

neighbouring hotel. The elevations would be of brick (2 varieties) with a pitched roof. The scheme has a more residential appearance, rather than the commercial appearance approved in 2007. There would be car parking at ground floor level, and it is also proposed to lease car parking spaces from the Q-park opposite.

1.5 Site b would have 12 apartments. The building would be 3-storey and have a rear courtyard (with access from the pedestrian/cycle path at the south side of the Barbican).

1.6 The 2007 scheme had 240 units. In this scheme 187 dwelling are proposed –

57 x 1-bed,
130 x 2-bed

1.7 The development has been assessed as to whether an Environmental Impact Assessment is required, in accordance with the Town and Country Planning (EIA) Regulations 2011. The screening process determined that an EIA is not required; considering the scale of the development, traffic, emissions, noise, contamination and the environmental sensitivity of the site.

PUBLIC CONSULTATION

1.8 A public consultation event, to which local residents and councillors were invited, was held in January 2013. 34 attended and 5 of the attendees made comments.

Comments made were summarised as follows -

- Concern over scale of the building in relation to properties on Barbican Road.
- Parking is a problem in the area.
- The reduction in units and more 'residential' appearance to the building was preferred over the previous scheme.
- Welcome redevelopment of the site.
- Need to take secure by design into consideration, due to crime in the area.

SITE HISTORY

1.9 Pertinent previous applications are as follows -

2003 - 03/04075/GRG4 (later replaced by application 05/00882/GRG4) –
Re-development of Barbican site for 240 apartments and hotel with 120 rooms.

2012 - 11/02658/FULM – Amended scheme for hotel; 175-bedrooms 5-storey (now under construction).

2.0 POLICY CONTEXT

2.1 The National Planning Policy Framework (NPPF) was published in March 2012. It sets out government's planning policies and is material to the determination of planning applications.

2.2 The York Development Control Local Plan was approved for Development Control purposes in April 2005; its policies remain material considerations in respect of Development Management decisions although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework.

2.3 Draft Development Plan 2005 Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

Schools GMS Constraints: Fishergate Primary 0197

2.4 Relevant policies of the Draft Local Plan 2005:

CYGP1	Design
CYHE2	Development in historic locations
CYT4	Cycle parking standards
CYGP9	Landscaping
CYHE10	Archaeology
CYH2A	Affordable Housing
CYH4A	Housing Windfalls

3.0 CONSULTATIONS

AFFORDABLE HOUSING OFFICERS

3.1 Officers support the scheme.

3.2 The application does not comply with the council's brownfield target of 20%. However, an independent viability assessment undertaken by the District Valuer found that 10% affordable housing would be viable.

3.3 The proposed affordable housing provides a total of 18 one and two bedroom apartments, which are in high demand in this location on the Council's HomeChoice allocations system. The mix is based on a 70:30 split between social rent and discount sale, and is detailed below:

	Market Sale	Social Rent	Discount Sale	Total
1 bed flat	49	6	2	57
2 bed flat	120	6	4	130
Total	169	12	6	187

DESIGN AND CONSERVATION

3.4 Landscape officers have made comment with regards the species of tree planting within the scheme. The plans have been requested to be revised accordingly, with larger scale trees to be planted between the building and Barbican Road. Planning conditions have been recommended, to protect the existing trees along Paragon Street during construction, and to agree a detailed planting scheme.

ENVIRONMENTAL HEALTH

3.5 Officers make the following comment –

Noise

3.6 Due to the size of the development and likely disruption in the area during the demolition and construction phases, officers recommend the development be subject to a construction management plan and that times of works (which would be audible outside the site) are restricted.

3.7 No details have been submitted on any plant or equipment which will be provided as part of the development. Officers request the details of any equipment, which would be audible outside the site be submitted for agreement.

3.8 A condition is recommended so that internal noise levels, in living and bedrooms, do not exceed World Health Organisation recommendations.

Lighting

3.9 No details have been provided on the likely levels of lighting to be provided on the development, and whether or not any flood lighting will be provided. Officers request that further information be provided or confirmation that any lighting provided on site will be compliant with the Institute of Light Professionals guidance note for the reduction of obtrusive light.

