

## COMMITTEE REPORT

**Date:** 24 March 2011                      **Ward:** Guildhall  
**Team:** Major and Commercial      **Parish:** Guildhall Planning Panel  
Team

**Reference:** 10/02534/REMM  
**Application at:** Hungate Development Site Hungate York  
**For:** Variation of conditions 1, 6 and 8 of planning approval 07/01901/REMM for the erection of part 5, part 6 storey residential building with ground floor commercial units to allow revisions to the elevations, an increase in height, an increase in the number of residential units from 154 to 175 and reduction in the amount of commercial floorspace  
**By:** Hungate (York) Regeneration Ltd  
**Application Type:** Major Reserved Matters Application (13w)  
**Target Date:** 27 January 2011  
**Recommendation:** Approve subject to Section 106 Agreement

### 1.0 PROPOSAL

#### THE SITE

1.1 This application relates to the Hungate development site, which is located between the Stonebow to the northwest and the River Foss to the south. This particular application relates to Phase 2 ( Block E ), which would sit between the built and occupied Block C to the east and the focal building to the west.

#### THE PROPOSAL

1.2 The application seeks to vary conditions 1, 6 and 8 of the Reserved Matters Approval for Phase 2, which was issued in November 2007. Condition 1 specifies the list of approved plans and associated documents, Condition 6 refers to the partial use of the riverside walkway for tables and chairs associated with commercial premises and condition 8 refers to a soft landscaping drawing. The application proposes the following key revisions;

- (i) an increase in the number of residential units from 154 to 175
- (ii) a reduction in the amount of commercial floorspace
- (iii) amendments to the treatment of the elevations
- (iv) a 1 metre increase in the height of the building on 2 corner sections of the 6 storey element of the building.

1.3 Members will note that an application (10/2527/OUT) to vary conditions on the outline approval (issued July 2006) to reflect the proposed revisions to the Phase 2 building and to alter the footprint of the focal building , is also on this months agenda. This application is referenced 10/2527/OUT.

## **2.0 POLICY CONTEXT**

### 2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

Contaminated Land GMS Constraints:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: Central Area 0002

### 2.2 Policies:

CYGP1  
Design

CYGP4A  
Sustainability

CYGP9  
Landscaping

CYHE2  
Development in historic locations

CYH2A  
Affordable Housing

CYH3C  
Mix of Dwellings on Housing Site

CYT4  
Cycle parking standards

## **3.0 CONSULTATIONS**

INTERNAL

Renaissance Team

3.1 In addition to the conditioning of materials, recommend conditioning a range of design details, for instance window treatments, ground floor louvre details and the articulation at ground floor.

3.2 In relation to height increase; Overall, the benefits outweigh any negative impacts. Do not consider the small proportion of the roof projecting above the imaginary upper limit line by this limited height increase will be perceptible when it is

built. However, recommend that this upper limit is not amended for other changes and that all subsequent buildings are still assessed against this line as agreed in the outline permission and a similar balance of benefits is assessed against any necessary subsequent assessment of building heights.

#### Design, Conservation and Sustainable Development

3.3 A commitment to a more garden like scheme with greater detail is required given that this outdoor space is integral to the success of the development. Details for riverside landscape/management and Pound Lane is also required.

#### Highway Network Management

3.4 No objections subject to the revised Section 106 to ensure all previous obligations and conditions remain.

#### Environmental Protection Unit

3.5 No objections to the proposed changes. With respects to air quality, and based on the proposed provision of 51 car parking spaces, request the installation of a minimum of 5 electric vehicle recharge points within the proposed development to promote the use of electric vehicles.

#### Communities and Neighbourhoods

3.6 The proposal to increase the number of residential units from 154 to 175 is supported by the Housing Development Team. The overall affordable housing requirement at Hungate is 20.38%, which is applicable to each phase. Consequently Phase 2 will now provide 35 affordable units, which represents an additional 4 affordable units from the original permission.

#### EXTERNAL

##### Environment Agency

3.7 No objection

##### Guildhall Planning Panel

3.8 Object. We believed at the time that the Hungate scheme was already an overdevelopment. The proposed amendments would further lead to an increase in density.

