

# COMMITTEE REPORT

**Date:** 17 October 2024      **Ward:** Dringhouses And Woodthorpe

**Team:** West Area      **Parish:** Dringhouses/Woodthorpe Planning Panel

**Reference:** 24/00404/FUL  
**Application at:** 102 Tadcaster Road Dringhouses York YO24 1LT  
**For:** Erection of 4no. dwellinghouses to rear of 102 Tadcaster Road with associated access and landscaping works.  
**By:** Bootham Developments (York) Ltd  
**Application Type:** Full Application  
**Target Date:** 5 June 2024  
**Recommendation:** Approve

## 1.0 PROPOSAL

1.1 No. 102 Tadcaster Road comprises a substantial brick and render built two storey detached house with a long rear garden. Planning permission is sought for the erection of four detached houses accessed from a private drive running the length of the existing garden. The dwellings would have a standard pattern of scale and massing and a standard palette of materials incorporating a mid-red brick with a pantile roof which finds reference in the wider locality.

1.2 The proposal has been amended since submission to reduce the number of units proposed from five to four in order to address amenity and street scene concerns. The proposal has been further amended to address highways and access concerns.

### Ward Councillor Call-in

1.3 Councillor Fenton has called the application in for consideration at Planning Committee B due to concerns in respect of the impact of the proposal upon the form and character of the wider street scene and also the residential amenity of neighbouring properties.

## 2.0 POLICY CONTEXT

### NATIONAL PLANNING POLICY FRAMEWORK

2.1. The National Planning Policy Framework, December 2023 (NPPF) sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning

applications. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

2.2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

#### DRAFT LOCAL PLAN (DLP 2018)

2.3. The Draft Local Plan 2018 has been subject to examination. Proposed modifications in respect of Policy H5 Gypsies and Travellers have been subject to consultation. The DLP 2018 policies can be afforded weight in accordance with paragraph 48 of the NPPF. Draft policies relevant to the determination of this application are:

H2 – Density of Residential Development

H3 – Balancing the Housing Market

D1 – Place Making

D2 – Landscape and Setting

D6 – Archaeology

CC2 – Sustainable Design and Construction of New Development

ENV2 – Managing Environmental Quality

ENV5 – Sustainable Drainage

T1 – Sustainable Access

### **3.0 CONSULTATIONS**

#### INTERNAL

##### Public Protection

3.1 Raise no objection to the proposal subject to any permission including an informative covering management of the demolition and construction process.

##### Design, Conservation and Sustainable Development (Archaeology)

3.2 Raise no objection to the proposal on the grounds that pre-determination evaluation work has shown the site to be of low archaeological potential.

##### Design, Conservation and Sustainable Development (Trees and Landscape)

3.3 Raise no objection in principle to the proposal but express concern with regard to the tightness of the site in terms of implementation. No objection is raised subject to any permission being conditioned to require submission and prior approval of an arboricultural method statement.

#### Design, Conservation and Sustainable Development (Ecology)

3.4 Raise no objection to the proposal subject to any permission being conditioned to secure biodiversity enhancements at the site and the prior approval of a site lighting plan.

#### Front Line Flood Risk Management

3.5 Raise no objection to the proposal subject to any permission being conditioned to require adherence to the submitted revised drainage strategy.

#### Highway Network Management

3.6 Raise no objection in principle to the proposal but raise concerns in respect of the proposed cycle storage provision, the location of the proposed bin collection point relative to the adopted highway and manoeuvrability associated with the parking spaces to plots 2 and 3.

#### EXTERNAL

#### Dringhouses with Woodthorpe Planning Panel

3.7 Objected to the proposal as initially submitted on the basis that five units would be an over-development of the site and also object to the impact of the increased traffic generation on flows along Tadcaster Road and the capacity of the local surface water drainage system to accommodate additional flows.

#### Yorkshire Water Services

3.8 Raise no objection to the proposal subject to any permission being conditioned to require strict adherence to the submitted revised drainage strategy.

#### Ainsty (2008) Internal Drainage Board

3.9 Raise no objection to the proposal subject to any permission being conditioned to require strict adherence to submitted revised drainage strategy.

