

## COMMITTEE REPORT

**Date:** 20 March 2019                      **Ward:** Strensall  
**Team:** Major and                              **Parish:** Earswick Parish Council  
                    Commercial Team

**Reference:** 18/01923/OUT  
**Application at:** Proposed Residential Development Site Shilton Garth Close  
Earswick York  
**For:** Outline application for the erection of 2no. dwellings  
**By:** Mr & Mrs Curzon  
**Application Type:** Outline Application  
**Target Date:** 25 March 2019  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application site is a roughly rectangular parcel of land in use as a garden to the rear of 9 The Village, Earswick measuring approximately 0.16 hectares in area. The site lies west of Shilton Garth Close where there is an existing access to the site.

1.2 The site lies within the village of Earswick, outside of the Green Belt. The character of the surrounding area is wholly residential. The site lies to the south of The Village which is characterised by predominantly modest sized dwellings with front and rear gardens. The mature trees and hedgerow provide on the south of the site provides a visual boundary before the highway turns into Shilton Garth Close which is relatively uniform and characterised by larger detached 2 storey dwellings set back from the public highway with relatively open front gardens bound by dwarf walls and intermittent soft landscaping. To the east of the site lies the side garden of no 1 Shilton Garth Close which has a conifer hedge boundary and there are a further two detached dwellings with a separate access opposite the site to the east.

1.3 There are a number of trees within or close to the boundary of the site including two either side of the south eastern boundary of the site that are subject to tree preservation orders (an Oak and a Sycamore).

1.4 The application is for outline planning permission with layout included for the erection of 2 detached dwellings. All other matters are reserved. The submitted plans show an indicative access via the existing access to the site of Shilton Garth Close. The proposed layout is for two detached dwellings oriented with their front elevations facing east towards the public highway. They are to be located in the western half of the site with rear gardens and off street parking in front. A single visitor parking space is indicated adjacent to the vehicular access.

1.5 Following a number of objections raised by local residents, the application was called in for determination by committee by the local ward Councillor, Cllr Doughty.

## **2.0 POLICY CONTEXT**

### 2.1 Draft 2005 Development Control Local Plan

GP1	Design
GP4a	Sustainability
SP7a	Sequential Approach to Development

### 2.2 Publication Draft Local Plan 2018

D1	Placemaking
D2	Landscape and Setting
DP2	Sustainable Development
DP3	Sustainable Communities
H2	Density of Residential Development
ENV2	Managing Environmental Quality
ENV5	Sustainable Drainage
GI4	Trees and Hedgerows
T1	Sustainable Access

### 2.3 Earswick Neighbourhood Plan Submission Version (2) 2017 to 2037

ENP1	Windfall Housing Development
ENP2	Housing Mix
ENP6	Ecology and Biodiversity
ENP8	Trees and Hedgerows
ENP11	Enhancements to Transport and Highways

## **3.0 CONSULTATIONS**

3.1 The planning application as originally submitted was for the erection of 3 dwellings. These original plans showed 2 dwellings at the western end in a similar location to the latest revisions and a further dwelling in the north eastern corner of the site. Following concerns raised by members of the public and officers, the number of dwellings was reduced from 3 to 2 and the third dwelling replaced with a single storey garage block. Concerns were raised over the impact of the garage block on the root protection area of the protected tree and also its general impact on the streetscene. The garage block was removed and clarification provided over which bedroom was to be a 3 bedroom dwelling and which was to be a 2 bedroom dwelling. These plans were also subject to consultation with statutory consultees and local residents.

## **INTERNAL**

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## Housing Development

3.2 Affordable housing contributions would be applicable if the total floor space of the new houses exceeded 1000 square metres.

## Highway Network Management

3.3 No objection. Access does not form part of the outline application; however the plans show it being taken from the existing access which is to be enlarged. This principle is accepted subject to conditions.

## Landscape Architect

3.4 The two largest trees towards the front of the site - Sycamore (referred to as T3 in the tree survey) and Oak (referred to as T2 in the tree survey) - are subject to a tree preservation order (TPO) - reference CYC 247- T1 and CYC 247 - T2 respectively. The development proposal utilises the existing access in to the plot as a shared drive, thereby allowing the hedge along the front boundary to be retained. This also avoids the creation of a second access through the recommended root protection area (RPA) of the oak tree. Revised site plan acceptable subject to condition. The driveway should be of porous construction if at all possible as this would help to keep up the levels of ground water availability for the adjacent trees. An arboricultural method statement condition proposed if permission granted.

