

COMMITTEE REPORT

Date: 20th September 2012 **Ward:** Guildhall
Team: Major and Commercial Team **Parish:** Guildhall Planning Panel

Reference: 12/02282/OUTM

Application at: Hungate Development Site Hungate York

For: Outline application to redevelop 4.1 ha. of land for residential, (720 units) Class B1 business (total floorspace 12,062 sq. m), Class A1 retail, A3/A4/A5 food/drink uses (total 6,392 sq. m), focal building, enhanced Nature Reserve/Riverside, public spaces, landscaping, car/cycle parking, access routes, bridge to Navigation Rd and sewer realignment (Application to extend time period for implementation of permission 02/03741/OUT)

By: Hungate York Regeneration Limited

Application Type: Major Outline Application (13 weeks)

Target Date: 26 September 2012

Recommendation: Approve

1.0 PROPOSAL

1.1 The application relates to the Hungate site which was granted outline permission for mixed use in 2006 - application 02/03741/OUTM.

1.2 Condition 1 of the permission required all the reserved matters applications to be made to the Local Planning Authority by August 2012. To date reserved matters application have only been submitted, and approved, for phases 1 and 2. This application is therefore made to renew the outline planning permission which has now lapsed. The applicants request that the application be renewed allowing the following timescales for development to commence -

Phase 2: within 3 years of this planning permission

Phase 3: within 5 years

Phase 4: within 7 years

Phase 5: within 9 years

Phase 6: within 10 years

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest: City Centre Area

Conservation Area: Central Historic Core

Contaminated Land

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Flood zone 2

Flood zone 3

3.0 CONSULTATIONS

INTERNAL

City Development

3.1 No comment.

Design, Conservation and Sustainable Development

3.2 No objection.

Environmental Protection Unit

3.3 In addition to the conditions to the 2002 application officers suggest a further condition that would require an electric vehicle charging point to be provided on-site.

Highway Network Management

3.3 No objection provided there is no reduction on the requirements of the legal agreement, as costs for highways works and materials have increased since the 2002 permission was granted.

EXTERNAL

English Heritage

3.4 No objection.

Environment Agency

3.5 No response.

Natural England

3.6 No objection

River Foss Society & York Natural Environment Panel

3.7 No response

Yorkshire Water

3.8 No further comment since the 2002 outline permission.

Guildhall Planning Panel

3.9 No objection

Publicity

3.10 No written representations made.

4.0 APPRAISAL

KEY ISSUES

4.1 The considerations in determining whether to renew the original consent is whether there have been any changes in planning policy since the original permission that would lead to a different decision and in this case whether the timeframe for delivery of the development proposed by the applicants is acceptable.

POLICY GUIDANCE

4.2 Since the economic downturn Central Government advice has stressed that Local Planning Authorities must be flexible in order to avoid stalling development. In 2009 a procedure was brought into place to allow applicants to apply for a new planning permission to replace an existing permission in danger of lapsing, in order to obtain a longer period in which to begin the development. (See greater Flexibility for Planning Permissions guidance document). This measure has been introduced in order to make it easier for developers and LPA's to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.

4.3 Circular 08/2005 - Outline Planning Permission advises such permissions must be subject to conditions imposing two types of time-limit, relative to the dates which applications must be made for the approval of reserved matters and the time which the development must be started. The circular advised that the periods would typically be 3 years and 2 years respectively. However, the Local Planning Authority can be flexible in setting these timescales if it is deemed to be appropriate.

ASSESSMENT

4.4 The application asks for the renewal of the outline permission and to allow the remaining phases to be developed within the following timeframe -

Applications for reserved matters to be made by:

Phase 3: within 5 years of this planning permission

Phase 4: within 7 years

Phase 5: within 9 years

Phase 6: within 9 years

Development to commence by:

Phase 2: within 3 years of this planning permission

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Phase 3: within 5 years
Phase 4: within 7 years
Phase 5: within 9 years
Phase 6: within 10 years

4.5 The application was originally made in 2002, some 10 years ago. In this time the economy has changed and the demand for various uses in the city has also altered to an extent. Given the scale of the proposed development and its complex nature, considering constraints such as land contamination and archaeology and given the mixed of uses proposed officers do not object to the request for a timeframe that exceeds the usual allowances for the approval of reserved matters and commencement of development. It is deemed this approach would be in line with Central Government guidance which asks LPA's to be flexible in order to allow development to be implemented when economic conditions improve.

4.6 To allow this application would result in a fresh planning permission and therefore the conditions of the original outline permission would be re-applied provided they remained relevant and necessary. The same applies to the legal agreement.