### **4 REPRESENTATIONS**

4.1 A total of 13.no objections had been received.

## 4.2 Summary of the objections received:

- Objection to the impact of the construction process on the residential amenity of neighbouring properties
- Objection to the impact of the proposal upon local biodiversity
- Objection to the impact of the proposal upon the provision of local public services
- Objection to the impact of increased traffic flows on to Tadcaster Road
- Objection to impact upon the local foul and surface water drainage network
- Objection to over-development of the site
- Objection to impact upon the residential amenity of neighbouring properties by virtue of over-looking, loss of privacy and overshadowing
- Objection to impact upon the existing boundary hedge to the northeast of significant townscape and amenity importance
- Objection to impact upon the structural health of the Victorian house at the site entrance.

## 5 APPRAISAL

### Key Issues

#### 5.1 The key issues are as follows:

- Principle of the Development
  - Highways and Access
  - Design and Layout of the site.
  - Residential Amenity
  - Drainage & Flood Risk
  - Archaeology
  - Ecology
  - Sustainable design and construction

### PRINCIPLE OF THE DEVELOPMENT

5.2 Central Government Planning Policy as outlined in Section 5 and specifically paragraph 60 of the NPPF is to secure significantly boost the supply of homes. This relates directly to the presumption in favour of sustainable development outlined in paragraph 8b) of the Framework where the provision of a sufficient number and range of homes to meet the needs of present and future generations is a major social objective of the planning system to support the development of strong, vibrant and healthy communities.

5.3 Paragraph 69 of the Framework sets a requirement in most circumstances to identify a five year supply of deliverable sites of which small sites such as the present proposal may form an important element. The authority at present has a

deliverable supply of 4.1 years and so substantial weight should be afforded the proposal as contributing towards that delivery.

## HIGHWAYS AND ACCESS

5.4 Central Government Planning Policy as outlined in paragraph 115 of the NPPF indicates that development should only be prevented or refused on highway grounds if there would be an unacceptable impact upon highway safety or the residual cumulative impacts upon the road network would be severe. Policy T1 of the DLP 2018 indicates that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it. New developments should have safe and appropriate access to the adjoining adopted highway together with sufficient secure and covered cycle storage within the curtilage of the development. The proposal envisages the layout of a shared access drive for four properties which reflects the approach in other similar recently approved developments in the wider locality.

5.5 Concern has previously been expressed by Highway Network Management in respect of the proposed vehicle tracking arrangements to enter and leave the parking spaces associated with plots 2 and 3 of the development. Amended drawings have subsequently been submitted which demonstrate that the manoeuvre can be successfully achieved without harming the safety of other road users. The submitted revised details have also demonstrated that appropriate cycle parking for each of the plots can be satisfactorily accommodated within the site. A satisfactory bin collection point has also been provided for each of the properties close to the site entrance.

5.6 Concern has been expressed by objectors in respect of increased traffic movements on to Tadcaster Road in an area which is already heavily trafficked and close to the heavily utilised junction with Hunter's Way. However, the number of additional vehicles from four properties are not felt to be materially significant in terms of wider traffic movements on Tadcaster Road. Subject to any permission being appropriately conditioned in terms of site layout and cycle parking the proposal is therefore considered to be acceptable in highways and access terms and to comply with Policy T1 together with paragraph 115 of the NPPF.

## DESIGN AND LAYOUT OF THE SITE

5.7 Central Government Planning Policy as outlined in paragraph 135 bullet points b) and c) indicate that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, together with being sympathetic to local character including the surrounding built environment and landscape setting. DLP Policy D1 indicates that new development should enhance, respect and complement the existing pattern of street blocks and demonstrate that the resulting density of the development would be appropriate for the proposed use and neighbouring context.

5.8 Concern has been expressed by objectors in respect of even four units being an over-development of the site. The amended scheme proposes the construction of four detached residential properties of a mix of 1 ½ and two stories in an elongated row served by a private drive within the long garden area of 102 Tadcaster Road. The proposed pattern of development reflects that previously undertaken elsewhere on Tadcaster Road in the immediate vicinity in recent times. The proposed dwellings are simple in design reflecting local agricultural buildings with pitched roofs utilising pantiles with solar pvs. In terms of walling a mid-red brick is proposed which is characteristic of the wider area with Plots 2 and 4 having an agricultural barn style ventilator detail as a string course. The simple design and pattern of scale and massing is again reflective of other developments undertaken in the wider vicinity. Ancillary structures such as garages and cycle stores have been designed to be subservient and to follow the same simple design theme as the host dwellings.