Contaminated Land

3.10 The ground investigation (undertaken in 2007) found a significant depth of made ground across the site, but no elevated contaminant concentrations. However, soil samples were only taken from 11 locations, and none of these appear to have been taken from the proposed landscaped area along the eastern site boundary, or along the western boundary in the vicinity of the swimming pool. It would also appear that no samples were tested for polychlorinated biphenyls (which is a type of contamination

often associated with electricity substations) or ground gas (which is often associated with made ground). Further site investigation work is therefore required and officers recommend that a site investigation and any necessary remediation are required through a planning condition.

Air Quality

Construction phases

3.11 The emission of any airborne particulate matter would need to be controlled using on-site management practices. With adequate mitigation, the effect of fugitive emissions of particulate matter (dust and PM10) from the proposed works is considered not to be significant with respect to potential effects on health and amenity of nearby residents/properties. A planning condition requiring an approved construction management plan to be adhered to is requested in this respect.

Operational phase

3.12 Whilst the development site is adjacent to City of York Council's Air Quality Management Area, the additional traffic generated by the development would not have a significant impact on local air quality, nor is it considered that residents of the new accommodation would be exposed to concentrations of nitrogen dioxide or particulate above health based objective levels.

3.13 Paragraph 35 of the NPPF states that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should, where practical, incorporate facilities for charging plug-in and other ultra-low emission vehicles. In line with the NPPF and City of York Council's adopted Low Emission Strategy, it is recommended that 6 electric vehicle recharging points are provided on the site.

HIGHWAY NETWORK MANAGEMENT

3.14 No objection. Officers recommend conditions to deliver the cycle parking and layout of the proposed access/lay-by points and for measures to manage the highway network during construction.

3.15 Comments on the scheme are as follows -

- The ratio of car parking (155 spaces) to dwellings is the same as the previously approved scheme. 106 spaces are provided on site with remaining provided on an allocated basis within the adjacent Q Park car park on Kent Street.
- One cycle space per flat are being provided. Cycle spaces are proposed to be located within the building footprint, on each floor surrounding the main cores. This is considered to be a high quality, very secure prominent location which will assist in reducing levels of car ownership amongst residents.

- It is noted that contributions were made as part of the previous planning permission toward measures to promote sustainable travel and for replacement coach parking facilities.
- Servicing for refuse collection is to be via 2 new lay-bys, one on Kent Street and one on Barbican Road. It is likely that traffic regulation orders will be implemented to prevent indiscriminate parking occurring within these lay-bys.

FLOOD RISK MANAGEMENT TEAM

3.16 No objection. Ask for a planning condition to allow approval of the drainage strategy. As part of the strategy water run-off is to be restricted to 37.2 litres per second.

EXTERNAL

ENGLISH HERITAGE / HISTORIC ENGLAND

3.17 Note that this is revised scheme, of a lesser scale to that originally proposed and there would be no negative impact on the City Walls. Recommend officer's assess the proposal and its design against policies for the Central Historic Core Conservation Area and that an appropriate scheme for archaeological mitigation is undertaken.

POLICE ARCHITECTURAL LIAISON OFFICER

3.18 The development has a number of positive aspects; provides natural surveillance, access points are prominent, storage space is secure, private and public spaces are distinguished. Recommendations are as follows –

- Secure/controlled access to the all parts of the building
- Secure doors and windows, with opening restrictors fitted to ground floor windows
- Allocation of parking spaces, to avoid conflict
- Management strategy for communal areas

PLANNING PANEL

3.19 No response on original scheme. Response pending on revised scheme.

PUBLICITY

3.20 Three comments were received, one in objection and two in support of the scheme. Comments were as follows -

- Overlooking of 20 Barbican Road due to lack of separation and trees to screen the proposed building.

- Noise disturbance from waste collection, due to proximity of collection point to properties on Barbican Road.
- Welcome provision of much needed housing in the city
- Support for the architecture which would be sympathetic to the area.

