

COMMITTEE REPORT

Date: 20 January 2011 **Ward:** Clifton
Team: Major and Commercial **Parish:** Clifton Planning Panel
Team

Reference: 10/01960/FULM
Application at: Proposed Development At Nestle South Haxby Road York
For: Conversion and alteration of retained buildings within Nestle South, including the creation of an additional storey, for a mix of uses incorporating residential, live/work, residential student accommodation, office, retail, café, and associated landscaping, roads and car parking
By: Nestle UK Limited
Application Type: Major Full Application (13 weeks)
Target Date: 15 December 2010
Recommendation: Approve

1.0 PROPOSAL

BACKGROUND

1.1 This report should be read alongside the outline planning application for this site. The context and background of the site is set out in the committee report reference number 10/01955/OUTM.

APPLICATION SITE

1.2 The application site consists of the retained buildings within the Nestle South site and some of the space around these buildings. The retained buildings consist of the Almond Block extension (1911) which faces due south fronting the Sustrans Cycle Path. This is labelled as building 2 on a number of the submitted plans. Connected to this building and stretching to the north adjacent to Haxby Road is the Cream Block(1936) and its later extension(1938). These buildings are labelled 66 and 67. Fronting Haxby Road is the Joseph Rowntree Memorial Library (1927) which is labelled as building number 76. The numbers used are a reference given by Nestle to identify the buildings within the site.

1.3 The Almond Block Extension and Cream Block and Extension are six storeys in height. The Joseph Rowntree Memorial Library is two storeys in height and was listed grade II in 2007. A separate listed building application is under consideration, reference number 10/02157/LBC.

1.4 The eastern boundary of the site is Haxby Road, the northern boundary is broadly the northern edge of the development site following round the Haxby Road site entrance. The car parking area to the west of the Cream Block is included within the application, the boundary is the western edge of the car parking access road. The Sustrans Cycle Path runs parallel to the southern boundary of the site.

1.5 Running adjacent to Haxby Road, to the east of the Cream Block, is a former garden used by employees of the factory. In recent years this area has become overgrown and unmanaged as some of the surrounding factory buildings have been

demolished and the Almond and Cream Blocks have become redundant. There have been physical additions to this former garden area in the form of building extensions and cycle storage facilities which have given this area of land a more built-up appearance.

PROPOSAL

1.6 This application seeks full planning permission for the conversion of the retained buildings including external works, the creation of a recreational open space/play area to the east, and associated highway and infrastructure works. Within the converted Almond Block extension is proposed to be six storeys of residential apartments. It is proposed to add a glazed extension to the roof to create an additional storey of residential accommodation. 46 apartments would be created in total, each being two bedroom in size. These flats would be accessed from a lobby area to the south of the Cream Block. Cycle storage is provided on each floor within a central storage and servicing facility.

1.7 The original Cream Block building is proposed to be converted to a mixed use development. On the ground and first floor are 8 live work units which incorporate 14 bedrooms in total. Above this on floors two to five is office accommodation totalling 4116 sq m in size. The office accommodation is served by the shared residential/office entrance lobby to the south of the building. Between the entrance lobby and the live/work units on the ground floor is a double height cycle storage facility to be used by workers within the office accommodation.

1.8 At ground and first floor level it is proposed to create an opening roughly in the centre of the Cream Block to create pedestrian and cycle access through to the rest of the site to the west.

1.9 To the north of this, in what was the Cream Block extension, it is proposed to create double height retail units measuring around 974 sq m in total. The retail units consist of one store with a shop floor of around 688 sq m and two modest retail units of 68 and 48 sq m. Above this on floors two to five it is proposed to create student residential accommodation. There are 28 student blocks of accommodation proposed consisting in total of 100 bedrooms. Cycle parking for the student accommodation is on the ground floor between retail units. The student accommodation is accessed from the rear of the building through a separate purpose built entrance lobby.

1.10 The Joseph Rowntree Memorial Library (listed grade II) is proposed to be converted into a cafe serving local residents, workers, and the wider community. Alterations to demolish the attached buildings are under consideration as part of application 10/02157/LBC. No other external alterations are proposed to the library building at present as no end user is known. A separate listed building application may be needed to physically convert the building into a cafe, the application under consideration only seeks consent for the change to an A3 use class.

1.11 To the west of the Cream Block and south of the Almond Block it is proposed to create the car parking and access and servicing facilities for this part of the Nestle South development. Landscaping to the south adjacent to the Sustrans Cycle Path is to be generally retained.

1.12 To the east of the Cream Block it is proposed to create a community open space/play area. This consists of a central plaza which could be used for a variety of purposes including outdoor seating for the proposed cafe. North of this is a water feature/pond linking through to an area of grassland to the north. A buffer strip of planting is proposed immediately to the south of the Haxby Road access road. To the south of the central plaza it is proposed to create a more formal children's play area set within a larger green amenity space. The whole community open space/play area is proposed to be permeable to allow and encourage use by the surrounding local community.

OTHER APPLICATIONS AT THIS SITE

1.13 In addition to this full planning application, an outline planning application has been submitted for the whole Nestle South site. The boundaries of this full application are also within the red line boundary of the outline planning permission. A full application was requested for the development proposed as it involves physical alterations to buildings within the Nestle / Rowntree Factory Conservation Area. The outline application covers the principle of the development of the whole site and the access arrangements, its reference number is 10/01955/OUTM.

1.14 A listed building application (10/02157/LBC) is also to be determined in relation to the demolition of a building which was erected to link Joseph Rowntree Memorial Library with the Cream Block. This requires listed building consent as it is linked to the Grade II listed Joseph Rowntree Memorial Library.