## EXTERNAL

### Earswick Parish Council

3.5 No objections to the revised plans of two dwellings with no garage block.

### Yorkshire Water

3.6 No objection to the drainage proposal as set out on revised site plan 426-A02 rev H.

### Foss Internal Drainage Board

3.7 The IDB does have assets in the wider area (River Foss). No objection in principle. Conditions recommended regarding drainage.

## Site Notice and Publicity

3.8 The application was originally advertised by neighbour notification and site notice. Further neighbour notification was undertaken when revised plans were received.

3.9 13 letters of objection were originally received and then further responses received when the dwelling 3 was replaced with a detached garage block. The concerns raised were

- Impact on privacy to gardens to the north
- Concern over the impact of the access of the protected trees
- No tree survey submitted
- 3 x 4 bedroom dwellings would amount to overdevelopment, out of character with the character of the area and visually damaging
- No objection in principle to develop this plot but it should be sympathetic to the area
- A single dwelling or bungalow would be more appropriate
- Overdevelopment: 1 or 2 dwellings would be more appropriate
- 3 dwellings unacceptable but would not object to 2 dwellings if overdevelopment, height and parking issues resolved
- Large amount of hardstanding would be unnatural and lead to site flooding as well as the removal of wildlife habitats, loss of greenery
- Concern over the impact on public sewers of 3 dwellings
- Concern over the use of a soakaway for surface water drainage given the clay soil
- Little or no gardens, inconsistent with the area
- Development would be visually, environmentally and practically at odds with immediate environment
- Concern over the potential height of the buildings
- Concern over parking, pollution, construction vehicles and highway safety and existing potholes

3.10 A further set of revised plans were received which included the removal of the garage block and confirmation of the number of bedrooms to each dwelling. Objections were received regarding the revised plans raising the following concerns:

- The western half of the site would still be cramped
- Still overdevelopment, out of keeping with the character of the area including greenery
- Not clear drainage concerns would be alleviated, echoing comments of drainage board
- Large amount of hardstanding, leading to flood concerns and loss of wildlife habitat
- Privacy concerns not addressed

- Contrary to draft Neighbourhood Plan policy ENP1 (Windfall Housing Development)
- Site should be for 1 dwelling only/bungalow
- Plans don't show whether they are houses or bungalows
- Proposed dwellings too close together, appear cramped
- Height of dwellings still unknown
- Increase in parking
- Concerns over highway safety
- Small gardens
- Note the comments of the Landscape Architect over the root area of the protected trees

3.11 Following discussions with the Council's Flood Risk Engineer, concerns were raised with the applicant over the suitability of a soakaway at the site for surface water drainage. While drainage details can often be left to planning conditions, given ground conditions in this locality it was deemed necessary to establish the drainage strategy prior to determination of the planning application. Following a failed soakaway test, a revised site plan was submitted amending the proposed drainage scheme and moving plot 2 further away from a protected tree in response to the comments of the Landscape Architect. Adjoining neighbours to the proposed plot 2 were consulted on this. A further seven objections were received and below is a summary of the consultation responses:

- 2 houses being squeezed into a narrow site
- Site should be developed in a way sympathetic to surrounding environment, meaning one dwelling, preferably a bungalow
- Drainage concerns, possibility of flooding
- Parking concerns, additional visitor traffic, only one dwelling has a garage
- Highway safety concerns with on street parking, the width of Shilton Garth Close and the junction with The Village
- No bicycle and bin storage details
- Impact on the character of the area
- Concern over the height of the dwellings compared to buildings to the north
- Impact on amenity, including privacy and loss of light
- Still encroaching onto the trees with TPOs with the possibility of accidental damage to the roots
- Concern over the impact on the boundary hedges given the proximity and the width of the access
- Little green space retained

## **4.0 APPRAISAL**

### **4.1 Key Issues**

- policy context
- principle of development
- delivery of housing
- impact on the streetscene
- impact on amenity and living conditions of adjacent occupiers
- highways and parking
- trees
- drainage
- sustainability

## POLICY CONTEXT

### National Planning Policy Framework (NPPF) (February 2019)

4.2 The revised National Planning Policy Framework (NPPF) was published on 19 February 2019 and sets out the government's planning policies for England and how these are expected to be applied.

4.3 The planning system should 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. Paragraph 14 advises that at the heart of the Framework there is a presumption in favour of sustainable development.

4.4 Section 5 relates to delivering a sufficient supply of homes. Paragraph 68 states that small and medium sized sites that can make an important contribution to meeting the housing requirement of an area.

