

COMMITTEE REPORT

Date: 17 February 2011 **Ward:** Heslington
Team: Major and Commercial **Parish:** Heslington Parish Council
Team

Reference: 10/02641/FULM
Application at: Proposed University Campus Lying Between Field Lane And Low Lane A64 Trunk Road And Hull Road York
For: Construction of a swimming pool building with health and fitness facilities plus outdoor sports pitches and car park with associated lighting and fencing
By: University Of York
Application Type: Major Full Application (13 weeks)
Target Date: 15 February 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 This is a full application for the erection of (a) a competition-standard public swimming pool with fitness studios and changing facilities, (b) an artificial-surfaced full-size, illuminated outdoor football pitch (c) three illuminated outdoor 5-a-side pitches, (c) car parking and (d) landscaping. Vehicular access would be from Hull Road via the proposed eastern access into Heslington East campus of the university of York. In the longer term the university's proposals for this part of the campus include the provision of a sports hall.

1.2 The pool would be a joint venture between the council and the university with a financial contribution from Sport England. The pool would be available for use by the public for a minimum of 90% of its opening hours with an absolute minimum of 70 hours per week of public opening. Public access would be secured by a legal agreement between the university and the council. A draft of the agreement has been submitted as Appendix 4 of the planning application. The agreement is expected to be finalised shortly. Notwithstanding this separate joint venture agreement, public access would be secured by a condition requiring details of a scheme for such access, (as in part outlined in the draft agreement between the council and the University), to be submitted and approved before use of the facilities and thereafter implemented.

1.3 It is intended that the proposal would form the first phase of a proposed sports village at Heslington East. Provision on the campus of a pool for use by the public is a requirement of s.106 agreement between the university and the council. However, the application cannot be a reserved matter pursuant to the outline consent for the campus because the high degree of public access prevents the pool being considered ancillary to university use.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYGP4A
Sustainability

CYGP5
Renewable energy

CYGP9
Landscaping

CGP15A
Development and Flood Risk

CYED9
University of York New Campus

CYNE1
Trees, woodlands, hedgerows

CYNE7
Habitat protection and creation

CYL1A
Sites for Leisure development

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management - No objections to the application subject to conditions being applied regarding submission of details, provision of transport links, surfacing and cycle parking.

3.2 Sport & Active Leisure - Fully in support of the proposal because it satisfies a recognised need for open-access swimming in the city.

3.3 Environment, Conservation, Sustainable Development (Sustainability) - The council's Interim Planning Statement (IPS) on Sustainable Design and Construction requires the development to achieve at least a 'very good' rating under the BREEAM scheme and for 10 per cent or more of the development's energy demand to come from renewable sources. Conditions should be applied to this effect. The IPS also requires the applicant to commit to the council's Considerate Constructors Scheme.

3.4 Environment, Conservation, Sustainable Development (Urban Design) - The internal layout of the pool building is acceptable. Details of barrier controls, external materials, screening, landscape, and design features should be made conditions of approval. Whilst the application includes an 'indicative masterplan', no masterplanning exercise has been completed as yet for this part of the site. Access between the pool building and the area to the south (the main area shown on the indicative masterplan for future phases of the sports village) is poor [Officers' response: This is being addressed by the applicant].

3.5 Environment, Conservation, Sustainable Development (Landscape) - States that the proposals lack visual appeal. There is a risk that the proposed parking, together with the other parking proposed in the area would result in a band of parking (which would be lit) along the southern base of Kimberlow Hill. The essentially rural setting of the existing public right of way through the site would be compromised, passing between fencing on both sides. Whilst the route would become part of the pedestrian circulation within the site, the proposals should retain some of the footpath's existing appeal. The development retains a small length of the existing hedge and removes an oak tree, which is not in good condition but could be retained, especially for its habitat potential. The very formal planting layout needs softening with a more elaborate landscape treatment and landscaping details should be made a condition of approval.

3.6 Environment, Conservation, Sustainable Development (Countryside) - States that the hedgerow alongside the public right of way through the centre of the site should be retained due to its species composition and its historical interest. A mature boundary tree within the hedgerow adds to its environmental and historic value, and provides good habitat for wildlife and so should also be retained (as originally specified within the Master Plan and approved Landscape Management Plan). This would provide a better visual and landscape backdrop to the proposals. If consent is granted it should be subject to the retention of the hedgerow and tree as part of the overall landscaping proposals.