1.15 A Conservation Area Consent application (10/02159/CAC) was recently approved for the demolition of cycle storage enclosures to the east of the Cream Block. The cycle enclosures are described as being of detriment to the character and appearance of the area within the Conservation Area Appraisal and their removal was considered to be beneficial.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Nestle Rowntree CONF

Contaminated Land GMS Constraints:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

Listed Buildings GMS Constraints: Grade 2; Joseph Rowntree Memorial Library
Haxby Road

Schools GMS Constraints: Haxby Road Primary 0198

3.0 CONSULTATIONS

INTERNAL

HIGHWAY NETWORK MANAGEMENT

3.1 No objections subject to conditions and the S106 obligations.

ENVIRONMENT AND CONSERVATION

3.2 Design and Conservation

The scheme fulfils the objectives of the development brief in retaining and reusing the most significant grouping of factory buildings for mixed use. New elements would not undermine the size, scale and strength of character of the existing buildings. The restoration of open space at the heart of the conservation area, for public use and play, represents an enhancement of the character and appearance of the area. Retained buildings would be given appropriate status within the wider scheme design and the setting of these buildings, especially of the memorial library building, would be significantly improved.

3.3 Landscape

The detailed landscape scheme for the Haxby Road frontage presents a new, versatile urban park of an appropriate scale and treatment for the converted factory building, whilst providing a suitable setting for the library. It includes a number of features, plus an area designated for play, the details of which are to be provided under condition. The scheme retains the line of Lime trees within the north lawn and aims to retain a number of trees along the Haxby Road frontage. A number of trees would have to be removed to accommodate the design, most regrettably one Oak to accommodate the access road. Overall, given the coherent nature of the proposals, and the number of sizeable trees that are proposed, it is considered that these removals are acceptable. A significant area of shrubbery would be removed and replaced in the proposed arrangement. This will open up the site and make it a more welcoming space from Haxby Road. The clock towers and railings are retained/relocated.

3.4 Sustainability

Raise no objections subject to conditions. The proposal meets the minimum standards set out in the Sustainable Design and Construction local planning guidance although opportunities remain to enhance the sustainability of the proposal.

3.5 Ecology

Raise no objections, proposal represents an opportunity to enhance the wildlife value of the site.

ENVIRONMENTAL PROTECTION UNIT

3.6 Proposal meets standards, conditions proposed to ensure compliance.

LEISURE

3.7 No objections, however there are concerns about the design and ongoing maintenance of the proposed water feature. The developer needs to consider water depth, surrounding surface treatment, effects of ice and bad weather, water levels and water quality.

HOUSING STRATEGY AND ENABLING TEAM

3.8 The affordable housing provision for this part of the development will be set at 25%. However, this percentage will be time limited for three years and if construction has not begun within this period then the target will change to what is applicable at that time. It is however important that the affordable housing provision is seen in the

context of the Nestle South development as a whole, and officers may work with the applicant to amend the provision in the retained building if it benefits the total affordable housing offer. The Housing Strategy and Enabling Team fully support the application which fully complies with City of York Council's affordable housing policy and would provide much-needed quality new affordable homes in a mixed and sustainable community.

CITY DEVELOPMENT

3.9 The proposal is in line with the Development Brief and relevant local and national planning policies.

DRAINAGE

3.10 The application site is in Flood Zone 1 and should not suffer from river flooding. Based on the information submitted there are no objections subject to conditions.

EDUCATION

3.11 No objections.

EXTERNAL

CLIFTON WITHOUT PARISH COUNCIL

3.12 No objections.

CLIFTON WARD PLANNING PANEL

3.13 There are concerns about traffic implications from the proposed development, this is particularly relevant now that funding for the Park and Ride has been lost. The current traffic situation in the town centre is dire and any potential exacerbation of this problem should be mitigated against.

HUNTINGTON PARISH COUNCIL

3.14 No objections.

HEWORTH PLANNING PANEL

3.15 There is insufficient provision for parked cars, whatever the aspirations of the Council for reducing car use, in reality there will be as many cars as people, if not more. The public lawns are remote from the housing and thus are unlikely to be used by resident children. It is considered that the proposal doesn't go far enough in sustainability terms, simply achieving the Council's minimal 10% renewable energy standard is not enough. It is considered overall that the proposed development represents an overdevelopment of the site and is unsustainable.

CONSERVATION AREA ADVISORY PANEL

3.16 Generally supportive of the uses proposed for the existing building. Not happy with the introduction of the extensive glazing within the existing building because it not only destroyed the existing appearance of the building both at ground and roof level, it also did not reflect the internal use. The proposed café use for the library is not appropriate and the alterations required to the building to achieve this would damage the fixtures and fittings to a large part of the listed building. The historical railings around the library and elsewhere on the site should be retained.

YORK CIVIC TRUST

3.17 Support the application. The retained buildings serve as a reminder of the Rowntree factory and maintain the character of the conservation area. The proposed cafe within the library building is welcome, but its success will depend on the extent of any future alterations required. The mix of uses proposed and the landscaped open space are welcome and it is positive to see that the fenestration of the main building is being improved where inappropriate changes have been made in the past. The Live/Work units will need conditioning to ensure that the activity does not affect the amenity of the flats adjacent. The rear of the building will need careful patching and it is pleasing to see that materials retrieved from the demolished buildings will be re-used. The proposed roof-top extension should be set back from the parapets to ensure that it is not visually dominant as the building is visually prominent. The materials and design of this extension is critical to the visual success of this scheme.

NATURAL ENGLAND

3.18 The City of York Council has access to its own ecological expertise who are able to interpret and assess the ecological information provided and determine whether this fulfils the requirements provided by Natural England guidance.

YORK NATURAL ENVIRONMENT PANEL

3.19 Would like to see the eastern entrance relocated to prevent the loss of trees. Consideration shouldn't be confined to the immediate locale of the development site, but should aim to integrate the proposals by also improving the peripheral area. Query how a cyclist could turn right onto Haxby Road.

ENVIRONMENT AGENCY

3.20 The proposal is acceptable subject to conditions controlling contamination, remediation, surface water drainage, and oil and petrol separators.