### Publication Draft Local Plan (2018)

4.5 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

4.6 The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications.

## Development Control Local Plan (2005)

4.7 The Development Control Local Plan (DCLP) was approved for development management purposes in April 2005. Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations with very limited weight in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

## Earswick Neighbourhood Plan Submission Version 2017-2037

4.8 The final draft of the Earswick Neighbourhood Plan was formally submitted by Earswick Parish Council for independent examination on 5th February 2018 and was subject to public consultation between 4th October and 15th November 2018. The Earswick Neighbourhood Plan Examiner's Report dated 7 January 2019 recommended minor modifications to the Plan to ensure it reflected the NPPF. Subject to these modifications, the Examiner recommended that the Plan proceed to a referendum within the neighbourhood plan area. The report was taken to the City of York Council's Local Plan Working Group in February 2019 includes the Council's proposed response to the Examiner's recommended modifications. This report asks Members to recommend to Executive to agree the Examiner's recommendations to enable the Neighbourhood Plan to proceed to Referendum.

## PRINCIPLE OF DEVELOPMENT

4.9 The NPPF excludes private residential gardens from the definition of previously developed land. However it has not introduced a general presumption against the development of gardens, it merely removes this as a positive factor in determining such applications. Any scheme still has to be judged against the impact on the character of an area, the impact on adjacent residents and any other material considerations. In this respect, paragraph 70 of the 2018 NPPF states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. This is reflected in policy GP10 of the Development Control Local Plan 2005, "Subdivision of Gardens and Infill Development", which states that planning permission will only be granted for the sub-division of garden areas or infilling to provide new development where this would not be detrimental to the character and amenity of the local environment. However there is no policy in the 2018 Draft Plan that specifically covers garden subdivision for housing.

4.10 Policy H2 of the 2018 Draft Plan seeks to ensure the efficient use of land and help maintain local services and public transport provision. The policy states housing development should achieve a density of 35 units per hectare in a rural area or village. The policy also notes that higher densities can be achieved within 400 metres of a

high frequency public transport corridor where it complies with other plan objectives. The policy goes on to state that delivering densities that support the efficient use of land requires good design that responds to its context, an appropriate mix of house types and should be informed by the local character of the area.

4.11 Policy ENP1 of the Earswick Neighbourhood Plan accepts that there may be some windfall developments over the Plan period. Development proposals for small scale (normally for a single dwelling) infill development will be supported subject to the following provisions.

- a) Reflects the size, character and level of the infrastructure service provision of Earswick.
- b) Meets a clearly identified need for the Parish;
- c) Retains existing and wherever possible enhances natural boundaries such as trees, hedges and streams which either contribute to visual amenity or are important for their ecological value.
- d) Does not reduce garden/green space to an extent where it would significantly adversely affect the character of the area or the amenity of the proposed occupiers of the new development or adjacent properties/uses.

4.12 The site lies within the boundary of the village of Earswick and the existing use is as a residential garden for no 9 Earswick Village. The site is unallocated on the Proposals Map for the 2018 Draft Plan but as a garden does not constitute previously developed land. It is noted that no 9 Earswick Village does have an existing rear garden of a similar scale to neighbouring properties either side. While Neighbourhood Plan policy ENP1 refers to windfall developments 'normally' being for single dwellings, this should be considered on a site by site basis. As the Neighbourhood Plan has not yet been 'made' following independent examination only moderate weight should be attached to the policy. The proposal should therefore be considered on the character of an area, the impact on adjacent residents and any other material considerations.

## DELIVERY OF HOUSING

4.13 Policy ENP2 states that new housing development will be required to demonstrate how it relates to the existing need for smaller homes (three bedrooms or less). The text of the Neighbourhood Plan expands on this requirement, noting in paragraph 114 a choice of high quality homes "is especially important in Earswick Parish as there is strong evidence from the Census and other sources that there is an imbalance in the housing stock with a relative over provision of larger properties (3 or more bedrooms) and a relative under provision of smaller properties (less than 3 bedrooms)."

4.14 The revised application proposes new housing in the form of 1 x 2 bedroom dwelling and 1 x 3 bedroom dwelling with the settlement limit of Earswick. The inclusion of a smaller dwelling would assist in addressing policy ENP2 of the Draft



Neighbourhood Plan. However at this stage because this is an outline application the internal design of the houses is not known and the number of bedrooms cannot be controlled by planning condition. The total floorspace proposed is considerably below 1000 square metres and therefore no affordable housing contributions are required.