4.7 With regards conditions of the outline permission, the variations proposed are as follows:

- Condition 2 - reserved matters
To be layout, scale, appearance, access and landscaping (as required since changes to legislation in 2006, see circular 01/2006).
- Condition 12 - construction management
Updated in line with Highway Network Management requirements.
- Condition 30 Drainage
Updated to accord with the York Strategic Flood Risk Assessment
- Conditions 33 and 34 - land contamination
Updated to Environmental Protection Unit standards
- Condition added requiring electric vehicle charging point
- Condition deleted which required details of inclusive access as this duplicates the requirements of Part M of the Building Regulations.

4.8 The legal agreement would be updated to refer to the new planning permission reference and to recognize that payments required for phase 1 have been made and the bridge has been installed. The legal agreement had the following requirements:

- Affordable housing
- BREEAM standards for buildings
- Community uses within the Focal Building
- Kings Pool Nature Reserve works
- Navigation Wharf Bridge - delivered
- On site open space
- Travel Pass provision

Financial contributions paid in phases towards:

- Archaeology £3,330,000
- Bicycles £30,000. This has now been paid.
- Car club £112,000. £28,000 paid.
- CCTV £90,000. £30,000 paid.
- Education £954,306.
- Off site highway works £1,654,000 - £413,500 paid.
- Public open space £403,131.

5.0 CONCLUSION

5.1 Officers consider that the request to renew the permission is acceptable, to allow such would comply with national planning guidance and the development still accords with planning policy otherwise. It is deemed reasonable to allow the requested timeframe for delivery, again considering government guidance in the current economic climate, and given the scale/complexity of the site. Approval is recommended, subject to updating the legal agreement accordingly.

6.0 RECOMMENDATION: Approve subject to S106 agreement

1 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the following dates:

Phase 3: within 5 years of this planning permission

Phase 4: within 7 years

Phase 5: within 9 years

Phase 6: within 9 years

Development of each phase shall commence within 2 years of the approval of the reserved matters.

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

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

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Details to be submitted: layout, scale, appearance, access and landscaping.

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

3 List of approved plans and statements

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

4 Location of block H

Notwithstanding the details submitted on the Masterplan drawings, the precise siting of building H shall be agreed in writing by the Local Planning Authority prior to commencement of development. The precise siting shall be within the area marked on the attached plan,

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

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

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

6 Building heights

With the exception of Block E in Phase 2 of the development, the buildings to be erected on this site shall not exceed the building ridge heights as specified as O.S. datum levels on the Sections on pages 38 and 39 of the amended Design Statement received on 11th January 2005.

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

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

Reason; In order that the impact of the phasing of the development can be properly assessed and to ensure appropriate infrastructure development.

8 Each phase of development shall not be occupied unless or until the design and materials of roads, footpaths and other adoptable spaces, including street-lighting, to which it fronts, is adjacent to or gains access from, has been constructed in accordance with details which have been approved in writing by the Local Planning Authority.

Reason: To ensure appropriate access and egress to the properties, in the interests

of highway safety and the convenience of future occupants.

9 Safety Audit

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

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

10 Cycle Parking

Prior to each phase of the development commencing details of the secure cycle parking areas, including means of enclosure, shall be approved in writing by the Local Planning Authority. The building or buildings within that phase shall not be occupied until the cycle parking areas and means of enclosure (including the public cycle parking areas within that phase) have been provided in accordance with the approved details, and these areas shall not be used for any purpose other than the parking of cycles. Cycle parking shall be in accordance with the schedule Summary of Cycle Parking Requirements 1056/70 dated 23/05/05.

Reason: To ensure adequate space for such storage, and to promote sustainable modes of transport in accordance with policies GP4a and T4 of the City of York Draft Local Plan and the National Planning Policy Framework.

11 Construction management

Prior to each phase of the development commencing a detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The a statement shall include at least the following information;

- measures to prevent the egress of mud and other detritus onto the adjacent public highway
- a dilapidation survey jointly undertaken with the local highway authority
- the routing for construction traffic that will be promoted
- a scheme for signing the promoted construction traffic routing

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

12 Vehicle Servicing

Prior to the commencement of the use hereby approved in each phase of development, provision shall be made within the site for accommodation of delivery/service vehicles in accordance with details which shall have been previously

submitted to and approved in writing by the Local Planning Authority. Accommodation for servicing to block G will be made within the courtyard with access via Carmelite Street. Thereafter all such areas shall be retained free of all obstructions and used solely for the intended purpose.

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

13 Highway works

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

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

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

14 Highway Works

Prior to the commencement of any phase of the development hereby permitted a phased programme of works as set out in the Outline Specification for Upgrade of Existing Streets, dated 22/6/05 Revision E, shall be submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same. These works shall be in accordance with the Street Section Drawings, 1056/70/101, 1056/70/102 B & 1056/70/103 B dated 24/5/05.