YORKSHIRE WATER

3.21 The submitted Flood Risk Assessment and Drainage Report is satisfactory. The report confirms that surface water run-off from the site will discharge to a watercourse, via storage with a restricted discharge rate. The size of the impermeable area would reduce by 30% as a result of the proposed development. It is recommended that no obstruction encroaches within 3m on either side of the mains sewer. The development of the site should take place with separate systems for foul and surface water drainage. Foul water domestic waste should continue to discharge to the public sewer. Foul water from kitchens and food preparation areas must pass through a fat and grease trap prior to discharge to a public sewer. The use of SUDs is encouraged. Surface water runoff from large expanses of hardstanding must pass through an oil, petrol, and grit interceptor. Six conditions were recommended to be included with any approval.

FOSS INTERNAL DRAINAGE BOARD

3.22 The site lies within the Drainage Board's area. The Board seek for the current discharge rates to the Foss to be reduced, the area is almost entirely hard standing at present. Softer/landscaped areas are to be created and the use of Sustainable Urban Drainage (SUD's) as well as main sewer and existing watercourse drainage should help ensure discharge rates are reduced. Three conditions are recommended to be added to any approval regarding discharge rates, SUD's, and suitability of the existing watercourse to accept flows.

MEMBERS OF THE PUBLIC

3.23 Four letters of correspondence were received, much of the comments are more applicable to the outline application. The following comments were made:

- the intelligent bollards should not be like those on Stonebow which are timed as this would create a 'rat run' and increase the level of traffic flow for local residents;
- light pollution should be considered;
- surrounding areas are already congested with parked cars, the proposed development should provide enough car parking spaces for all users of that development;

- there should be a relief road for public use between Wigginton Road and Haxby Road, this is a golden opportunity to improve traffic flows and to ease snarl ups which frequently occur outside the hospital and at the junction of Crichton Avenue. If the traffic can be kept moving it is beneficial to everyone, at present the only alternative road is around the outer ring road which is already busy. Alternative forms of traffic should not be prioritised at the expense of efficient motorised traffic flows. It is perfectly possible to incorporate a relief road without detrimentally affecting the redevelopment by having this road at the northern edge of the redevelopment site with access points off into cul-de-sacs serving the various new buildings.

- good to see the Nestle building being put to new uses, however the mix of uses seems incompatible, for example a mixture of students with assisted living accommodation would not work. Object to more student accommodation on this side of town, there are 'to let' signs in empty properties in this area, is more student accommodation needed? Local residents are sick of the mess and noise students make, local landlords do not care for or maintain existing properties and they are seen as nothing more than cash cows. Hard working local residents in this area feel there are enough students and the area needs a facelift not the introduction of more people who don't care about the quality of the area.

- traffic has already massively increased in the area in the last few years and the junction of Haxby Road and Wigginton Road is beyond capacity. Emergency vehicles accessing the hospital use Wigginton Road and the proposed development would bring even more cars to the area. There have already been problems with blocked drains in the area and the proposal would only make this worse.

4.0 APPRAISAL

4.1 A number of the issues affecting this site and the application proposal are assessed within the outline application committee report for the whole Nestle South site as well as this report. The application site within this full application is also contained within the outline planning application. Therefore, this report should be read in conjunction with committee report 10/01955/OUTM.

4.2 The key issues in the determination of this application are:

- Principle of Development
- Design and Impact on the Conservation Area
- Community Open Space/Play Area
- Car and Cycle Parking
- Highway Network

- Sustainability
- Flood Risk and Drainage
- Crime Prevention
- Ecology

PRINCIPLE OF DEVELOPMENT

4.3 The mix of uses proposed is discussed within the report for application 10/01955/OUTM. It considers that the principle of development is acceptable, the points raised and conclusion made within that report apply here as there is an overlap of the two application sites.

DESIGN AND IMPACT ON THE CONSERVATION AREA

4.4 Key objective 1 of the Development Brief is that the factory buildings of agreed distinction are retained and are converted to employment / residential uses with physical alterations created where required to make these uses compatible. Key objective 2 requests that any development proposals respect the character and fabric of factory buildings fronting Haxby Road, together with the library, theatre and Nuffield Hospital and the proposal safeguards the wider character of the area and the setting of the historic City. Development Control Local Plan (DCLP) Policy HE3 'Conservation Areas' requires proposals to have no adverse impact on the character and appearance of the area. DCLP Policy HE6 states that planning permission shall only be granted for new shop fronts within conservation areas where the proposed design preserves or enhances the character of the area and building. DCLP Policy HE4 states that when listed buildings are the subject to a proposed change of use that there must be no adverse effect on the character, appearance, or setting of the building.

4.5 This application seeks to create a new role for the east side of the development site. Proposals would provide an outward focused mixed use district hub which would compliment existing public facilities (theatre and swimming pool) located to the east of Haxby Road. The empty factory buildings would be converted for reuse as residential, live/work, student residential, office accommodation and a small scale retail facility. The Memorial Library is proposed for use as a cafe.

4.6 An open fore-court would be recreated in front of the factory buildings by removing later structures of low significance (please see 10/02157LBC). The new landscape scheme would respond to the scale of the factory building and would be designed to accommodate a range of interactions, including children's play. This amenity space would create a distinctive place as well as being a resource for the wider community.

4.7 A major pedestrian route would be formed through the retained Cream Block building to connect this semi-public space with the broad landscape promenade forming the central spine route running through the residential area being proposed to the west.

4.8 The new opening through the Cream Block is a vital component of the overall scheme. It is very important that a high quality of detailed design and finish is achieved which works for both day and night-time conditions. The Design Code makes suggestions for this area. However its detailed development would be subject to conditions.

4.9 The majority of the existing external fabric of the factory building would remain or be restored on the public elevations (south and east). Render panels would only be introduced where the building envelope has lost its original façade. The extent of proposed render has been reduced and it would be coloured to blend in with brickwork.

4.10 The number of new interventions into the existing façade has been reduced to highlight only areas of change i.e. retail facility, main entrance areas, cycle stores. The quality and size of signs and graphics would be subject to condition.

4.11 The number of new window and door types has been reduced and there is a consistent approach to how each type would be used to assist with legibility of functions in the building.