5.9 Concern has been expressed by objectors in respect of the development being an over-development of the site with the layout appearing cramped and neighbouring properties crowded out. However, with the amended scheme reducing the number of units from five to four it is considered that the pattern of development properly reflects that of other similar schemes in the wider area and that the proposal would not represent an over-development of the site. As such it is felt that it would comply with the requirements of Policy D1 of the DLP and paragraph 135 b) and c) of the NPPF.

## RESIDENTIAL AMENITY AND PUBLIC PROTECTION

5.10 Central Government planning policy as outlined in paragraph 135(f) of the NPPF indicates that planning decisions should ensure that developments create places with a high standard of amenity for all existing and future users. At the same time Policy D1 of the DLP as amended indicates that the design of new developments should ensure that residents living nearby are not unduly affected by overlooking, overshadowing, noise or disturbance. The proposed development would follow a linear layout behind the host dwelling on Tadcaster Road with the boundaries to 100 and 104 Tadcaster Road marked by mature hedges with that to 100 more substantial at 2.3 to 2.5 metres with individual semi-mature trees along its length. A substantial rear garden for the host property would be retained separated from the access drive by a newly planted hedge.

5.11 In terms of amenity distances within the development the rear of the host property would be some 23 metres off the frontage of plot one. The side gable elevations of plot two would be some 16 metres from the rear gable elevation of plot one. Plot three would be some 13 metres from the corresponding gable elevation of plot two and plot four would be some 26 metres in terms of its frontage from the adjoining gable elevation of plot 3. The amenity distances between principal elevations are characteristic of the wider pattern of development in the area and are

felt to be acceptable in the context of the development. The proposed plots whilst relatively narrow in terms of overall width provide quite generous external amenity space in terms of gardens and sitting out areas for property owners.

5.12 Concerns have been expressed by objectors in terms of the impact of the proposal upon the residential amenity of properties to the rear of 100 Tadcaster Road to the northeast and also to the boundary hedge separating the two sites and which is of significant importance in providing mitigation to any harm to residential amenity and also in terms of defining the character of the wider site in relation to the local townscape. Amenity distances between the new properties and those within the development to the north vary between six to eight metres. This would not result in a risk of loss of light or over-shadowing. In terms of overlooking or loss of privacy, ground floor windows in respect of plots two and three which are aligned on the boundary would be set below the level of the adjacent boundary hedge and upper floor levels would be lit by velux roof lights. The residential amenity of properties to the northeast would not therefore be materially harmed.

5.13 In terms of properties to the southwest to the rear of 104 Tadcaster Road there would be a nine-metre distance to the blank side gable elevation of the two closest properties. The much lower height of the associated boundary hedge would give rise to some potential for overlooking however there is space within the site to secure reinforcement planting which should largely mitigate any harm. That in turn could be secured by means of condition as part of any planning permission.

5.14 In terms of the hedge on the boundary with land to the rear of 100 Tadcaster Road the potential construction working area is very tight in respect of the associated root protection area. Details of a construction site compound have not been forthcoming however any harm may be minimised through appropriate phasing of the development with the construction site compound etc located in the vicinity of the proposed plot four which would be constructed last. Such a measure may be secured by condition as part of any permission along with any tree protection works.

5.15 It is therefore considered that subject to appropriate conditions as part of any planning permission, then the proposal would not unacceptably harm the residential amenity of neighbouring properties and that the requirements of Policy D1 of the DLP as amended would be complied with.

## DRAINAGE AND FLOOD RISK

5.16 Policy ENV5 of the DLP indicates that for all development on brownfield sites run-off should be restricted to 70% of the existing rate unless it can be demonstrated that it is not reasonably practicable to achieve such a reduction in run-off. Sufficient attenuation and storage should be maintained to ensure that surface water does not exceed the agreed runoff taking account of the effects of 1 in 20 and 1 in 100 year storms. The proposal as amended has been accompanied by a detailed drainage

strategy. The application site lies within Flood Zone 1 and so is at the lowest identified risk of flooding from riparian sources. The submitted strategy shows a connection for foul water to the public combined sewer which crosses the site and is accepted by Yorkshire Water the statutory sewerage undertaker. Surface water would be via an attenuated discharge to the nearby watercourse the Holgate Beck with a discharge rate of 1 litre per second. Subject to any permission being conditioned to secure strict adherence to the submitted drainage strategy, then the proposal is felt to be acceptable in flood risk and drainage terms and compliant with Policy ENV5 of the DLP.