##### Publicity

3.9 The application was publicised by site notice, press notice and letters of neighbour notification. The deadline for comments was 10 March 2011. A letter has been received from a resident of Rowntree Wharf objecting to the proposal for the following reason;

(i) Phase 2 included cafes and commercial units at ground floor facing the river. This design was the result of a public display and previous consultation with residents. The developer has no way of knowing what particular aspect of the design appealed to the public and it is presumptuous to state that the changes would result in minor view changes. Why was this application submitted without further and wider consultation with the public? Many will be unaware of the changes.

(ii) Although the committee approved the outline plan there was strong opposition from other party councillors and the general public with respects to population density. The planned population density of the site was excessive but this has now increased for the phase 2 building and will lead to slums later in the century.

3.10 A further letter has been received requesting that the Council consider population density when reviewing this application. The letter states that York currently has a relatively low population density, however there is a potential for this site to have the highest density of any area in York, even without this requested change by the developer.

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES;**

- Implications on the comprehensive redevelopment of the Hungate site as agreed in the outline application
- Loss of commercial space
- Housing amount, size and type
- Affordable Housing
- Design and external appearance
- Landscaping
- Highways, car and cycle parking

### **PLANNING POLICIES**

4.2 The application is to be considered in the context of the principles established in the development brief and relevant national and local plan policies.

4.3 The Hungate site was allocated for mixed use (employment and residential) development in the City of York Deposit Draft Local Plan, May 1998. In the 4th set of changes (2005) the site is allocated for premier employment use (B1) and an estimated capacity of 600 new homes, 180 of which could be affordable.

4.4 A development brief for the site, setting out the Council's requirements and aspirations for its development, was approved for consultation purposes in December 2004. The document was approved for the purposes of guiding planning applications for the development of the site in March 2005.

4.5 Although not planning policy, the details of this application should be derived from the Design Code submitted in January 2005 and the Design Statement (November 2004) associated with the outline application (02/03741/OUT).

## IMPLICATIONS ON THE COMPREHENSIVE REDEVELOPMENT OF THE HUNGATE SITE AS AGREED IN THE OUTLINE APPLICATION

4.6 At outline stage it was proposed that block E would be of mixed use, providing 762m squared internal space for A1 and A3 uses and 10,557m squared dedicated to residential development (which would provide 163 units). The commercial element was at ground floor level, facing west towards the proposed focal building.

4.7 The reserved matters application proposed an increase in the extent of commercial floorspace with 1151m squared of A1/A3 use and 10,384m squared dedicated to residential (154 units). The additional commercial space was a result of the proposal to have commercial units at ground floor level facing the River Foss as well as facing west towards the focal building.

4.8 This application seeks to revert to the outline approval insofar as replacing the commercial units on the riverside with residential accommodation. Five commercial units would be retained on the elevation facing the focal building but the units would be shallower in depth as rather than the commercial units extending to the inner courtyard, the "inner" half of this elevation would be given over to residential accommodation. This would provide 331m squared internal space for A1 / A3 use and 13,863m squared dedicated to residential (175 units). This represents an additional 12 units above the figure of 163 approved at outline stage.

### REDUCTION IN COMMERCIAL SPACE

4.9 Although this proposal involves a reduction of 431m sq. of commercial floorspace from the outline approval, commercial units would continue to occupy the frontage to the new street created between the Focal Building and Block E, from Palmer Street to Friars Quay leading to the Riverside. The siting of commercial units along this street is considered important to the success of this mixed use scheme as it creates an active frontage onto Friars Quay public open space and St. Johns Square.

4.10 The quayside itself consists of the walkway along the river frontage and Friar's Quay, opposite Rowntree Wharf. Although the mixed uses along the river frontage are no longer proposed, Officers are satisfied that activity would still be encouraged through a pedestrian walkway at lower level and a series of raised terraces serving the residential dwellings at an upper level.

### HOUSING NUMBERS, SIZE AND TYPE

4.11 The amount of residential units for the whole site was agreed at outline stage, 720 were proposed overall. 163 of which would be in block E. With the increase in the extent of the commercial floorspace, the reserved matters application for block E proposed 154 residential units, 9 No. less than detailed in the outline approval. This proposal seeks permission for 175 units, 12 more than the outline approval.

4.12 As with Phase 1, the amount of units proposed differs from the outline approval. In Phase 1, the number of units increased by 41 between the outline and reserved matters approvals. Further to this, Members will recall that an application to convert 7 of the existing townhouses to form 14 No. duplex apartments was

approved at the January meeting (10/2646/FULM). Taking together the 48 additional units approved in Phase 1 and the 12 additional units proposed in this application, Officers acknowledge that approval of this application would equate to an additional 60 residential units within Phases 1 and 2 to the numbers of units approved in the outline scheme.