4.12 The extent of the proposed additional floor has been significantly reduced from the original plans. The glazed element over the long Cream Block has been omitted so there is no conflict with the distinctive deep rendered frieze. Its removal also allows sufficient space for roof-top plant to be sited within the centre of the roof-plan to minimise its visual impact. Elevation drawings show the plant to be below parapet height so that there would be no impact on the character and appearance of the Conservation Area. The extent of plant and its detailed design and screening would be subject to conditions.

4.13 Four pent-house flats are proposed over the Almond Block extension. They would be set back from the inside of the existing parapet by approximately 2m and the new perimeter wall would be mostly glazed. The previous exaggerated eaves detail has been omitted and revised drawings show a more sympathetic connection with the existing corner tower.

4.14 This new element remains rather diagrammatic in design and a condition is recommended to be added to any approval to ensure that the detailed design and specifications are appropriate to a building of this significance within the Conservation Area. These details would include a large scale section showing the exact relationship between the roof extension, the parapet and the tower. The conservation area appraisal draws attention to the distinctive parapet and corner tower and it is critical that the height and architectural expression of the new extension maintains subservience to the factory building and its roofscape. Subject to achieving the required quality of design and materials through conditions, it is considered that this proposed extension would maintain the character and appearance of the Conservation Area.

4.15 Throughout the course of the application a number of revision were made to the proposals in order to ensure that the character and appearance of the conservation area is protected and enhanced where possible. Some of these changes were:-
- Internal layouts of the retained factory building were revised to overcome problems of access, inter-connection, lack of light and lack of defensible space. Entrances have been highlighted and external canopies have been provided at shared entrance points. Canopies have been reduced in scale and integrated with the bay framework of the building, though at present there is insufficient detail to show their quality; so a condition would be required to cover their detailed design. The shared entrance foyer has been remodelled internally.

- The layout of the live-work units has been revised to provide an internal connection and front elevations have been restored to create more privacy for living areas which face the communal amenity space.
- Defensible space on the ground floor of the apartment block has been introduced by creating an external buffer zone between the building and the parking bays and by raising internal floor heights.

4.16 The plans brought before committee have been subject to significant scrutiny by the Councils Conservation and Design Officers and revisions have been made in response to previous concerns. Subject to conditions regarding materials and large scale design details it is considered that the proposed development is acceptable in respect of maintaining and enhancing the character and appearance of the Conservation Area.

COMMUNITY OPEN SPACE/PLAY AREA

4.17 Key objective 14 of the Development Brief requires the development to provide safe, secure and good quality provision for children's play, amenity open space and youth and adult sports facilities. DCLP Policy L1c requires the provision of new open space within developments. The policy states that proposals must make provision for the open space needs of future occupiers.

4.18 An analysis of the quantity and potential positioning of new open space and play area provision within the site is assessed within the outline planning application committee report. This is not repeated here. This report focuses on the type, quality, and layout of the open space which is included within the full planning application. An area of community open space is provided to the east of the retained Cream Block building. This space is approximately 0.7 ha in size, is between the Cream Block and Haxby Road and reaches from the proposed Haxby Road access point to the Almond Block.

4.19 The open area in front of the factory buildings was originally developed as ornamental gardens for use by workers. In intervening years this area has mostly been filled in. A variety of open spaces including gardens would be restored to the area as both on site amenity and as a facility for the wider community. This space contains children's play facilities, lawns, planting, a water feature, as well as a hard landscaped central plaza which could be used for a variety of community uses, including as an outdoor seating area for use with the community café. It is considered that the proposed open space area would attract a number and variety of users from the Nestle South site and the wider community.

4.20 The original scheme showed the site to be completely opened up. The new boundary conditions have been the subject of extensive scrutiny, not only to address issues of defensible space but also to find a balance between preserving the existing private character of the factory site and meeting the desire to make the area more inviting to the wider community.

4.21 Older railings adjacent to Haxby Road would be retained with minor opening up around entrance areas to signal the more public role of the site and to make the spaces more welcoming. Modern security railings to the south east would be removed and replaced with ones to a compatible design.

4.22 The special low boundary wall and railings of the library building would be retained and the detached and matching element to the north would be dismantled and rebuilt to the south of the library, thereby restoring the setting of this modest symmetrical building.

4.23 Conditions are recommended to cover the retention and placement of the clocks, oak lamp-posts and other special artefacts which remain in this area.

CAR AND CYCLE PARKING

4.24 Residential apartments.

All car parking for the private residential apartments is to the south of the Almond Block. There are 39 car parking spaces proposed, these would serve a total of 46 two bedroom flats. Adjacent to these car parking spaces are four visitor spaces. The proposed location of the car parking spaces relates well to the apartments which they are proposed to serve. The number of spaces proposed is in line with local car parking standards of a maximum of one space per two bedroom unit.

4.25 It is proposed to create a cycle parking storage area on each floor of the proposed apartments. Off the central lobby area is proposed to be a storage room containing seven racks with space for fourteen bicycles to be stored. This is one space per bedroom proposed ensuring that all residents have a space to secure a bicycle. The advantage of this type of storage is that bicycles are stored close to where people live, giving a greater sense of security. The practicality of this as a storage solution is dependant on the ability of people to be able to move their bicycles internally without spreading excess mud, not conflicting with other users, and that the bicycles can be accommodated within the lifts. There are some reservations about residents taking bicycles into the building, especially given that this access would serve the office development as well as the flat. It is recommended that should the application be approved, that details of the internal dimensions of the lifts are submitted and approved to ensure that residents would physically be able to use the cycle storage areas. A condition is also proposed for the internal layout of the lobby to be considered further and details be submitted to an approved in writing by the LPA. It is important that measures are put in place so that people using bicycles do not restrict movement significantly for fellow users and that there is the capacity for bicycles to be wheeled in and out and around the building without creating undue wear and tear and without muddying up the lobby area. The highways team have no objections to the cycle or car parking arrangements for the private residential apartments.

4.26 Live/Work Units

One car parking space is proposed for each live/work unit and this is positioned directly behind the unit, this would give a sense of ownership to the car parking spaces. Each live/work unit would have its own car parking space. Cycle parking is proposed within the workshop of the units. This is considered acceptable given the small scale of the residential aspect of the live/work units and the size of the workshop area. It is considered that a bicycle could be accommodated in this space without significantly affecting the ability of a person to create a usable workshop environment.