4.0 APPRAISAL

4.1 KEY ISSUES

- Principle of the proposed use
- Impact on setting and heritage assets
- Residential amenity
- Highway network management
- Planning obligations
- Drainage
- Archaeology

PRINCIPLE OF THE PROPOSED USE

4.2 The application relates to brownfield sites at the edge of the city centre. The location is sustainable and therefore, according to the National Planning Policy Framework, there should be a presumption in favour of the development. The sites have been identified as suitable for housing in the council's Strategic Housing Land Availability Assessment. There is not a current 5 year housing supply in the city, which is a national requirement within the National Planning Policy Framework. There are extant planning permissions in place for residential development on these sites. Development has commenced on the 2003 and 2005 schemes referred to in section 1.8; the residential element of those permissions could still be implemented.

4.3 Residential development of the site is consistent with national policy; to regenerate brownfield sites and significantly boost housing supply. The scheme is also in accordance with local housing policies, in particular the objectives within the housing chapter – to meet housing need, including an appropriate amount of affordable housing and to prioritise development of brownfield sites.

IMPACT ON SETTING AND HERITAGE ASSETS

4.4 The National Planning Policy Guidance advises that in assessment of design, consideration, where appropriate should be given to layout, form, scale, detailing and materials. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty that requires the Local Planning Authority when considering whether to grant planning permission for development which affects a listed building or its setting, to pay special regard to the desirability of preserving the building or its setting or exercise of any features of special architectural or historic interest which it possesses.

4.5 The City Walls opposite the site are Grade 1 listed and within the Central Historic Core Conservation Area. English Heritage has confirmed that the proposal does not have a negative impact on the City Walls and therefore, in their opinion, there is no harm to the setting of the listed walls.

4.6 The smaller site is within the Central Historic Core Conservation Area. The Council has a statutory duty (under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to consider the desirability of preserving or enhancing the character and appearance of the conservation area. Local Plan policy HE2 states that within conservation areas, or locations which affect the setting of listed buildings development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regards to local scale, proportions, details and materials. Proposals will be required to maintain or enhance existing urban spaces, views, landmarks and other townscape elements, which contribute to the character or appearance of the area.

4.7 The management strategy within the Central Historic Core Conservation Area Appraisal advises that the design of new buildings should:

- Respect the characteristics which define York's distinctive urban form, as identified in the *Heritage Topic Paper*. For example: building lines, historic street patterns, building scale, plot and block dimensions
- Respect local building heights
- Place importance on the design of roofs and the roofscape
- Preserve existing views and look to create interesting new ones
- Seek to add to the variety and texture of the Conservation Area, which is one of its defining characteristics
- Use materials appropriate to the status and context of the building

4.8 The proposals have been developed within the parameters of the extant approval (03/04075/GRG4 / 05/00882/GRG4). The proposed buildings are of appropriate scale and design, and would maintain the setting of the grade 1 listed City Walls and the Central Historic Core Conservation Area -

Main block

- The scheme retains the originally approved building layout; it adheres to the approved masterplan for the Barbican site, and is surrounded by landscaping. Trees fronting Paragon Street would be retained and the setting of Barbican Road would be enhanced by greenery and new tree planting. The hotel proposed between the application site and the Barbican Centre is currently been built out, also in accordance with the approved masterplan.

- The building would vary in height, between 4 and 5 storey. It would be lower in height than the hotel currently under construction within the Barbican site and at a scale which Historic England has acknowledged as being acceptable for the site. The housing scheme with permission was approx 16m high with flat roof. This scheme has pitched roofs. The eaves level varies between 11m to 13m from ground; the ridge between 16m and 18m. In parts this scheme is taller overall, compared to the previous one, but the building would appear less dominant due to its roof form.
- The roof form would be a series of pitched roofs. The variation in ridge and eaves height, use of oriel windows and prominent entrances would add identity and interest to the overall development.
- The elevations would use two tones of brick, and the intent is that these reasonably match the red/orange brick, which is typical of streetscapes in the city. Overall the form and materials used would be traditional of the city, more harmonious and domestic than the original scheme. The scheme is compliant with the management strategy within the Central Historic Core Conservation Area Appraisal in this respect. Unlike the previous scheme, the building would not compete with, or mimic the City Walls (the previous scheme had turret features and used artstone).
- The on site parking would be at ground level within the building and screened from public views. An active frontage has been reasonably retained; achieved through the provision of duplex flats, with front doors onto the amenity space, and by providing outside amenity space above the car park at first floor level on the west side of the block.