## ARCHAEOLOGY

5.17 The site lies in an area of significant archaeological potential being close to the alignment of the former Roman road approaching the western side of the city with potential for road side cemetery and suburban industrial activity. The site has been subject to a detailed pre-determination evaluation; however, no buried deposits were actually located with the significant archaeological potential likely to be confined to the area of the retained house and its rear garden.

## ECOLOGY

5.18 Policy GI 2 of the DLP indicates that development proposals should result in a net gain to an help improve biodiversity. The proposal was submitted 13<sup>th</sup> March 2024 prior to the requirement for Biodiversity Net Gain (BNG) became mandatory for small sites of fewer than 10 houses. A preliminary Ecological Appraisal has however been submitted with the proposal. That identifies no evidence of bat foraging or roosting within the application site however, some limited potential exists in respect of the retained house and associated out building on the site frontage. In order to stimulate and safeguard any transient bat population within the area it recommends the provision of bat boxes in association with each of the proposed properties together with any lighting designed to be bat sensitive. Recommendations are also suggested in respect of breeding bird populations including the provision of appropriate bird boxes and securing hedgehog habitat. Each element may be secured by condition as part of any planning permission together with a lighting plan for the site. Subject to the measures being appropriately conditioned as part of any planning permission then it is felt that the requirements of Policy GI 2 would be complied with.

## SUSTAINABLE DESIGN AND CONSTRUCTION

5.19 Policy CC2 of the DLP 2018 seeks to ensure that new development, specifically residential development should be designed to a high standard of sustainability and energy efficiency. In the current case the proposal has been designed to achieve a substantial reduction in carbon emissions as outlined in the revised Design and Access Statement. Proposed measures include the provision of



electric vehicle charging for each of the four properties, the provision of photo voltaic panels for each southeast and southwest facing roof slope and the provision of air source heat pumps where provision of generation by photo voltaic panels is not possible. Additionally, each property has been designed to achieve at least 50% of its anticipated carbon reductions through a fabric first approach. It is therefore felt that the requirements of Policy CC2 would be satisfactorily achieved.

## 6.0 CONCLUSION

6.1 The proposal as amended is considered to be appropriate in terms of its relationship to the pattern of development in the wider area. It is felt to be appropriate in highways and access terms and the proposed drainage strategy is acceptable. Subject to appropriate conditions attaching to any planning permission, it is felt that it would not give rise to undue harm to the residential amenity of neighbouring properties or the landscape and biodiversity value of the site.

## 7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

4064-1B Detailed Landscape Proposals  
22123-VP-ZZ-ZZ-DR-A-0001\_P02 Location Plan  
22123-VP-ZZ-ZZ-DR-A-1000\_P07 Proposed Site Plan  
22123-VP-ZZ-ZZ-DR-A-1001\_P04 Proposed Block Plan  
22123-VP-ZZ-ZZ-DR-A-1010\_P04 Proposed Ground Floor Site Plan  
22123-VP-ZZ-ZZ-DR-A-1011\_P04 Proposed Ground Floor Block Plan  
22123-VP-ZZ-ZZ-DR-A-1110\_P04 HT01 Proposed Floor Plans  
22123-VP-ZZ-ZZ-DR-A-1130\_P04 HT03 Proposed Floor Plans  
22123-VP-ZZ-ZZ-DR-A-1302\_P01 Proposed Garage Plans and Elevations  
22123-VP-ZZ-ZZ-DR-A-1310\_P04 HT01 Proposed Elevations 1 of 2  
22123-VP-ZZ-ZZ-DR-A-1311\_P04 HT01 Proposed Elevations 2 of 2  
22123-VP-ZZ-ZZ-DR-A-1320\_P04 HT02 Proposed Elevations 1 of 2  
22123-VP-ZZ-ZZ-DR-A-1321\_P04 HT02 Proposed Elevations 2 of 2  
22123-VP-ZZ-ZZ-DR-A-1330\_P04 HT03 Proposed Elevations 1 of 2  
22123-VP-ZZ-ZZ-DR-A-1331\_P04 HT03 Proposed Elevations 2 of 2  
22123-VP-ZZ-ZZ-DR-A-1500\_P03 Proposed Site Sections  
22123-VP-ZZ-ZZ-DR-A-1120\_P06 HT02 Proposed Floor Plans  
23373-DR-C-0100 P6 Tracking Layout  
2123-VP-ZZ-ZZ-DR-A-1070 CEMP Plan

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

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development beyond foundation level. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices sample materials should 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.