4.27 Office Accommodation

69 car parking spaces are proposed, with seven of these being for carshare users only. The local standard for car parking spaces is one space per 45 sq m which based on the proposed amount of office floorspace equates to around 91 car parking spaces.

The application site is in a sustainable urban location and is well served by public transport and can easily be reached on foot or bicycle from a significant proportion of the city. The report for the outline planning application outlines the raft of measures which are proposed to encourage travel by non-private car mode. It is therefore considered that a car parking level below the maximum standard is acceptable in this case.

4.28 In order to try and help promote the use of bicycles as a way of travelling to and from work, a secure and enclosed cycle parking area is proposed solely for use by office workers within the retained factory building. Space would be provided for 64 bicycles to be stored securely. This equates to one space per 64 sq m which is above the minimum standard of one space per 60 sq m. In addition, a changing room, showers, and lockers would be provided to help encourage people to cycle to work.

4.29 Retail

Eleven car parking spaces are proposed for use by staff and customers of the retail units. Again this is within maximum car parking standards of one space per 100 sq m for staff and one space per 30 sq m for customers. Local standards would allow a total of 41 car parking spaces for the amount of retail space proposed. However, given that the retail units are proposed primarily for local use as a convenience 'top-up' facility it is not considered that the proposed level of car parking would be inadequate. The Development Brief for Nestle South clearly outlines the intent for this development to be low car use. Some of the car parking spaces are to disability standards and a separate lay-by is proposed to service the retail units.

4.30 Cycle parking is to the front of the shops. This cycle parking area is communal for people visiting the retail units and also for people using the public space or cafe. 57 bicycles are capable of being stored in this area. The prominent location of the cycle racks is considered to encourage their use and the location close to the retail units and the open space/play area ensures that they are both convenient for end users and also overlooked from a security point of view. These bicycle racks are not proposed to be covered due to the negative impact that such a large amount of bicycle storage shelters may have on the character and appearance of the conservation area. Whilst it is regrettable in some respects that these bicycle racks are not covered, it is considered acceptable due to the short stay nature of their likely use.

4.31 Student Accommodation

Car parking for the student accommodation has been reduced to a level which it is proposed would encourage sustainable transport choice. However, it is important that there are some car parking spaces available for students when they are moving in and out of the premises and also to allow those who need a car to have one. Eight car parking spaces and one visitor space are proposed. It would require careful management by the letting company to ensure that this low level of car parking does not cause problems with cars being parked indiscriminately in the wider area. A condition is suggested to be included with any approval whereby the end user has to submit a management plan to clarify how it would ensure that no more than eight student residents own a car at any one time and how these spaces would be managed when students are moving in and out of the premises. To encourage bicycle use 96 secure and enclosed spaces are to be provided. This is considered suitable and is likely to meet the need of the 100 student residents which is the maximum capacity of the proposed accommodation.

4.32 Car Club

Two city car club spaces are proposed in this area. These car spaces sit prominently within the site and are part of the overall policy for reducing private car use. A contribution has been agreed for the developer to fund the car club facilities so that any local residents and those living or using the application site would be able to have access to a car if needed, thereby reducing the need for private ownership in some cases.

HIGHWAY NETWORK

4.33 The choice of potential new access locations onto Haxby Road is very restricted. The retention of the substantial former factory building on the site means that the access point can only be to the north of the site. It would not be advantageous to the scheme for the access road to cross the proposed community open space/play areas fronting Haxby Road. The access cannot connect to the roundabout adjacent to Haley's Terrace as the land in question is not part of the application site. However, a full assessment has been carried out of the proposed access and it is considered to be suitable. A Road Safety Audit was carried out by independent auditors, who are separate to the authority, the applicant and their highway consultants. The interaction between the proposed site access on Haxby Road and the adjacent Haley's Terrace/Haxby Road junction was assessed. The proposed junction would operate within capacity and the intervisibility between traffic at the two junctions is in accordance with national guidance contained within Manual for Streets. This ensures that should a vehicle pull out of the site access, traffic travelling from the Hayleys Terrace junction would have sufficient time to identify the conflict and take appropriate action in time to avoid collision.

4.34 The vehicular impact of the scheme has been reduced and mitigated against as far as is possible. The surrounding highway network is already heavily congested and this would continue to grow irrespective of whether the proposed development goes ahead or not. Traffic associated with the development would add to this existing congestion, however such increases would not significantly deteriorate the conditions already seen at a number of junctions and links in the surrounding area. The traffic expected to be generated by the development would have a negligible impact on the surrounding highway network.

SUSTAINABILITY

4.35 Accompanying the planning application is an Environmental Statement and a Supplementary Environmental Information document. These documents include a full sustainability statement which covers the criteria outlined in Policy GP4a as well as addressing the required criteria in the Sustainable Design and Construction IPS. It is stated that the proposal:

- is in a sustainable urban location close to public transport routes and provides good accessibility to the wider area on foot and bicycle;
- is pedestrian friendly encouraging people to walk to local facilities;
- would produce a financially viable mixed use development creating long term employment in the city;
- promotes high quality design potentially attracting new investment into the city;
- would seek to provide wider economic benefits by using local construction workers and sourcing materials from the area;

- conserves local character, heritage, and distinctiveness through the re-use of existing buildings, providing a link to the history of the site;
- would minimise the use of non-renewable resources where possible;
- gives a commitment to providing 10 per cent of expected energy demand through on-site renewable energy generation;
- reduces energy demand through passive solar gain, natural ventilation, natural shading, orientation of windows to reduce the need for lighting, and the use of energy efficient technologies and fittings;
- ensures that building contractors will sign up to the 'Considerate Construction Scheme';
- will incorporate water minimisation designs and grey water harvesting for garden and community landscaped areas;
- incorporate Sustainable Urban Drainage (SUDs) principles (this is discussed in more detail in the drainage section);
- minimise use of building materials and source raw materials locally;
- will specify the use of FSC accredited timber and prohibit the use of materials containing CFCs and HCFCs;
- will restrict light pollution through use of landscaping and appropriate lighting, particularly in order to protect the rural fringe of the site; and
- will provide suitable green planting to enhance the biodiversity of the area (this is discussed further in the Ecology part of this report).