Fawcett/Kent Street block

- The smaller block on the corner of Kent Street and Fawcett Street would develop an unkempt area of land where there was previously a car park.
- The building would be 3-storey, of appropriate scale in the street and comparable in height to its neighbour which is 3 storey and dates from the late C20.
- The building will respect the scale, materials, and proportions of others in the streetscape.

ARCHAEOLOGY

4.9 2005 Draft Local Plan policy HE10: Archaeology states that planning applications for development that involves disturbance of existing ground levels on sites within York City Centre Area of Archaeological Importance will be granted provided the extent and importance of any archaeological remains are evaluated and that the

applicant can demonstrate that less than 5% of any archaeological deposits will be disturbed or destroyed.

4.10 A watching brief on groundwork is required, as was required at the hotel site opposite. The site has been redeveloped in the C20 and comprehensive archaeological investigations have been carried out since the swimming baths were demolished.

RESIDENTIAL AMENITY

4.11 The National Planning Policy Framework asks that developments always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Draft Local Plan policy GP1: Design requires that development proposals ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or from over-dominant structures.

Amenity of neighbours

4.12 The proposed developments would have no undue effect on residential amenity.

- The development generally retains the footprint and scale of the building already approved. The closest neighbour to the building is 20 Barbican Road. The buildings would be over 21m apart. The proposed building is positioned and orientated so no.20 generally would look beyond the proposed building. The proposed development has less mass at this end in this scheme. The previous approval has a circular corner feature here, which was 5-storey. In this scheme the feature is omitted and the development would step down to 4-storey. The developed now proposed would have less impact than the approved scheme. In other areas the building would be set further back from the street and behind landscaping.
- The smaller building would sit next to an apartment block which has a blank side elevation overlooking the application site. The building would not have a material impact on neighbour's amenity.

Future occupants

4.13 Noise surveys undertaken found predominantly noise at the site is from traffic, including emergency vehicles. Glazing specifications have been recommended (table 5.1 of ENS Noise Impact Assessment), so that internal noise levels would comply with British Standards, to achieve 'good' living conditions. These shall be secured through a condition. Fawcett Street is within the air quality management area for the city. Given current levels of air quality, it will be a requirement that living rooms and bedrooms which overlook the road are installed with mechanical ventilation, to draw clean air into the dwellings.

4.14 Both sites would have a reasonable amount of outlook and outside amenity space. There is adequate space for bin storage. The main block would have 2 stores with laybys created so refuse and other vehicles could service the development without blocking the road.

HIGHWAY NETWORK MANAGEMENT

4.15 The National Planning Policy Framework advises that developments should:

- Provide safe and suitable access to the site for all people and minimise conflicts between traffic and cyclists or pedestrians.
- Maximise sustainable transport modes and minimise the need to travel.
- Incorporate facilities for charging plug-in and other ultra-low emission vehicles.

4.16 187 apartments are proposed; parking provision is as follows -

- 155 car spaces – the ratio of car parking to dwellings is the same as the previously approved scheme. There would be 106 spaces on site with the remaining provided on an allocated basis within the adjacent Q Park car park on Kent Street.
- 1 cycle space per dwelling.

4.17 The site is in a sustainable location, within walking distance of the city centre. Cycle and car parking provision accords with the standards within the Local Plan. The cycle parking will be dispersed throughout the building, located by the lifts/staircases, within secure stores accommodating around 25 cycles. This is deemed to be good quality provision; safe, secure and convenient.

PLANNING OBLIGATIONS

4.18 The requirement to provide on-site affordable housing on a scheme of this scale is policy compliant. The National Planning Policy Framework advises that where local councils have identified that affordable housing is needed, they should set policies for meeting this need on site. National guidance also advises that in determining the level of planning obligations, viability is a material consideration.

4.19 York's affordable housing requirement, based upon an assessment of need, is explained in the Affordable Housing Advice note 2013. The Council's current affordable housing targets for brownfield sites, where over 15 houses are proposed, is 20%. This scheme has been subject to independent assessment (district valuer) and 10% affordable housing found to be reasonable. 70% of the affordable units will be social rent, which reflects current need. Officers are content with the outcome of the independent assessment.