3.7 Environmental Protection Unit - No objections. Conditions should be attached regarding possible contamination, construction noise/vibration/dust, operational noise, hours of operation, lighting levels. An informative should be attached seeking the installation of electric vehicle recharging points within the development.

3.8 Structures and Drainage - The site is in flood zone 1 and should not suffer from river flooding. Insufficient information has been provided by the developer to determine the potential impacts on the existing drainage systems.

EXTERNAL

3.9 Heslington Forum including Heslington Parish Council - The council's community planning officers notified forum members of the application on 7 November 2010 and invited comments on the proposals. On 7 December forum members were sent the submitted planning statement and sample plans. The council's formal consultation period expired on 20 December 2010. No formal representations on the proposals have been made by forum organisations.

3.10 Sport England - Supports the application subject to conditions requiring (a) the facilities to be built to prescribed standards and (b) a public access agreement being in place.

3.11 York Natural Environment Panel - The amount of parking appears to be contrary to CYC policy. The public right of way would be diverted along a protracted and less-attractive route [Officers' response: The current proposals do not include diverting the right of way]. Rainwater should be recycled. The hedge and two oak trees should be retained [Officers' response: One of the oak trees has since been felled]. Landscape areas should be planted up/developed to maximise their bio-diversity value. In the more open rural edge all species should be native.

3.12 Environment Agency - No objection subject to a condition requiring drainage details to be submitted.

3.13 Public Consultation - The consultation period expired on 20 December 2010. One objection has been received raising the following planning issues: The proposed parking should be controlled to prevent it being used by the university; A condition should be attached to prevent growth in traffic through Heslington village.

4.0 APPRAISAL

4.1 KEY ISSUES:-

- Principle of the Use
- Visual Appearance
- Masterplan
- Transport
- Landscape
- Bio-diversity
- Sustainability
- Environmental Protection
- Drainage
- Cumulative Development

RELEVANT LOCAL PLAN POLICIES

4.2 Development Control Local Plan Policy GP1 - Development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and vegetation.

4.3 GP4a and GP5 set out a clear requirement for and policy context for the use of renewable energy in major development projects.

4.4 ED9 - The scale, layout and design of the new campus at Heslington East should have regard to, inter alia, a comprehensive landscape scheme including publicly accessible public open space and a comprehensive network of pedestrian/cycle routes between campuses.

4.5 GP9 - Where appropriate, development proposals should incorporate a suitable landscaping scheme that is an integral part of the proposals; includes an appropriate range of species, reflects the character of the area; enhances the attractiveness of key transport corridors; and includes a planting specification where appropriate.

4.6 GP15a - Developers should ensure that the site can be developed, serviced and occupied safely and that discharges from new development should not exceed the capacity of existing/proposed sewers and watercourses.

4.7 NE1 - Trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation, or historic value will be protected by: refusing proposals which will result in their loss or damage. When trees are to be removed, appropriate replacement planting should be proposed to mitigate any loss.

4.8 NE7 - Development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement them. New developments should include measures to encourage new habitats.

4.9 L1a - The need for leisure development on sites specified in the local plan and others will be considered against a needs assessment which should be undertaken before any planning permission is granted. Out of centre locations will only be considered when it can be demonstrated that specified or alternative city centre or edge of centre sites are suitable, or if the proposal is primarily to serve local need and is of a suitable scale.

APPLICATION SITE

4.10 The site comprises undeveloped formerly-agricultural land at the eastern end of the new Heslington East campus. It is bisected by a public footpath linking Hull Road to the north with Low Lane to the south. The land slopes down from the north. A mature hedge runs alongside the footpath for much of its length, marking the parish boundary.

PRINCIPLE OF THE USE

4.11 The section 106 agreement attached to the outline consent for the new campus includes a requirement for the university to provide within the campus a competition-standard swimming pool and other specified sports facilities. The agreement requires the university to make such facilities available to the public. The current application is in accordance with this agreement. The pool building, 5-a-side pitches and car park would lie within the allocated area of the campus, as approved by the Secretary of State in 2007. The full-size football pitch would lie within an area zoned as open space devoted substantially to organised sport.