4.36 Whilst falling short of key objective 11 of the Development Brief by not being an exemplar in terms of sustainability and overall energy efficiency, it is considered that the proposed development meets at least the minimum sustainability standard identified within the local plan and IPS.

FLOOD RISK AND DRAINAGE

4.37 Within the Environmental Statement and the appendices is an analysis of the flood risk to the site from all sources and an assessment of the effect of the development on flood risk, both within the development site and elsewhere. The potential impacts of climate change on these flood risks over the lifetime of the development are also assessed.

4.38 The whole of the application site lies within Flood Zone 1 which is the lowest flood risk classification given by the Environment Agency. The site six onsite catchments that drain offsite via separate outfalls before ultimately draining into the River Foss.

4.39 The proposed drainage system would ensure that the proposal does not result in an increased flood risk within the receiving drains or the watercourse. As can be seen within the consultation responses of the Council's drainage engineer, Yorkshire Water, The Environment Agency, and the Foss Internal Drainage Board, there were no objections to the application subject to the implementation of suitable conditions ensuring that the works are carried out in accordance with the submitted information.

CRIME PREVENTION

4.40 Crime prevention comments were received by the Police Architectural Liaison Officer regarding the proposed Nestle South development. Much of the comments made referred to the design principles and ideas contained within the housing element of the outline application. No concerns were raised regarding the full application.

4.41 It is officer opinion that areas within the full application which require particular attention in terms of crime and anti-social behaviour are the car parking areas, pedestrian and cycle passageway which will run through the proposed retained building, and the open space area fronting Haxby Road. The proposed car parking and open space areas are very well overlooked by the proposed retained former factory buildings. The car parking spaces are well related to the users they would serve and the impermeability of the south part of the site will help to reduce car related incidents. The open space area has been designed to attract a wide range of users and its location at the end of the main pedestrian and cycle entrance point on the eastern side of the site should help to ensure the area remains well used. The proposed retail area also provides activity at ground level to encourage use in and around the area.

4.42 The proposed passageway through the retained Cream Block building is substantial in size measuring around 8m in width and over 7m in height. Its length from one side to the other is only around 18m. The Design Code makes reference to enhancing this area through lighting and public art, a condition is recommended to be added to any approval for these details to be agreed. It is considered that given suitable treatment and interest in its design and finish, the passageway would not appear to be enclosed or intimidating for users. Given the size of the development that it would serve it is considered that the passageway would be well used further reducing the potential for crime and disorder in this area.

ECOLOGY

4.43 The redevelopment of this site presents opportunities for enhancement work to benefit a range of wildlife species, such as through the landscaping of the site and through the incorporation of habitat features to accommodate bat and bird species. A condition is recommended to be included with any approval to ensure suitable habitat creation measures are utilised.

5.0 CONCLUSION

5.1 In summary, this application is considered to comply with relevant local and national planning guidance. The proposed plans respect the character and appearance of the Conservation Area. The conversion of the Almond and Cream Blocks is proposed in a way which retains the character and important features of this landmark building. The proposed development of an open space area would provide both a usable and attractive recreational space for users of the site and local residents whilst providing benefits to the character and appearance of the conservation area through the opening up and landscaping of this space.

5.2 The proposed uses of the buildings in question are considered suitable for this site, given its location and the aims of the Development Brief.

5.3 The traffic impact has been assessed and is considered to be acceptable. The proposal promotes low car use, which is considered achievable within this urban location. Cycle parking is to be provided which would be both secure and enclosed and meet local standards in terms of numbers. Car parking spaces are limited where suitable to help encourage sustainable transport choice and to minimise the impact on the local highway network.

5.4 The site would provide a quality mixed use environment which would provide a suitable level of amenity for future residents.

5.5 For the reasons summarised above and outlined within this report, the application is recommended for approval subject to conditions and completion of a Section 106 agreement to secure:

- i) Affordable Housing at 25% to be linked to the Council's viability assessment
- ii) A contribution towards education provision, sum to be calculated prior to occupation of the first residential unit
- iii) A Community Use Agreement and sum towards off-site sports pitch provision/upgrading
- iv) A commuted sum to upgrade/improve the Sustrans cycle path
- v) A commuted sum towards Public Art
- vi) Recording and analysis of Air Quality
- vii) Open Space and Woodland Construction Management and Maintenance Plan
- viii) Sustainable transport contributions

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:-

Revised Proposed Elevations Building 66-67-2 plan number AL(CA)209 F received by CYC 31/12/10

Revised Proposed Plans Building 66-67-2 Ground + First plan number AL(CA)206 E received by CYC 31/12/10

Revised Proposed Plans Building 66-67-2 Floors 2-5 Floor 6 plan number AL(CA)207 D received by CYC 31/12/10

Detailed Design for Haxby Road Frontage plan number 930-23A received by CYC 24/12/10

Sections....

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

3 Prior to the commencement of development, full details of the following items shall be submitted to and approved in writing by the Local Planning Authority:-

- pond construction and specification for fountains including means of maintenance and housing of operational mechanisms.

- design and layout of the play facility

- specification of all the street furniture including benches, railings, bollards, and any lighting

- material sample for brick walls to be constructed

The development shall be carried out in accordance with the approved details prior to the first occupation or use of the building(s).

Reason: To ensure a high quality environment which meets the needs of users and protects the character and appearance of the Conservation Area.

4 Prior to the commencement of development, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details of protective fencing, phasing of works, site access during, type of construction machinery/vehicles to be used, (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles and storage of materials, location of site compound and marketing cabin. It is particularly important that the following details are included within the method statement: construction details and existing and proposed levels, where a change in surface material and/or levels are proposed within the recommended root protection area according to BS 5837.

Reason: To protect existing trees which are considered to make a significant contribution to the amenity of the area and development.