4.20 The original permission was to provide 25% affordable housing (60 units). There were also other planning contributions, which have already been made (when the Council sold the site). These included contributions towards –

- Replacement coach parking facilities
- Education
- Off site highway works
- Respark scheme for local residents
- Sports and play facilities
- Public transport measures

DRAINAGE

4.21 The site is within flood zone 1 where flood risk is low and is suitable for residential development in this respect.

4.22 According to Local Plan policy GP15a: Development and Flood Risk, surface water run-off rates from sites should be lower than the pre-development rate. To reduce surface water run-off at the main site, a hydrobrake storage tank will be installed below ground (in the area of hard-standing between the proposed building and the neighbouring hotel). The smaller site was previously a car park, entirely covered in hard-standing. The amount of hard-standing will be reduced and thus also the surface water run-off.

SUSTAINABLE DESIGN & CONSTRUCTION

4.23 Guidance within the National Planning Policy Guidance advises that building's sustainability should be consistent with nationally applied standards. An energy statement was provided in support of the application, which proposes an enhanced building fabric in order to reduce energy demand. The assessment advised that the buildings would have been able to achieve a code for sustainable homes rating of very good. Code for sustainable homes is being phased out by the Government and the national standards are now secured through building regulations. As such, a condition that would require a code for sustainable homes rating is not recommended.

5.0 CONCLUSION

5.1 There is an extant planning permission for residential development at this site. The scheme is of comparable layout and scale to the approved scheme; development would regenerate a prominent brownfield site and provide much needed housing in a sustainable location. There would not be harm to designated heritage assets. The scheme is policy compliant and has officer support.

5.2 Approval is recommended, subject to an S106 legal agreement to secure 10% affordable housing, and conditions, in particular in the interests of visual and residential amenity, drainage, and archaeology.

COMMITTEE TO VISIT

6.0 RECOMMENDATION:

(i) Defer Pending Completion of a Section 106 Legal Agreement relating affordable housing provision.

(ii) Delegate Authority to the Assistant Director (Development, Planning Regeneration) to approve on completion of the agreement, subject to planning conditions:-

1 TIME2 Development start within three years

2 PLANS1 Approved plans -

2012 57 27 Proposed layout

2012 57 21 Floor plans

2015 57 24 Proposed elevations revision J

2012 57 26 Plans for building 2

3 Construction Management

Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration, dust and lighting during the site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents

INFORMATIVE:

For noise details on hours of deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may results in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any).

For dust details should be provided on measures the developer will use to minimise dust blow off from site, i.e. wheel washes, road sweepers, storage of materials and stock piles, used of barriers, use of water bowsers and spraying, location of stockpiles and position on site. In addition I would anticipate that details would be provided of proactive monitoring to be carried out by the developer to monitor levels of dust to ensure that the necessary mitigation measures are employed prior to there being any dust complaints. Ideally all monitoring results should be measured at least twice a day and result recorded of what was found, weather conditions and mitigation measures employed (if any).

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

Complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (ie investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved.

4 Highway management during construction

Prior to the commencement of any works on the site, a 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 LPA. The statement shall also include;

- the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- where contractors will park
- measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

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.

5 HWAY40 Dilapidation survey

6 Tree protection method statement

Before the commencement of development, including the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved statement.

This statement shall include details and locations of protective fencing and there shall be no work or operations carried out within tree protection areas. It shall also include construction details and existing and proposed levels, where a change in surface material is proposed within the canopy spread and likely rooting zone of a tree.

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

7 Land contamination

Investigation of Land Contamination

Prior to development, an investigation and risk assessment (in addition to any assessment provided with the planning application) must be undertaken to assess the nature and extent of any land contamination. 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'.

Submission of Remediation Scheme

Prior to development, 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 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Verification of Remedial Works

Prior to first occupation or use, the approved remediation scheme must be carried out in accordance with its terms and 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.

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 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with section 11 of the NPPF.