## IMPACT ON THE STREETSCENE

4.15 Section 12 of the NPPF sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Policy D1 of the 2018 Draft Plan states that development proposals will be supported where they improve poor existing urban and natural environments and enhance York's special qualities. Proposals that fail to make a positive design contribution to the city or cause damage to the character and quality of an area will be refused. The policy goes on to state that proposals should adhere to the certain detailed design points including:

- enhance, respect and complement the historic arrangement of street blocks, plots and buildings, where possible restoring old patterns of urban grain where these have been damaged or obscured.
- enhance and complement the character and appearance of landscape, city parks, landforms, open space, planting and boundary treatment.
- demonstrate that the resultant density of a development proposal will be appropriate for its proposed use and neighbouring context.
- demonstrate that the combined effect of development does not dominate other buildings and spaces, paying particular attention to adjacent buildings or parks of architectural or historic significance.
- meet the highest standards of accessibility and inclusion.
- integrate car parking within the design of development so as not to dominate the street scene.

4.16 The application is for outline permission for the erection of 2 dwellings with associated parking. The layout of the site is also to be determined at this stage with remaining matters reserved (access, appearance, landscaping and scale). Therefore the detailed design of the dwellings such as materials, window positioning and roof design are not for consideration at this stage.

4.17 The proposed layout shows an indicative access into the site from the north east and two detached dwellings sited in the western half of the site with a substantial set back from the front of the site which is in keeping with the general character of the area. The proposed layout shows the existing site access to be retained and used for the dwellings. The existing hedgerow is also shown as retained. While access and landscaping are to be considered fully at reserved matters, the proposed plans demonstrate that the hedgerow can be retained. The layout plan shows the larger

dwelling (plot 2) to the south and plot 1 to the north. A site section drawing showing proposed ridge lines was submitted with indicative heights of 6.2 metres and 5.8 metres for the southern and northern plot respectively. The section drawing includes a line drawn from ridge of 1 Shilton Garth Close to 9 Earswick Village. The indicative heights are shown below this line. This would be in keeping with the existing character with larger dwellings to the south on Shilton Garth Close and smaller dwellings on Earswick Village to the north of the site. While scale and design are reserved matters, conditions are recommended to restrict the overall height of the development in line with the submitted sectional drawing to protect the existing character of the area. Policy H2 of the Draft Plan 2018 indicates a higher density could be achieved in a typical plot of this size. However the character of the area is of detached dwellings with front and rear gardens and there are two protected trees in the south eastern corner of the site. With these constraints in mind, it is not considered the proposal would conflict with Policy H2. As such the proposed outline application is considered to demonstrate that two dwellings in this layout would have an acceptable impact on the character of the area in line with the NPPF, Policy D1 of the 2018 Draft Plan and Policy ENP1 of the Draft Earswick Neighbourhood Plan.

## TREES

4.18 Paragraph 170 of the NPPF states planning decisions should contribute to and enhance the natural and local environment by recognising the wider benefits from natural capital and ecosystem services including trees. Policy D2 of the 2018 Draft Plan advise development proposals will be supported where they recognise they conserve and enhance landscape quality and character and also recognise the significance of landscape features such as mature trees and hedges. At the south east corner of the site lie a mature English Oak and Sycamore subject to Tree Preservation Orders. There is a mature English Oak and Sycamore. The Oak lies adjacent to the site in the front garden of no 2 Shilton Garth Close. A tree survey was submitted in support of the application and showed the Oak to be a category 'A' tree of high quality and value and the Sycamore to be a category 'B' tree of moderate quality and value. The tree survey also detailed a number of other trees on the edge of the site. These were categorised as either being unsuitable for retention or of low quality and value. Revised plans were received ensuring that an increased separation has been achieved between plot 2 and the Sycamore. A condition for an arboricultural method statement should outline permission be granted and that any driveway be constructed of porous materials is proposed.

## IMPACT ON NEIGHBOURS' LIVING CONDITIONS

4.19 The NPPF states that developments should create places with a high standard of amenity for all existing and future users. It goes on to state that decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Policy D1: "Place-making" covers amenity. Policy ENV2 states that development will not be permitted where future occupiers and

existing communities would be subject to significant adverse environmental impacts such as noise, vibration, odour, fumes/emissions, dust and light pollution without effective mitigation measures. Policy GP1 of the 2005 DCLP seeks to ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures. Policy ENP1 of the Neighbourhood Plan seeks to ensure that infill development does not have a significant adverse effect on neighbouring properties or uses by way of privacy, daylight, noise, visual intrusion, overshadowing or amenity.