VISUAL APPEARANCE

4.12 The development would be dominated by the pool building, which would be rectangular in shape with a curved roof. An external plant compound would sit alongside the building at its northern corner. The building would contain an 8-lane 25m pool, a training pool, health suite, café and changing facilities for wet and dry

sports (to include users of the external pitches). External building materials would include masonry, glazed curtain walling, and metal cladding, including for the standing-seam roof. The building would have a modern, stylish appearance in keeping with the approved masterplan and the character of other campus buildings constructed to date.

4.13 The car park would be located to the north of the pool building and be set into the slope of the ground. Access would be direct from the movement spine following its extension. Separate service access would be provided to the basement of the building via a vehicular ramp from the movement spine to the south side of the building. To the east of the pool would be the 5-a-side pitches and (beyond the public right of way) the full-size football pitch. The orientation of the pitch may be rotated through 90 degrees prior to construction but at this stage the applicant wishes the current layout to be determined. Any future revised position would have to be submitted for approval.

MASTERPLAN

4.14 The draft masterplan for Cluster 2 of the campus has been submitted to the council and discussions between the University of York and officers are ongoing. Whilst it would have been preferable for this work to have been undertaken in advance of the formulation of detailed proposals for the 1st phase of the sports village complex, officers consider that this application can be determined without prejudicing later phases. Future proposals for the sports village would however have to take into account the constraints imposed by the presence of the swimming pool building and accompanying facilities.

4.15 The application includes a preliminary indicative layout for the sports village. It shows a possible location for an athletics track on the south side of the pool building. It is assumed that the land to the south of the pool building is likely to be used for outdoor recreation facilities of one type or another. The ramped service access would restrict pedestrian movement between the pool building/entrance towards this land to the south. The university has accepted the logic of improving pedestrian access to the south and is content for submission of details to be made a condition of approval.

TRANSPORT

4.16 Approval has already been granted (at outline stage) for the access road between the allocated area of the Heslington East campus and Hull Road, via the entrance to the Grimston Bar Park and Ride. The current application will require the access road to be extended to link up with the movement spine further south. These highway works are included in a reserved matters application for the Northern Service Road, to be considered by members separately (see 10/02696/REMM).

4.17 As part of the current application 207 car parking spaces would be provided to the north of the pool building. This accords with council standards. Officers accept that vehicular traffic to the sports village would not predominantly be university-related so should not be treated as part of the maximum 1500 spaces permitted under the outline consent for the campus. Access to the car park would be barrier-

controlled to prevent unauthorised university parking. Details of how this would operate should be made a condition of approval.

4.18 The application includes 80 uncovered cycle parking spaces close to the main entrance to the pool building. These spaces should be protected from inclement weather. Provision should be made a condition of approval. 10 covered cycle parking spaces would be provided for staff to the north of the main building, which accords with council standards.

4.19 A coach lay-by with turning head would be constructed (as part of the movement spine) along the western frontage of the building. The turning head would ultimately be removed following the completion of the movement spine through the Heslington East campus. Service vehicles would gain access to the site either via the main car park entrance and then to a service yard to the east of the main building, or via the ramped access to the south, where vehicles carrying out maintenance to the pools filtration system would be directed. The yard to the east of the building would be capable of allowing refuse vehicles to turn on-site.

4.20 The public right of way through the site would not be diverted but the surface would be upgraded and its profile modified to accord with the new sports pitches alongside it. Details should be agreed prior to development.

4.21 There would be good public transport links to the sports village. These include three of the First York bus services which currently operate within vicinity of the site, all having a 10 minute frequency during the working day; The no.8 Park and Ride service; the no.6 service which drops off and picks up outside the B&Q store on Hull Road; and the no.4 FTR service which terminates at the transport interchange. In addition East Yorkshire services run along Hull Road and the Pullman no.44 University service terminates within the Heslington East campus. New public footways would be constructed to provide links from the transport interchange and Grimston Bar Park and Ride site to the sports village.