4.13 Officers raise no objection to the proposed increase in the number of units in phase 2. It is accepted that in a large, phased development such as Hungate, flexibility is desirable in order to incorporate up to date information on demand over the duration of the whole scheme. It is noted however that the outline application was considered on the basis of 720 units, both in terms of its implications for housing supply and in order to calculate the Section 106 contributions for affordable housing, highways, education and leisure provision. The applicants have confirmed that it is not their intention at this stage to exceed the 720 units approved on the site and numbers will be regularised as subsequent phases of the scheme are progressed. This can be monitored on a phase by phase basis.

4.14 Members may recall that the resolution to approve application 10/2646/FULM (referred to in paragraph 4.11) was subject to the planning obligation for the Hungate site being updated to ensure numbers across the site do not exceed 720 without due reconsideration of the key principles and recalculation of S106 requirements in accordance with site viability. This deed of variation to the Section 106 Agreement is in the process of being drafted.

4.15 Draft Local Plan Policy H3c states that a mix of new house types, sizes and tenures will be required on all residential development sites where appropriate to the location and nature of development.

4.16 The masterplan (agreed at outline stage) stated there would be 10,557m<sup>2</sup> of residential floorspace creating 163 dwellings. The reserved matters approval details 10,384 m square of residential floorspace creating 154 dwellings. This application proposes 13,863m squared dedicated to residential creating 175 units. The dwelling size (by bedroom) for each scheme is as follows

#### Outline

1-bed = 25.2%

2-bed = 69.3%

3-bed = 5.5%

#### The approved reserved matters

Studio = 3.3%

1-bed = 20.8%

2-bed = 67.5%

3-bed = 8.4%

#### The proposed variation to the reserved matters approval;

1-bed = 41.7%

2-bed = 48.6%

3-bed = 9.7%

4.17 In comparison with the outline scheme, this application proposes 32 additional one bed units, 28 less two bed units and 8 more three bed units. Although the increase in the number of one bed units at the expense of the 2 bed units is noted, the proportion of each overall is considered acceptable. The increase in 3 bed units from the outline application is welcomed. Overall the mix within block E is considered to be reasonable.

## AFFORDABLE HOUSING

4.18 Policy H2a of the Draft Local Plan states affordable housing should be distributed throughout a housing development rather than concentrated in one area, commonly known as pepper potting. The policy also sets targets for affordable housing and the percentages of rented and sale units. For Hungate, the figures were set at outline stage.

4.19 The overall affordable housing requirement at Hungate is 20.38%, which is applicable to each phase. Consequently Phase 2 will now provide 35 affordable units, which represents an additional 4 affordable units from the original permission. The 35 affordable units which would be provided in Phase 2 are as follows;

### Social Rent

1 bed	11
2 bed	11

### Discount Sale

1 bed	7
2 bed	6

4.20 The percentage of affordable housing provided in Phase 2 is appropriate. Only one and two bed affordable units are proposed, this is considered to be acceptable because 5 of the 4 bed townhouses in Phase 1 are affordable. Phase 2 will provide 6 car parking spaces for the affordable housing units within this phase, with a further 14 spaces still to be provided in later phases.

4.21 With reference to pepper-potting and the statement within Policy H2a that affordable housing should be distributed throughout a housing development rather than concentrated in one area, Officers note that the high service charges associated with the development have a significant impact on the affordability of both the social rent and Discount Sale units. Consequently Officers accept the proposal for the affordable housing in this phase to be contained in one complete service core. The Registered Provider (RP) with responsibility for the affordable properties would be granted a long leasehold interest and would manage that core, setting their own management charges subject to meeting the standards of Hungate (York) Regeneration Ltd. The RP would also be able to agree the specification within the internal public areas of the core to minimise the service charges. This would allow the homes to be meaningfully affordable.

## DESIGN AND EXTERNAL APPEARANCE

4.22 This proposal to increase the residential element of Phase 2 with the loss of commercial floorspace would involve changes to the elevations as approved in the

2007 Reserved Matters scheme. Such changes need to be assessed against Policy GP1 and HE2 of the Local Plan and the Hungate Development Brief and Design Statement.