4 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the construction of the development commences beyond foundation level and shall be provided in accordance with the approved details before the development is occupied.

Reason: In the interests of the visual amenities of the area and the amenities of neighbouring properties.

5 Prior to development (excluding vegetation clearance), a site investigation and risk assessment must be undertaken to assess the nature, scale and extent of any land contamination and the potential risks to human health, groundwater, surface water and other receptors. A written report of the findings must be produced and is subject to approval in writing by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

6 Where remediation works are shown to be necessary, development (excluding demolition) shall not commence until a detailed remediation strategy has been submitted to and approved by the Local Planning Authority. The remediation strategy must demonstrate how the site will be made suitable for its intended use and must include proposals for the verification of the remediation works. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the proposed remediation works are appropriate and will remove unacceptable risks to identified receptors.

7 Prior to first occupation or use, remediation works should be carried out in accordance with the approved remediation strategy. On completion of those works, a verification report (which demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the agreed remediation works are fully implemented and to demonstrate that the site is suitable for its proposed use with respect to land contamination. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act

8 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, 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.

9 Before the commencement of development, a site-specific, comprehensive Arboricultural Method Statement and Tree Protection Plan and scheme of arboricultural supervision regarding protection measures for existing trees within and adjacent to the application site shown to be retained on the approved drawings, shall be submitted to and approved in writing by the Local Planning Authority. Amongst other information, this statement shall include a schedule of tree works if applicable; details and locations of protective fencing; phasing of protection measures; ground protection; site rules and prohibitions; site access during demolition/construction; types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading); specialist construction techniques where applicable; location of site compound, parking arrangements for site vehicles, locations for stored materials, and means of moving materials around the site; and locations and means of installing utilities. The content of the approved document shall be strictly adhered to throughout development operations. A copy of the document shall be available for reference and inspection, on site, at all times.

Reason: To ensure every effort and reasonable duty of care is exercised during the development process in the interests of protecting the existing trees shown to be retained which are considered to make a significant contribution to the amenity and setting of the development and the conservation area

10 The development shall be carried out in accordance with the details shown on the submitted Drainage Strategy - Re: 23373-DR-C-0100 Revision P6 dated 11th June 2024, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage

11 The dwellings hereby permitted shall achieve a reduction in carbon emissions of at least 75% compared to the target emission rate as required under Part L of the Building Regulations 2013 unless it can be demonstrated that such reductions may not be feasible or viable.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policy CC2 of the Draft Local Plan 2018 (as modified in 2023).

12 Prior to the installation of any new external lighting, a 'lighting design plan' shall be submitted to and approved in writing by the local planning authority. The plan shall:

- a) Specified lighting should be made in-line with current guidance - Bat Conservation Trust (2023) Bats and Artificial Lighting at Night: <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/> .
- b) Demonstrate that it has taken account of the recommendation set out in the PEA provided by Wold Ecology February 2024.
- c) Demonstrate how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications), clearly demonstrating where light spill will occur, both within and outside the site boundary.

Reason: To maintain the favourable conservation status of bats and ensure the site remains attractive to other light sensitive species.

13 As detailed in the Wold Ecology Preliminary Ecological Appraisal (February, 2024) at least 2 bat boxes should be sited on the new buildings on site. These should be either Schwegler 1FQ box or 1FR/2FR integral bat box. As per the recommendations in the PEA bat boxes should be sited on the south, east or west elevations, 3-5m above ground level and away from artificial lighting.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraphs 185-188 of the NPPF (2023) to contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for biodiversity, including establishing coherent

ecological networks that are more resilient to current and future pressures.