4.22 The University recognises that there is currently an absence of crossing facilities on Hull Road for pedestrians and cyclists reaching the complex from residential areas to the north and from the direction of the city centre. The application for an extension to the northern service road (10/02696/REMM) gives further details of measures to address this. They include signalled crossing points over both carriageways on Hull Road and the Grimston Bar access road. These works within the adopted highway would be undertaken by the council, as Highway Authority, and all associated design, construction and site supervision costs would be met by the university.

4.23 The traffic impact of the sports village has been examined by the university's transport consultants and their report accompanies this application. It predicts that vehicular trip generations are unlikely to exceed 52 two-way trips in the morning peak and 160 two-way trips in the evening peak. In terms of the likely impact on the adjacent highway network, the critical issue to examine is whether the signalled junction of Hull Road with Osbaldwick link road can handle this extra volume of traffic during the peak hours. An operational assessment of the junction predicts that there would be some modest increase in queue lengths but that all approaches would continue to operate below the desirable maximum levels of saturation. It is

recognised however that there would soon come a point, as traffic levels increase from the new campus via the Grimston Bar access, when improvements (identified in the outline submission as being eventually necessary) would have to be introduced. The assessment shows that a further 450 car parking spaces could be provided by the University, accessed from Grimston Bar Park and Ride site access, before the upgraded junction arrangement involving full signalisation would be necessary.

4.24 Regarding the public consultation objection to the proposals, the outline consent includes conditions to monitor and address parking and traffic. No further conditions are required as a result of the current application.

LANDSCAPE AND BIO-DIVERSITY

4.25 The proposals are very compact and do not provide much scope for landscaping. As a result the landscape proposals appear rather minimal. This is in contrast to the approved landscape masterplan, which gives the impression that there would be a much greater landscape setting integral to the sports facilities at this eastern end of the campus. Nevertheless, the formal layout of the proposals could be softened with a more elaborate landscape treatment. Particularly by connecting the agricultural landscape beyond the site with the new parkland/woodland landscape of Kimberlow Hill, using mainly native species. The only sizeable area available for any significant planting is around the car park and entrance to the swimming pool. In these areas the planting could be more substantive than shown. However these matters can be dealt with as a condition requiring the submission of landscaping details. The details should be set in an appropriate landscaping context for the whole of the sports village and should be an integral part of the emerging masterplan.

4.26 The setting of the public right of way through the site is currently essentially rural. The proposal would inevitably change the character of the path, passing between 8m-high fencing of the 5-a-side pitches on one side and 5m-high fencing of the football pitch on the other. However, the site lies within an area for which planning permission has been granted for a university campus. And within that campus the site has been zoned as open space devoted substantially to organised sport. As such the loss of at least some of the path's rural character would have been anticipated and accepted when outline planning permission for the campus was granted. Nevertheless, keeping the hedge and the remaining oak tree as suggested by Design, Conservation and Sustainable Development would help to retain their habitat potential and incorporate the scheme into the surrounding landscape. Discussions with the applicant are continuing. Members will be updated at the meeting.

SUSTAINABILITY

4.27 As a minimum, developments of this scale are required to achieve at least a 'very good' BREEAM rating and for at least 10% of energy demand to come from renewable sources. The applicant has committed to achieving these requirements. Conditions should be attached to ensure compliance.

ENVIRONMENTAL PROTECTION

4.28 The proposal is likely to have a negligible impact on the nearest existing residential dwellings which are at least 500m to the north and 800m to the west. Nevertheless, Condition 21 of the outline consent restricts the permitted levels of construction noise and should be tailored to suit to the current proposal, particularly to protect future residents of the campus. Conditions should also be attached regarding contamination, construction noise/vibration/dust, operational noise, hours of operation and lighting levels.

4.29 In line with the council's emerging Low Emission Strategy, environmental protection officers encourage the use of low emission vehicles on new developments and seek provision of refuelling/recharging infrastructure wherever possible. They have requested that an informative be attached seeking the installation of at least eight electric vehicle recharging points within the development to promote the use of electric vehicles using the sports centre.

DRAINAGE

4.30 Surface water from the building and car park would drain via a swale into the main lake to the south of the site. Drainage from the pitches would run into Hunt's Drain, which connects to Tilmire Drain. Foul water would drain via a main sewer to a new pumping station within Cluster 2. Whilst the council's drainage officers have requested more information this could be provided by planning condition.