4.23 Policy GP1 of the Draft Local Plan refers to design. It states that development proposals must, respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with the surrounding area; retain, enhance, or create urban spaces; provide amenity space and space for waste storage; ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or overdominance. Policy HE2 (Local Plan) states that in areas adjoining conservation areas, development proposals are expected to respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

4.24 The Hungate Development Brief states that the site should be a place with a unique identity, which respects the strong character of surrounding areas and buildings, particularly the built and natural environment and the landscape and ecology of the River Foss. Variations in height, roof modelling, elevational treatment and a selection of materials should be used. There should be a variety of heights adjacent the River Foss to provide varied form and roofscapes, and the canalisation of the river should be avoided.

4.25 The design statement advised that block E would be made up of a landmark corner facing St John's Square, the west elevation (facing the focal building) would be of a scale and style that created a sense of enclosure and grandeur appropriate to public open space. The north and east elevations would reflect the traditional vertical emphasis of York Streets and use a variety of materials and roof shapes/heights. The Foss facing elevation would have a warehouse aesthetic, of similar scale and (repetitive) appearance to Navigation Wharf. The building would vary in height, at its lowest, a small two-storey area parallel with the focal building, at its highest 6-storey facing the river.

## HEIGHT

4.26 The proposed height of the Phase 2 building requires a variation of Condition 6 of the outline permission. This condition requires that no buildings shall exceed the building ridge heights as specified on the sectional drawings detailed in the Design Statement. One of these sectional drawings shows a line drawn between the ridge of Rowntree Wharf and the roof line of St. Saviourgate and Peasholme House and confirms that none of the new buildings in the development would rise above this line.

4.27 Permission is sought for the building height of Block E to exceed this line by 1 metre on 2 corner sections of the 6 storey element of the Phase 2 building fronting the riverside as a result of an increase in floor to floor heights and the architectural form of the roofscape in providing roofs with a suitable pitch. The agent has clarified that the proposed increase is a result of the building being designed with maximum flexibility for the future to achieve the desired levels of sustainability. This has been achieved by incorporating space in the basement for a centralised heating system, extra service risers and an increased space within the corridor ceilings to provide the required pipe work. The objective is to maintain a minimum standard of code for

sustainable homes level 3 and lifetime homes with 15% of the properties improved to meet level 4 in order to provide high quality sustainable accommodation.

4.28 A significant subject of debate at the time of the outline application concerned the height of the Hungate development. With reference to the River Foss frontage of the scheme and in particular the relationship to the Navigation Wharf Grade II listed building, the approach adopted was to reflect the wharf like characteristics across the river by including buildings of a similar but slightly lower height to Navigation Wharf.

4.29 Only a small proportion of the building would project one metre above the imaginary line drawn between the ridge of Peasholme House and that of Rowntree Wharf and in the context of Local Plan Policy GP4a, which refers to the fact that proposals should have regard to the principles of sustainable development, Officers are satisfied that the benefits to be achieved from the additional height outweigh the minimal visual impact which would result from the increase.

## ELEVATIONAL TREATMENT

4.30 The proposed amendments to the elevations are considered to remain true to the development brief and outline permission. Reflective of the design code, buildings within streets tend to be narrower plots and express their individuality through changes in material, fenestration, storey height and roof form. The elevations denote the principle of a bottom middle and top through the expression of a plinth and also a variety of methods of dealing with a setback uppermost storey at roof level. In terms of roof detailing, the amended elevations provide a variation in ridge and eaves heights and articulation. The proposals include a number of the established roof solutions found in York such as setback, dormer, gable, pitched, mansard and parapet.

### Riverside Elevation

4.31 The Design code identified the elevation fronting the river as a "set piece", which could reflect the industrial waterside heritage of the site, possibly using a warehouse vernacular. These principles are adopted by the amended scheme which uses a number of established warehouse aesthetic devices, symmetry and order and closely follow the approved phase two reserved matters approval.

### Commercial elements

4.32 Similar to the reserved matters approval, the commercial elements will be predominantly glazed. The detailed design of the commercial units is proposed to be agreed by condition, to ensure a consistent but flexible approach to shopfront detail and advertisements.

4.33 Overall, the design is considered to be true to the development brief and outline permission. Block E would have identity and character and respect its settings.