8 Drainage

Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Details to include:

- Peak surface water run-off from the proposed development must be restricted to a maximum 37.2 lit/sec.
- Site specific details of the flow control device manhole limiting the surface water to the 37.2 lit/sec.
- Storage volume calculations, using computer modelling which shall 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 must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.
- 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.
- Proposed ground and finished floor levels to Ordnance Datum shall be shown on plans. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

Reason: In the interest of satisfactory and sustainable drainage.

9 ARCH1 Archaeological programme required

10 Materials

Samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of the new buildings. The development shall be carried out using the approved materials.

A sample panel of the brickwork to be used on the buildings shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of construction of the new buildings. 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.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance, and in the interests of the setting of listed buildings and the character and appearance of the conservation area.

11 Large scale details

Large scale details, including notes on materials, of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the pertinent building and the works shall be carried out in accordance with the approved details.

Main building

- Typical details for dormers, and windows (including their surrounds)
- Eaves
- Entrance areas

Apartment block onto Fawcett Street

- Section at 1:20 to show typical details

Sub-station

- Elevations and section at 1:50

Reason: In the interests of visual amenity and of design, in accordance with section 7 of the NPPF.

12 Landscaping

The landscaping scheme (hard and soft measures) shall be implemented in accordance with the approved site plan prior to first occupation.

Prior to occupation a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs to be planted shall be approved by the LPA. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from 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, and in the interests of design, in accordance with section 7 of the NPPF.

13 Cycle storage

Cycle storage, as shown on the approved floor plans shall be provided prior to first occupation of the building and retained for such use at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate space for, and to encourage cycle use in accordance with Local Plan policies GP1 and T4 and section 3 of the National Planning Policy Framework.

14 Electric vehicle charging points

Before the occupation of the development at least 6 Electric Vehicle Recharging Points shall be provided on-site and maintained for the lifetime of the development, to the satisfaction of the Local Planning Authority.

Reason: To promote and facilitate the uptake of electric vehicles on the site in line with the Council's Low Emission Strategy and the National Planning Policy Framework.

INFORMATIVE: Electric Vehicle Recharging Point means a unit capable of charging two electric vehicles simultaneously with the capacity to charge at both 3kw (13A) and 7kw (32A). For further information on how to comply with this condition please contact City of York Council's Low Emission Officer Derek McCreddie.

15 The buildings shall not be occupied until the areas shown on the approved plans for parking, servicing and manoeuvring of vehicles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of design, in accordance with section 7 of the NPPF.

16 Unless otherwise agreed, prior to occupation, the dwellings hereby approved shall be constructed in accordance with the recommended glazing specification detailed in table 5.1 of the ANC Noise Impact Assessment dated 28.2.2013.

Reason: In the interests of residential amenity, in accordance with BS8233 and the World Health Organisation Guidelines on Community Noise, and section 11 of the NPPF.

17 Times of construction

All demolition and construction works and ancillary operations which are audible beyond site boundary or at the nearest noise sensitive dwelling, 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

Application Reference Number: 13/02135/FULM

Item No: 4a

Not at all on Sundays and Bank Holidays.

REASON: To protect the amenities of adjacent residents

18 Air Quality

Unless otherwise agreed, all windows to habitable rooms (living rooms/kitchens and bedrooms) on the elevation (of the smaller housing block, shown on drawing 2012 57 26) facing Fawcett Street shall be non-opening, with ventilation provided through continuous mechanical supply and extract (with heat recovery). Details of the mechanical ventilation scheme shall be approved by the Local Planning Authority prior to first occupation of the building and the scheme shall be carried out in accordance with the approved details.

The windows shall remain non-opening unless it is demonstrated, to the satisfaction of the Local Planning Authority, that air quality would be acceptable for residents.

Reason: To restrict the exposure of future occupants of the development to an unacceptable standard of air quality, and to ensure adequate levels of ventilation, given that air quality outside the site has in previous years failed to meet national standards.

7.0 INFORMATIVES:

Notes to Applicant

1. INFORMATIVE:

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

2. Consent for highway works

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

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington
(01904) 551361

3. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome: sought revised plans, negotiation on affordable housing and

through the use of planning conditions.

Contact details:

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