CUMULATIVE DEVELOPMENT

4.31 Condition 4 of the outline consent restricts the developed footprint (including buildings car parks and access roads) to 23% of the allocated area. The cumulative total to date, including (a) approved applications (b) Langwith College (c) the Northern Service Road (d) the swimming pool building and car park (e) a provisional figure for the Cluster 2 car park, which will be submitted for approval shortly, is 9% of the allocated area.

5.0 CONCLUSION

5.1 Whilst the pool is not pursuant to the outline consent for the campus it addresses the terms of the s.106 agreement, and the land uses (sports facilities) comply with the approved land use plan agreed by the Secretary of State in 2007. The design and appearance of the development are acceptable subject to submission of details for approval. Landscaping should be made a condition of approval and should reflect the landscape context for the sports village as a whole, which should be set by the emerging masterplan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out only in accordance with the following plans: [Plans list to be tabled at committee].

2 A sample panel of the masonry to be used on this building shall be erected on the site and shall illustrate the colour, texture, bonding and mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location.

3 VISQ8 Samples of exterior materials to be app

4 DRAIN1 Drainage details to be agreed

5 Within three months of the date of this permission details of measures to improve pedestrian movement between the public plaza shown on the approved plans and the land to the south/south-east of the application site shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the free flow and movement of pedestrians between the application site and the land to the south/south-east

6 Unless otherwise agreed in writing with the Local Planning Authority, prior to commencement of development the developer shall submit in writing and be approved by the local planning authority a formal pre-design BREEAM assessment for the design and procurement stages of the development. The developer shall submit a further BREEAM assessment after construction, at a time to be agreed in writing by the Local Planning Authority. The developer shall submit a completion assessment when issued by the BRE. All assessments shall confirm the minimum 'Very Good' rating anticipated in the preliminary BREEAM assessment submitted with the application

Reason: To ensure the development complies with the principles of sustainable development

7 No building work shall take place until details have been submitted to and approved in writing by the local planning authority, to demonstrate how the applicant will provide, from renewable sources, 10% of the building's total energy demand on land within the control of the applicant. The development shall not be occupied until these works have been carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority (as part of an energy strategy for the Heslington East campus). Not later than 12 months after the building has first been brought into use, the applicant shall submit an Energy Statement to the Local Planning Authority, which details the percentage of the buildings energy consumption that has been derived from renewable sources. Thereafter the Energy Statement shall be submitted on an annual basis unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable development

8 No mechanical, electrical, telecommunications or other plant, equipment or apparatus (other than as shown on the approved plans) shall be installed on the roof of the building without the prior written consent of the Local Planning Authority.

Reason: In the interests of the design and external appearance of the building

9 Within three months of the date of this permission detailed landscaping/screening proposals shall be submitted to the local planning authority and approved in writing. The scheme, which shall show the number, species, height and position of trees and shrubs shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: To minimise the visual impact of the proposals on the surrounding area.

10 Within three months of the date of this permission details of the following measures shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the submitted details:

- (1) Refuse/recycling facilities including screening
- (2) External seating
- (3) Feature graphics
- (4) Entrance canopy

Reason: In the interests of design and the external appearance of the building.

11 Within three months of the date of this permission details of the following measures shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the submitted details:

(i) measures to ensure the proper management of the approved car parking facilities including their barrier control mechanisms.

(ii) showers, changing facilities and lockers for staff arriving to work by cycle.

(iii) arrangements for securing and protecting cycles belonging to both staff and visitors

(iv) any changes to the public right of way crossing the site, including changes to its profile, construction and surfacing.

Reason: In the interests of highway safety, and to promote sustainable transport trips by staff and users of the Sports Complex.

12 Prior to first opening of the development hereby approved, the following transport links shall be constructed and be in operation in accordance with the plans as approved by the Local Planning Authority:

- (i) Motor vehicle, pedestrian and cycle links to the current access road from Hull Road serving the Grimston Bar Park and Ride site.
- (ii) Pedestrian linkages to the transport interchange on the Heslington East Campus.
- (iii) New signal-controlled, pedestrian and cycle crossing facilities at the intersection of Hull Road and the Grimston Bar Park and Ride access road.
- (iv) Pedestrian and cycle linkages from the new signalled crossings on Hull Road to the existing facilities along Hull Road.