5 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscape scheme which shall include the species, density (spacing), and position of trees, shrubs and other plants, seed mixes, and details of ground preparation and tree supports. 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 practical 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 the Local Planning Authority agrees alternatives in writing. This also applies to any existing trees that are shown to be retained within the approved landscape scheme. Any works to existing trees that are protected by a tree preservation order (TPO) or are in a conservation area are subject to local authority approval and notification respectively within and beyond this five year period.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site because the landscape scheme is integral to the amenity of the development and the appearance of the conservation area

6 The total net retail floorspace shall not exceed 974 sq m in total with the amount of comparison goods sales floorspace being limited to no more than 15% of the net floorspace.

Reason: To ensure the retail element caters for the identified local need only and does not compete with York City Centre retail outlets selling the same goods.

7 The student accommodation shown on the approved plans and contained within the Accommodation Schedule within the Design and Access Statement ,shall be let to or hired by and occupied by either students engaged in full time further or higher education within the City of York administrative boundary or who are delegates attending part time courses or conferences within the City, the details of which shall be included within an occupancy management plan to be submitted to and agreed in

writing by the Local Planning Authority prior to the occupation of any part of the development.

Reason: In order to ensure that the Local Planning Authority retain control over the future occupancy of the development.

8 All construction works associated with the carrying out of the development, including ancillary operations such as deliveries to and despatch from the site, shall be confined to the hours of 0800 to 1800 on Mondays to Fridays and 0900 to 1300 on Saturdays. No work shall take place on site on Sundays or Bank Holidays.

Reason: To safeguard the amenities of local residents.

9 The building envelope of all residential accommodation (including student accommodation) shall be constructed so as to achieve internal noise levels of 30 dB LAeq (8 hour) and 45dB LAm_{ax} inside bedrooms at night (23:00 - 07:00 hrs) and 35 dB LAeq (16 hour) in all other habitable rooms during the day (07:00 - 23:00 hrs). These levels shall take full account of any adjoining non-residential use within the site, whether in existence or proposed using a worst case scenario. The noise levels shall be observed with all windows shut and other means of acoustic ventilation provided. The works required to achieve the above level shall be submitted to and approved in writing by the Local Planning Authority. No residential accommodation shall be occupied until the approved attenuation works, if required, have been installed in complete accordance with the approved details. No alterations shall be carried out to any required sound attenuation works without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenity of occupants of residential premises in accordance with the aims of PPG24.

10 Details of all machinery, plant and equipment to be installed in or located within the site, which is audible outside of the site boundary when in use, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include maximum sound levels (LAm_{ax}(f)) and average sound levels (LAeq), octave band noise levels and any proposed mitigation measures. All such approved machinery, plant and equipment shall subsequently be used on the site in accordance with the agreed details. Any approved noise mitigation measures shall be fully implemented and operational before the associated machinery, plant or equipment to which it relates is first used and shall be appropriately maintained thereafter.

Reason: To safeguard the amenity of occupants of residential premises in accordance with the aims of PPG24.

11 The hours of delivery to and dispatch from any premises within Use Class A1 Retail, A3 Restaurants and Cafes. and B1 Business shall be confined to the following times, unless otherwise approved in writing by the local planning authority:

Monday - Friday 08:00 to 18:00

Saturday, Sunday & Bank Holidays 09:00 to 18:00

Reason: To protect the amenities of adjacent residents

12 The hours of operation for each Class A1 Retail, A3 Restaurants and Cafes. and B1 Business 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.

13 Prior to the commencement of development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle access to the site. Details shall include measures to be employed to prevent the egress of mud, water and other detritus onto the public highway. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of residential occupants on the site and in the surrounding area and in the interests of highway safety.

14 Adequate facilities shall be provided for the treatment and extraction of odours, fumes and gases created in association with any commercial uses of the site. The facilities provided shall ensure 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 and prior to the first use of the commercial premises the plant or machinery shall be fully operational and shall be appropriately maintained thereafter.

Reason: To protect the amenities of adjacent residents

15 Details shall be submitted to and approved in writing by the Local Planning Authority as to what measures are to be provided within the design of the conversion work to accommodate wildlife, such as bats, House Martin and Swift. The works shall be carried out in complete accordance with the approved details prior to first occupation or use of the building(s).. Features suitable for incorporation include the use of special tiles, bricks, soffit boards, and bat boxes.

Reason: To enhance the habitat of local wildlife.

16 Details of foul and surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. Details to be submitted to include:

- Calculations and invert levels of the existing surface water system together with details to include calculations and invert levels of the proposals for the new development. This will enable the impact of the proposals on the downstream watercourse to be assessed;

- A topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development shall

not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties;

- Details shall be provided for the future management / maintenance of the proposed drainage scheme; and
- Existing and proposed surfacing shall be specified.

In accordance with PPS25 and in agreement with the Environment Agency / IDB / City of York Council, peak run-off from developments must be attenuated to 70% of the existing rate (based on 140 l/s/ha of connected impermeable areas). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required. Additional surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available. If existing connected impermeable areas are not proven then a Greenfield run-off rate based on 1.4 l/sec/ha shall be used.

The works shall be carried out in complete accordance with the approved details prior to the first occupation or use of the building(s).

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site to comply with guidance contained within Planning Policy Statement 25 (Development and Flood Risk)

17 There shall be no piped discharge of water from the site prior to the completion of the approved surface water drainage works, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that surface water is not discharged from the site until proper provision has been made for its disposal.

18 Details shall be submitted to and approved in writing by the Local Planning Authority of a scheme for the installation of oil and petrol separators. The works shall be carried out in complete accordance with the approved details prior to first use or occupation of the building(s).

Reason: To minimise the risk of pollution.

19 The live work units shall be limited to developments within the C3 'Dwelling Houses' and B1 'Business' Use Classes within the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order. The designated workspace of each live work unit shall at no time be less than 25% and no more than 40% of the total floor area of the unit.

Reason: To ensure that the live work units do not become purely residential or commercial in the future and to protect the amenities of local residents.

