foss corridor.

20 During the development of the site, 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 the locality

21 The hours of operation for each Class B1 premises 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.

22 The hours of delivery to and dispatch from each commercial premises, to include Use Classes B1, A1, A3, A4 and A5, shall be confined to the following times, unless otherwise approved in writing by the local planning authority:

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

Reason: To protect the amenity of local residents.

23 Premises used for Class B1, A3, A4 or A5 use, that adjoin residential premises, shall be noise insulated in accordance with a scheme to be approved in writing by the local planning authority. The noise insulation scheme shall be fully implemented prior to occupation. No alterations to the external walls, facades, windows, doors, roof or any openings in the building(s) shall be undertaken (including the closing up or removal of openings) without the prior written approval of the local planning authority.

Reason: To protect the amenity of local residents.

24 Details of all fixed machinery, plant and equipment to be installed in or located on the use hereby permitted, which is 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.

25 Residential premises facing The Stonebow and Peaseholme Green shall be fitted with fixed windows that cannot be opened and provided with alternative means of mechanical ventilation. These premises shall also not be provided with balconies or any other form of outdoor area. The residential premises to which this condition applies shall be agreed in writing with the local planning authority.

Reason: To prevent the introduction of relevant receptors and the requirement to declare an air quality management area.

26 The building envelope of all residential accommodation shall be constructed so as to achieve internal noise levels of 30 dB LA_{eq} 1 hour and 60 dB LA_{Max} (23:00 - 07:00) in bedrooms and 35 dB LA_{eq} 1 hour (07:00 - 23:00) in all other habitable rooms. These noise levels are with windows shut and other means of acoustic ventilation provided. The detailed scheme shall be approved in writing by the local planning authority and fully implemented before the use hereby approved is occupied.

Reason: To protect the amenity of residents.

27 There shall be adequate facilities for the treatment and extraction of fumes so 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; once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of the locality.

28 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 6m (six) of the line of the sewers at greater depths, or within 3m (three) of the line of the sewers at shallower depths which cross the site.

Reason : To prevent pollution of the water environment.

29 Each phase of development shall not begin until details of separate systems of foul and surface water drainage works for that phase have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason : To prevent pollution of the water environment.

30 No piping shall be installed within 10m of any public sewer unless otherwise agreed in writing by the Local Planning Authority

Reason : To prevent pollution of the water environment.

31 Prior to the commencement of the development hereby permitted details of the proposed sewer realignment and confirmation of the phase of development in which the works will be undertaken shall be submitted to and approved in writing by the local planning authority.

Reason : To prevent pollution of the water environment.

32 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from any phase of the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason : To prevent pollution of the water environment.

33 No development approved by this permission shall be commenced until:

a) A desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from the desk top study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the LPA prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to human health, controlled waters and the wider environment associated on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements

c) The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.

d) A Method Statement detailing the remediation requirements, including measures

to minimise the impact on human health, controlled waters and the wider environment , using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site.

Reason: To protect human health, controlled waters and the wider environment the environment and ensure that the remediated site is reclaimed to an appropriate standard.

34 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA) shall be carried out until the applicant has submitted, and obtained written approval from the LPA for an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with the approved details, in the interests of protection of Controlled Waters, human health, and the wider environment.

35 Upon completion of the remediation detailed in the method statement a report shall be submitted to the LPA that provides a verification that the required works regarding contamination have been carried out in accordance with the approved method statement(s). Post-remediation sampling and monitoring results shall be included in the reports to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

Reason: To protect Controlled Waters, human health and the wider environment by ensuring that the remediated site has been reclaimed to an appropriate standard.

36 Each phase of the development of the site should be carried out in accordance with the approved method statement.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters, human health and the wider environment.

37 Development of each phase approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the LPA. The planning shall thereafter be undertaken only in accordance with the approved details.

Reason The site is contaminated/potentially contaminated and piling could lead to the contamination of groundwater in the underlying aquifer.

38 The detailed drawings submitted to illustrate the landscaping works for approval in respect of each phase of development under reserved matters shall indicate existing site levels together with details of proposed finished levels of the landscaped areas.

Reason : To ensure that the development does not result in the displacement of

floodwater.

39 Prior to being discharged into any watercourse, surface water, sewer or soakaway system, all surface water drainage from parking areas and the hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the LPA. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

40 Diffusion tube monitoring points shall be provided that are fully accessible by officers of the council, on the facade of any new residential buildings erected along The Stonebow / Peaseholme Green. The exact position of the monitoring points shall be confirmed in writing by the local planning authority.

Reason: To allow the monitoring and assessment of local air quality.

41 Prior to any commencement of each phase of the development on site, a detailed method of work statement shall be submitted to and agreed in writing by the local planning authority. This statement shall include the precautions to be taken to ensure that the safety of the general public, the method of securing the site, access to the site and route to be taken by vehicles transporting the demolition and construction material from the site.

Reason: To ensure that the works are carried out in a safe manner with a minimum disruption to users of the adjacent public highway and adjacent occupants.

42 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.

43 Details of the works and provision to facilitate disabled access and movement within the site and to the buildings permitted shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented before the use is commenced or the building is occupied.

Reason: To ensure adequate provision for access within the development.

44 Full details of the proposed CCTV facilities within the site and lighting for the car park and cycle route shall be submitted to and approved in writing by the LPA, prior to any part of the development being brought into use.

Reason: In the interests of safety and visual amenity.

45 The operation and management of the apartment block car parks shall be undertaken in accordance with car park management schemes which shall previously have been submitted to and agreed in writing with the Local Planning Authority for each phase of the development, and shall not be revised without the prior written approval of the LPA.

Reason: In order to ensure the efficient operation of these facilities, in the interests of the safety and convenience of highway users.

46 The development shall make provision for the linkage of the Foss Walkway adjacent to the Shambles car park with the proposed pedestrian and cycle route within the site. Details of the treatment of the boundary at this south west corner of the site and site levels at the boundary shall be submitted to approved in writing by the Local Planning Authority prior to the phase of development within which it is located is commenced. Thereafter the agreed treatment shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to safeguard the future provision of a continuous route along the north bank of the Foss at this point, in accordance with the objectives of the Foss Walkway Strategy.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

1 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:-

- Highway and pedestrian safety
- The Central Historic Core Conservation and adjacent listed buildings
- Archaeological Deposits at the site
- Ecology at or adjacent to the site
- Residential amenity
- Affordable housing considerations
- Air quality
- Noise and Construction Related Disturbance
- Security and designing out crime considerations
- Flooding and Drainage
- Sustainability
- Impact on Local Education Provision

As such the proposal complies with Policies H9,E4,R1 and E5 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, GP3,GP4,GP6,GP11,HE2,HE9,HE10,T4,T13,T14,T20, H1, H2 a, H3 c, H4, H5, L1(c), C3,NE1, NE2, NE3, NE7, NE8, and ED4 of the City of York Local Plan Deposit Draft.

2. Your attention is drawn to the existence of a legal obligation under Section 106 of the Town and Country Planning Act 1990 relating to this development, which will need to be varied and agreed in writing with the Local Planning Authority.

3. The reserved matters applications will be expected to demonstrate compliance with the principles of the Secure By Design initiative and Designing out Crime guidance, and should the design details be formulated in full consultation with the Police Architectural Liaison Officer.

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