## LANDSCAPING

4.34 The schedule of accommodation for this phase of development should provide 2646m sq. of amenity space and 833m sq. of children's play space. The courtyard within the Phase 2 building is approximately 1170m<sup>2</sup> and given that there is a lack of private gardens and open space elsewhere within the Hungate development, it is considered essential that the courtyard provides an immediate, appealing, useable outdoor "garden" space for all potential residents, including children. The two key functions the courtyard should therefore fulfil are for it to be an attractive space to look across and for the space to provide a communal garden area that can be used for sitting and general play.

4.35 The submitted landscape proposals for the courtyard of the Phase 2 building differ from the plans approved in the Reserved Matters scheme with this proposal involving extensive areas of reflective pools bound by formal hedges with the whole area being punctuated with standard trees in containers. This is considered to be at odds with the key functions of the courtyard and the applicant has therefore been asked to amend the scheme to provide more useable garden space and planting. Members will be updated at the meeting.

4.36 The proposed location of block E and the river walkway, in close proximity to the River Foss, are in accordance with approved details at outline stage and the development brief. In addition to the vegetation on the river bank there would be a further strip of ground cover planting that would vary in width, between 1.5m and 3m. The detailed scheme of vegetation at the edge of the river and the scheme of works for the riverbank wall (condition 20 of the outline approval) are covered separately in the Ecological Management Plan. However the implementation of planting within the river banks and planting / landscaping works between the river wall and pavement should be completed within this phase of the built development, therefore details of work and planting to the riverside have been requested. It is anticipated that this information will be available at the Meeting. Additional details of the materials and layout of the walkway are proposed as a condition of approval.

## HIGHWAYS, CAR AND CYCLE PARKING

4.37 Policy T4 of the City of York Local Plan seeks to maintain and promote cycle use.

4.38 139 cycle spaces are proposed for residents. This amount equates to one space per 72% of the units. The cycle provision is in accordance with the ratio agreed at outline stage. A further 32 spaces are proposed for the commercial units, of these 8 spaces are enclosed within the footprint of the building for use of staff of the commercial units. The remainder of the commercial cycle parking is for public use and the exact locations will be established as further phases come forward as part of a site wide strategy for street furniture.

4.39 51 car parking spaces are proposed, this includes visitor's space and 7.8% of spaces would be for disabled parking. At outline stage 45 spaces were proposed in this block. There are 12 more residential units proposed and 6 more car parking spaces. There is no objection to this variation in numbers, which remains below one

space per unit. 6 parking spaces for the affordable housing units would be provided within this phase.

4.40 With respects to air quality, and based on the proposed provision of 51 car parking spaces, the Environmental Protection Unit have requested the installation of a minimum of 5 electric vehicle recharge points within the proposed development to promote the use of electric vehicles. Although the applicants have agreed to this request, Officers do not consider it reasonable to require the provision of the recharge points by condition. Instead an informative would be attached to the decision.

## **5.0 CONCLUSION**

5.1 The key considerations of this application are whether the proposed revisions to the reserved matters approval are acceptable in the context of the principles established in the Hungate Development Brief, Design Code and Design Statement associated with the outline approval and with relevant national and local plan policies.

5.2 The Hungate scheme is a mixed use development and whilst it is acknowledged that this proposal involves a reduction in the extent of commercial floorspace, Officers are satisfied that the retention of commercial units on the new street created between the Focal Building and Block E will ensure an active frontage onto Friars Quay public open space and St. John's Square. Although the mixed uses along the river frontage are no longer proposed, Officers are satisfied that activity would still be encouraged through a pedestrian walkway at lower level.

5.3 With reference to the proposed increase in the number of units in Phase 2, Officers raise no objection as it is accepted that in a large, phased development such as Hungate, flexibility is desirable in order to incorporate up-to-date information on demand over the duration of the whole scheme. However the outline application was considered on the basis of 720 units both in terms of its implications for housing supply and in order to calculate the Section 106 contributions. Therefore whilst the applicants have confirmed that it is not their intention at this stage to exceed the 720 units and numbers will be regularised as subsequent phases of the scheme are progressed, this can be monitored on a phase by phase basis. Four additional affordable units are to be provided as a result of the increase in the number of units in Phase 2, which is considered to be acceptable.

5.4 In terms of the proposed increase in height of part of the building, Officers are satisfied that the benefits to be achieved in designing a building with maximum flexibility for the future to achieve desired levels of sustainability outweigh the minimal visual impact which would result from the increase. With respects to revisions to the elevations, Officers consider that the plans adhere to Condition 5 of the outline, which requires that the external design details for each of the development shall be fully in accordance with the submitted Design Code. There are concerns with the submitted landscaping scheme in terms of the lack of useable garden space and planting, however it is anticipated that amended plans will be available at the Meeting.