20 The live work units shall not be subdivided and the occupation of the associated residential accommodation for each unit, shall include a person solely or mainly employed in the business occupying the linked workspace within the unit, or spouse, partner, widow or widower of such a person, or any resident dependents.

Reason: To maintain the live work principle and prevent separation of the units.

21 Prior to the commencement of each respective phase of the development, full details of all external storage buildings i.e. refuse/recycling stores, including elevations and a schedule of materials to be used, shall be submitted to and approved in writing by the Local Planning Authority. The development of that phase shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details.

22 Prior to commencement of development of each phase, full details of a renewable energy strategy for each building/phase shall be submitted to and approved in writing by the local planning authority. The strategy shall demonstrate (i) the whole site's expected energy usage (ii) the phase/buildings contribution towards meeting the sites 10% on-site renewable energy target (iii) measures to reduce energy demand for the buildings (iv) measures to reduce CO2 emissions to a level lower than required under Building Regulations Part L.

Reason: To ensure that the proposal complies with the principles of sustainable development and the council's adopted Interim Planning Statement on Sustainable Design and Construction.

INFORMATIVE

Part of the renewable energy target could be achieved by utilising the existing combined heat and power system which operates within the factory site as outlined in the Environmental Statement and Supplementary Environmental Information. The feasibility of utilising this system should be investigated.

23 A formal BREEAM assessment for the Design and Procurement stage shall be submitted to and approved in writing by the local planning authority. The assessments shall be followed by a BREEAM Post Construction review to be submitted after construction at a time to be agreed in writing by the Local Planning Authority. Both assessments shall confirm that the proposal meets a minimum 'Very Good' rating.

Reason: To ensure that the proposal complies with the principles of sustainable development.

24 HWAY1 Details roads, footpaths, open spaces req.

25 HWAY7 Const of Roads & Footways prior to occup

26 HWAY14 Access to be approved, details reqd

27 Prior to 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 shall not be occupied until the cycle parking

areas and means of enclosure 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.

in accordance with in accordance with drwgs; AL(CA)206 rev E and AL(CA)207 rev D

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

28 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles have been constructed and laid out in accordance with the drawing AL(CA)206 rev C & EU00431_SK14 rev A, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

29 The development hereby permitted shall not come into use until the pedestrian refuge on Haxby Road and right turn ghost island have been carried out in accordance with drwg EU00431_SK12 rev E

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

30 HWAY40 Dilapidation survey

31 The operation and management of the car parking on each phase of the development shall be undertaken in accordance with a car park management scheme for that phase, which shall be submitted to and approved in writing by the LPA prior to that phase of the development being brought into use. The approved scheme shall not be revised without the prior approval of the LPA.

Reason: To ensure that the management of car parking is in accordance with Council policy to reduce dependence on the private car and promote sustainable forms of travel.

32 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of construction works shall be submitted to and approved in writing by the LPA. The statement should include at least the following information;

- the routing for construction traffic that will be promoted
- a scheme for signing the promoted construction traffic routing
- where contractors will park
- where materials will be stored within the site
- measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

Reason: In the interests of highway safety and amenity of local residents

33 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.

34 Prior to the commencement of development, details of the fixing of the relocated railings shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To preserve and enhance the character and appearance of the Conservation Area.

35 Prior to the commencement of development, large scale details (1:20 or 1:5) of the following shall be submitted to and approved in writing by the Local Planning Authority:

a. new roof-top floor over the former factory building, including plans, elevations and sections showing the new element in the context of the existing parapet and corner tower. Drawings should be annotated with materials. 1:5 drawings should show critical junctions and design details

b. glazing systems

c. entrance canopies and threshold details at canopy positions. Drawings should include information showing them in context.

d. typical windows and doors for each area, including details of any changes to window or door surrounds. A schedule and key to locations should also be provided. Any replacement windows required to upgrade performance standards should match the original windows as closely as possible (this excludes the library building where existing windows must be retained).

e. plan, section and elevation details of new framing detail around large ground floor windows

f. full details of design and finishes for the newly created passageway through the former factory building. Details should include lighting. An imaginative approach will be expected in line with expectations in the Design Code

g. external services, including roof top and ground level plant and its screening

h. drawings and specifications for 'blocking in', temporary protection, or opening up of window areas, including fixing details where appropriate. Temporary fixings should be made into joint positions to avoid damage to brickwork

j. lighting and signage attached to the building, annotated with materials and showing it in context. Please note that further applications for illuminated signage might be required in the conservation area.

k. details of any grills, louvres or other openings required in the external elevations of the factory building

I. any other external enclosures such as required for and waste/recycling, bicycles

The development shall be carried out in complete accordance with the approved details.

Reason: To preserve and enhance the character and appearance of the conservation area.

36 An audit shall be carried out to assess features contained within the application site which may be of architectural, visual, or historic interest, such oak lamp posts, litter bins, seating, clock towers, and railings. The audit shall be submitted to the Local Planning Authority prior to the commencement of development. Accompanying the audit shall be details of the re-use, relocation, or removal of such features. The development shall be carried out in accordance with details agreed with the LPA following the submission of the audit and assessment documents.

Reason: To preserve the character and appearance of the Conservation Area and to protect articles of architectural, visual, or historic interest within the site.

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:-

- Principle of Development
- Design and Impact on the Conservation Area
- Community Open Space/Play Area
- Highways
- Sustainability
- Flood Risk and Drainage
- Crime Prevention
- Ecology
- Noise
- Air Quality

As such the proposal complies with relevant policies contained within the Council's Development Control Local Plan (2005), the Nestle South Development Brief, and national guidance contained within PPS and PPG's.

2. Informative

The Joseph Rowntree Memorial Library is listed at grade II. The library is an intact and an unaltered example of an inter-war Arts and Crafts inspired library and it retains a large number of original fittings and fixtures of high quality. A listed building consent application will be required for any works to the interior or exterior of the library.

3. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Section 38 (new roads) and Section 278 (modifications to existing highway) - Michael Kitchen 01904 551336

4. INFORMATIVE:

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

Contact details:

Author: Michael Jones Development Management Officer
Tel No: 01904 551339