Reason: In the interests of highway safety and to promote sustainable transport trips by staff and users of the Sports Complex.

- 13 HWAY10 Vehicular areas surfaced, details reqd
- 14 HWAY19 Car and cycle parking laid out
- 15 HWAY31 No mud on highway during construction

16 During construction of the development hereby approved the Construction Environmental Management Plan for the Heslington East campus, approved by the local planning authority, 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.

17 All noise generated during the site preparation, groundwork and construction phases and associated ancillary operations of the use hereby permitted shall meet the following criteria :

LOCATION: The gardens of dwellings at (a) eastern boundary of the site on Hull Road and (b) northern boundary of the site on Field Lane.

MAXIMUM LIMIT: 70 dBA (1 hour)

TIME PERIOD: A continuous period of up to eight weeks in any calendar year, without the prior written notice of the Local Planning Authority

LOCATION: The gardens of dwellings at (a) eastern boundary of the site on Hull Road and (b) northern boundary of the site on Field Lane.

MAXIMUM LIMIT: Not exceeding background noise levels.

TIME PERIOD: Before 0800 and after 1800 hours Monday to Friday. Before 0900 and after 1300 hours on Saturdays. At all times on Sundays and Bank Holidays.

LOCATION: Within occupied residential buildings on the site.

MAXIMUM LIMIT: Not exceeding background noise levels.

TIME PERIOD: Before 0800 and after 1800 hours Monday to Friday. Before 0900 and after 1300 hours on Saturdays. At all times on Sundays and Bank Holidays

Before the commencement of development the developer will carry out an acoustic survey of the site boundaries at locations agreed with the Local Planning Authority to

establish background noise levels. Before the commencement of development the developer will submit a scheme to the Local Planning Authority setting out the means of regular monitoring of the noise levels at the agreed locations and this shall be approved in writing by the Local Planning Authority and implemented before the commencement of development.

Reason: To protect the amenities of residential occupants of the site and in the surrounding area in accordance with the aims of PPG24.

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

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

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

Reason: To protect human health and the wider environment.

19 Details of all machinery plant and equipment to be installed in or located on the use hereby permitted, 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 ($L_{Amax(f)}$) and average sound levels (L_{Aeq}), 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 neighbouring premises in accordance with the aims of PPG24.

20 Use of the outdoor sports pitches shall not be open to customers outside the hours of 08:00 to 22:00 on any day.

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

21 The external floodlighting for the outdoor sports pitches shall not be in operation outside the hours of 08:00 to 22:00 on any day.

Reason: To safeguard the amenity of occupants of neighbouring premises.

22 Before the start of development, including demolition, building operations, excavations or the importing of materials a method statement of protection measures for the tree(s) shown to be retained shall be submitted to and approved in writing by the local planning authority. The statement shall include details and locations (shown on a plan) of protective fencing, method of preparation/excavation/construction, type of machinery/vehicles to be used, extent of working areas, locations of storage of materials and location of site cabin(s).

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

23 The development hereby approved shall not be brought into first use unless and until detail of arrangements for public access to the swimming pool and other sports facilities, referred to in the Section 106 planning agreement dated 30 November 2006, have been submitted to and agreed in writing by the Local Planning Authority. The facilities shall thereafter be operated to comply with the approved arrangements.

Reason: To ensure that the pool hereby approved is made available for use by members of the public.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of the use, scale and appearance of the building, renewable energy, landscaping, neighbour amenity, transport, sustainability, drainage, bio-diversity and provision of leisure facilities. As such the proposal complies with policies ED9, GP1, GP4a, GP5, GP9, GP15A, NE1, NE7 and L1a of the City of York Local Plan Deposit Draft.

2. ELECTRIC VEHICLE RECHARGE POINTS

In line with City of York Council's emerging Low Emission Strategy, electric recharge points are currently being sought on new developments wherever appropriate. A Supplementary Planning Document is currently being jointly developed by EPU and City Development, which will set out standards for electric vehicle recharge points on all new developments. Within the last year, EPU have successfully negotiated electric recharge points as part of the new Waitrose supermarket on Foss Islands Road and in relation to the new Nestle development. Should City of York Council's new Park and Ride sites be taken forward, they will also include provision for electric vehicle recharging.

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