5.5 The cycle provision is in accordance with the ratio agreed at outline stage and the number of proposed car parking spaces remains below one space per unit, which is acceptable.

5.6 Subject to conditions, as set out below, arising from the details submitted and therefore supplementing the conditions of the outline approval, it is recommended that the application be approved, also subject to the variation of the S106 Agreement to refer to this application.

**6.0 RECOMMENDATION:** Approve subject to Section 106 Agreement

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

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

2 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- a/- Roof panels
- b/- Chimneys
- c/- Vertical dividing fin(s)
- d/- Typical eaves, verge and parapet details
- e/- Soffit overhang
- f/- Columns including bases and capitols
- g/- All types of windows and window systems (1:20 + larger scale details, door openings showing reveals, lintels and cills)
- h/- Glazing
- i/- Terrace and balconies including soffits and doors onto balconies
- j/- Main entrance doors, door surrounds and canopies
- k/- Letterboxes
- l/- Shafts into basement car park
- m/- Vents for car park

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

3 VISQ8 Samples of exterior materials to be app

4 Sample panels of the brickwork and stonework to be used on this development shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork/ stonework and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. These panels 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.

5 Prior to first occupation of the commercial units a detailed scheme for the design of the shopfronts (1:20 elevations and sections) and the proposed means of advertising each premises, including illumination, shall be submitted to and agreed by the Local Planning Authority. The commercial premises shall be developed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a consistent acceptable appearance.

6 Prior to development commencing detailed floor plans, elevations and section drawings of the river walkway including the proposed bridge supports, railings and pedestrian routes, shall be submitted to and agreed in writing by the Local Planning Authority and the development implemented in accordance with the approved details.

Reason: In the interests of design.

7 Details of the scheme of lighting for the internal courtyard area shall be submitted, agreed to by the Local Planning Authority and implemented in accordance with the approved details prior to first occupation.

Reason: In the interests of visual amenity and safety.

8 The commercial premises shall not be open to customers outside the following hours:

Sunday to Thursday 07:00 to 23:00  
Fridays and Saturdays 07:00 to 24:00

All associated cleaning up, clearing of outdoor tables and disposal of waste shall be completed within 30 minutes of the required closing time.

All tables and chairs shall be either fixed to the ground or stored within the premises outside the permitted hours of operation.

Reason: In the interests of residential and visual amenity.

9 Prior to occupation of the commercial units, a noise management scheme, which shall specify how noise emanating from the units shall be controlled, shall be agreed to by the Local Planning Authority and the agreed scheme adhered to at all times.

Reason: In the interests of amenity.

10 No external speakers shall be installed at the commercial premises.

Reason: In the interests of local and residential amenity.

11 Prior to development commencing a drawing illustrating the amount and location of car parking spaces for the affordable units shall be submitted to and agreed to in writing by the Local Planning Authority. The spaces shall be retained for such thereafter.

Reason: To ensure an adequate amount of car parking for affordable dwellings.

12 Prior to development commencing, detailed plans of the route between block E and the focal building showing the split between pedestrian areas and areas allocated for tables and chairs, shall be submitted to and agreed in writing by the Local Planning Authority and the development implemented in accordance with the approved details.

Tables and chairs shall be confined to the agreed areas at all times unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of design and highway safety.

## **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;

- design and appearance
- landscaping
- affordable housing/mix of house types
- sustainability

As such the proposal complies with Policies GP1, GP3, GP4A, GP9, GP11, GP15, HE2, H2, H3C, T4 and S6 of the City of York Local Plan Deposit Draft.

### 2. SECURED BY DESIGN

Your attention is drawn to potential crime reduction by considering the Police 'Secured by Design' Award Scheme for this site. Full details and an application form for the scheme can be found on [www.securedbydesign.com](http://www.securedbydesign.com)

### 3. SEWERS

You are advised that consent must be gained from Yorkshire Water to divert any public sewers.

### 4. AIR QUALITY

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 the Environmental Protection Unit and City Development, which will set out standards for electric vehicle recharge points on all new developments.

It is requested that a minimum of 5 electric vehicle recharge points be installed within the proposed development to promote the use of electric vehicles.

It is recommended that any flood sensitive equipment such as electrical sockets in the basement are raised above potential flood levels.

**Contact details:**

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