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

15 Travel Plan

Prior to occupation of any phase which includes office or commercial development a stage one (interim) Travel Plan, which shall include details of modal split targets and default provisions in the event that those targets are not met, shall be approved in writing by the Local Planning Authority.

Within six months of first occupation of any part of the office or commercial development a stage two (final) Travel Plan shall be approved in writing by the Local Planning Authority.

The Travel Plans shall be implemented in accordance with the approved details for the lifetime of the development.

In the event that there shall be any change of occupier of any part of the office or commercial development that occupier shall submit to the Council prior to its occupation a revised Travel Plan and implement such Travel Plan as maybe approved by the Council throughout its period occupation.

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

16 Landscaping

Prior to occupation of each phase of development a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs shall be approved in writing by the Local Planning Authority. This scheme shall be implemented within a period of 6 months of the completion of the relevant phase of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

17 Tree Protection

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

- A chestnut pale or similar fence not less than 1.2m high shall be erected at a distance of not less than 4.5m from the trunks;
- No development (including the erection of site huts) shall take place within the crown spread of the trees;
- No materials (including fuel or spoil) shall be stored within the crown spread of the trees;
- No burning of materials shall take place within 3m of the crown spread of any tree;
- No services shall be routed under the crown spread of any tree without the express written permission of the local planning authority;

Reason: To avoid the loss of existing planting which is considered to make a significant contribution to the amenities of this area, in accordance with policy NE7 of the Local Plan and paragraph 109 of the National Planning Policy Framework.

18 Works to riverbank

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

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

19 During the development of the site, all demolition and construction works and ancillary operations, including deliveries to and dispatch from the site, shall be confined to the following hours:

Monday to Friday 08.00 to 18.00
Saturday 09.00 to 13.00
Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of the locality

20 The hours of operation for each Class A premises (under the use classes order) 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.

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

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

Reason: To protect the amenity of local residents.

22 Noise insulation to commercial premises

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

Reason: To protect the amenity of local residents.

23 Details of all fixed machinery, plant and equipment to be installed in or located

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on the use hereby permitted, which is audible at any noise sensitive location, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (LA_{max}(f)) and average sound levels (LA_{eq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of the locality.

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

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

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

Reason: To protect the amenity of residents.

26 There shall be adequate facilities for the treatment and extraction of fumes so that there is no adverse impact on the amenities of local residents by reason of fumes, odour or noise. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for approval; once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of the locality.

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

Reason : To prevent pollution of the water environment.

28 No piping shall be installed within 10m of any public sewer unless otherwise

agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment.

29 Sewer realignment

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

Reason : To prevent pollution of the water environment.

30 Prior to the commencement of each phase of development details of the foul and surface water drainage works shall be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and reasonably managed and maintained for the lifetime of the development. Drainage details are expected to include-

- a) Peak surface water run-off from the proposed development restricted to a maximum of 14.0 lit/sec.
- b) Site specific details of the flow control device manhole limiting the surface water to the 14.0 lit/sec.
- c) Storage volume calculations, using computer modelling, to 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 shall include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required. The full range of modelling is required.
- d) Site specific details of the storage facility to accommodate the 1:30 year storm and details of how and where the volume above the 1:30 year storm and up to the 1:100 year storm will be stored.
- e) Any variation in levels in comparison to those shown within the approved master-plan document.

Reason: To reduce flood risk in accordance with York's Strategic Flood Risk Assessment.

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

Reason: To prevent pollution of the water environment.

32 Development on Land Affected by Contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not

commence until parts a to c of this condition have been complied with:

a. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination (including ground gases where appropriate);
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The

Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

33 Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the previous condition, and where remediation is necessary a remediation scheme must 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 must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the previous condition.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

34 Piling

Development of each phase approved by this permission shall not be commenced unless the method for piling foundations has been approved in writing by the Local Planning Authority. The planning shall thereafter be undertaken only in accordance with the approved details.

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

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

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

36 Construction management

Prior to any works commencing on site, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the site preparation, groundwork and construction phases of the development and the method of securing the site. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of occupants of adjacent and adjoining properties during the development of the premises.

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

Reason: In the interests of safety and visual amenity.

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

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

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

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

40 At least one electric vehicle recharge point shall be installed within the development site boundary prior to completion of the development. The location and specification for the recharging point(s) shall be agreed with the Local Planning Authority prior to installation.

Reason: To promote the use of low emission vehicles on the site in accordance with the Council's draft Low Emission Strategy and paragraph 35 of the National Planning

Policy Framework.

7.0 INFORMATIVES: Notes to Applicant

1. LEGAL AGREEMENT

Your attention is drawn to the existence of a legal obligation under Section 106 of the Town _ Country Planning Act 1990 relating to this development

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

3. 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:-

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

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

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