14 Each dwelling hereby approved shall be provided with a Schwegler bird box erected prior to first occupation which shall then be retained thereafter

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraphs 185-188 of the NPPF (2023) to contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

15 As detailed in the Wold Ecology Preliminary Ecological Appraisal (February, 2024) four hedgehog houses shall be positioned around the site with suitable habitat (hedge bases, dense scrub, rough grassland etc). Boxes shall be sited out of direct sunlight with the entrance facing away from prevailing winds, in or under thick vegetation. The boxes shall be situated away from busy roads or areas of high disturbance. The boxes shall be installed before first occupation of the development and shall be retained thereafter.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraphs 185-188 of the NPPF (2023) to contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

16. Prior to first occupation the highway access layout shall be constructed in strict accordance with site plan drawing ref 22123-VP-ZZ-ZZ-DR-A-1000\_P07 and shall be retained as such thereafter.

Reason: To secure safety and convenience of highway users and to secure compliance with Policy T1 of the 2018 Draft City of York Local Plan.

17. The turning and manoeuvring areas and bin pick up on the site frontage illustrated on site plan drawing ref: 22123-VP-ZZ-ZZ-DR-A-1000\_P07 shall be retained free of obstruction and for their intended purpose.

Reason: To secure the safety and convenience of highway users and to secure compliance with Policy T1 of the 2018 Draft City of York Local Plan.

18. The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles 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 highway safety.

19. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, AA, B and C of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no door, window or other opening additional to those shown on the approved plans shall at any time be inserted in the side elevation of the property.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

## **8.0 INFORMATIVES: Notes to Applicant**

### **1. 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 (paragraph 38) 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:

- i) Sought a reduction in the quantum of development from five to four plots
- ii) Sought clarification of the proposed access layout
- iii) Sought submission of a revised drainage layout
- iv) Sought safeguarding of the landscape planting along the northern and eastern boundaries
- v) Sought safeguarding of the biodiversity value of the site.

### **2. CONSTRUCTION AND DEMOLITION**

- i. 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.

- ii. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228-1:2009 + A1:2014 and BS 5228-2:2009 + A1:2014, a code of practice for "Noise and Vibration Control on Construction and Open Sites".
- iii. Best practicable means shall be employed at all times in order to minimise noise, vibration, dust, odour and light emissions. Some basic information on control noise from construction site can be found using the following link.  
[https://www.york.gov.uk/downloads/download/304/developers\\_guide\\_for\\_controlling\\_pollution\\_and\\_noise\\_from\\_construction\\_sites](https://www.york.gov.uk/downloads/download/304/developers_guide_for_controlling_pollution_and_noise_from_construction_sites)
- iv. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.
- v. There shall be no bonfires on the site.

### 3. ELECTRIC VEHICLE CHARGING

In line with paragraph 112 of the National Planning Policy Framework, developments should be designed to 'enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations'.

In line with Building Regulations, Electric Vehicle (EV) charge point provision ('active provision') is required for all residential developments in York, unless the development has no parking. To prepare for increased demand for charging points in future years, appropriate cable routes ('passive provision') should also be included in the scheme design and development.

Approved Document S: infrastructure for charging electric vehicles outlines the required standards and provides technical guidance regarding the provision of EV charge points and cable routes.

From 15th June 2022, Approved Document S applies to new residential and non-residential buildings; buildings undergoing a material change of use to dwellings; residential and non-residential buildings undergoing major renovation; and mixed-use buildings that are either new or undergoing major renovation.

CYC Building Control should be consulted on all proposals for EV charge point provision (active and passive) to ensure compliance with current Building Regulations.

### 4. BIODIVERSITY NET GAIN

Based on a review of historical aerial photographs it is clear that the application site has been subject to recent works to remove a significant amount of vegetation and

thus reducing the sites biodiversity value prior to the submission of the current application under consideration. It should be noted for any future applications that with the introduction of statutory Biodiversity Net Gain under the provisions detailed in the Environment Act 2021 site degradation of this type will need to be taken into account and the baseline value of habitats will be taken as the value prior to the vegetation clearance works being carried out.

## 5. DRAINAGE DETAILS

Drainage notes for the developer

- i) The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal,
- ii) The applicant should be advised that the Yorkshire Waters prior consent is required (as well as planning permission) to make a connection of foul and surface water to the public sewer network, and
- iii) The applicant should be advised that the York Consortium of Drainage Board's prior consent is required (outside and as well as planning permission) for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in or make a discharge (either directly or indirectly) to the watercourse will also require the Board's prior consent.

### **Contact details:**

**Case Officer:** Erik Matthews

**Tel No:** 01904 551416