4.20 Due to the siting of the buildings towards the western end of the plot the closest dwelling will be 2 Shilton Garth Close to the south. Plot 1 will be oriented on an east - west orientation and conditions can be imposed to ensure there are no side facing windows at first floor level or above to prevent overlooking. Due to the locations of the dwellings they are not considered to result in an adverse impact on the amenity of the dwelling to the south being set in 1.5 metres from the shared boundary, projecting no further to the rear and located to the north. The rear gardens would be set 12 and 13 metres in from the shared boundary to the rear (west). Plot 1 will be set in a minimum of 1.2 metres from the rear boundaries of gardens to the north. These rear gardens are approximately 20 metres in depth and therefore the siting of plot 1 will not result in an unacceptable loss of amenity. To protect privacy, conditions will be imposed to ensure any windows above ground level to side elevations will be obscure glazed.

## HIGHWAYS

4.21 There is an existing access to the site off the public highway and the proposed layout plan shows that this would be the access to the site. However it is noted that access to the site is a reserved matter and that at outline stage only an indicative access is necessary. While concerns have been raised over highway safety and parking by local residents the proposal would include six off street car parking spaces including one for visitors. Furthermore conditions can be imposed with regard to electric vehicle charging and bin/cycle parking storage. Subject to conditions the proposal would not harm road safety or local parking provision.

## DRAINAGE

4.22 Policy ENV5 states that Sustainable Drainage System (SuDS) methods of source control and water quality improvement should be utilised for all new development, to minimise the risk of pollution and to attenuate flood volumes. In exceptional circumstances, where SuDS methods of source control and water quality can not be provided, it must be demonstrated that:

- i it is not possible to incorporate SuDS, either on site, or close to the site; and
- ii an acceptable means of surface water disposal is provided which does not increase the risk of flooding, does not damage existing environmental assets and improves on the current situation.

4.23 While the site lies in flood zone 1, it is located within an area of clay soil. Following concerns from local residents and the Council's Flood Risk Engineer regarding drainage, it was agreed that a soakaway test should be undertaken prior to determination of the application rather than left to condition. A soakaway test was witnessed on site by the Council's Flood Risk Engineer on 5th February 2019 and confirmed as unsuccessful. As per the hierarchy for surface water drainage, the next option for discharge to be attenuated and discharged at a controlled rate to either watercourse and/or only after all other methods have been discounted then to surface water sewer if available which should be by way of consent by Yorkshire Water. A revised site plan submitted in February 2019 confirms controlled discharged of surface and foul water drainage to the public sewer. Yorkshire Water has confirmed they have no objection to this drainage strategy.

## **5.0 CONCLUSION**

5.1 The revised proposal for outline planning permission for the erection of two detached dwellings with the layout also to be determined at this stage is considered to respect the existing character of the area by providing a decent set back from the public highway and retaining existing landscape features including the protected trees and boundary hedgerows. The proposed site plan shows a development that would protect neighbour amenity and would provide sufficient off street parking. Subject to the following planning conditions the proposed development is considered to acceptable with regard to the relevant national, local and neighbourhood planning policies and is recommended for approval.

## **COMMITTEE TO VISIT**

## **6.0 RECOMMENDATION: Approve**

1      OUT1      Approval of Reserved Matters

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

Details to be submitted: access, appearance, landscaping, and scale of the proposed development to be carried out, including a schedule of all external materials to be used.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development and to comply with the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006.

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

426-A02 rev H received 26 February 2019

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

4 VISQ8 Samples of exterior materials to be app

5 Prior to the commencement of development an Arboricultural 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. Amongst others, this statement shall include details and locations of protective fencing, ground protection, site rules and prohibitions, phasing of works, site access during demolition/construction, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials, locations and means of installing utilities, location of site compound. A copy of the document will be available for inspection on site at all times.

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

6 Prior to the development commencing, details of car and cycle parking areas, including enclosures if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the car and cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cars and cycles.

Reason - To promote the use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

7 Prior to the development coming into use, the initial 5m of the vehicular access, measured from the back of the public highway, shall be surfaced, sealed and positively drained within the site. Elsewhere within the site all areas used by vehicles shall be surfaced and drained, in accordance with the approved plans.

Reason: To prevent the egress of water and loose material onto the public highway.

8 The development shall not be occupied until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating the verge/full height kerb to match adjacent levels.

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Reason: In the interests of good management of the highway and road safety.

9 No dwelling on the site shall be occupied until turning areas have been provided in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby ensuring the safe and free passage of traffic on the public highway.

10 HWAY28 IN Proximity of gate etc to highway

11 Prior to occupation, each off street parking space shall incorporate a suitably rated electrical socket to allow a minimum of 'Mode 2' charging of an electric vehicle using a standard 13A 3 pin socket and a 3m length cable.

Reason

To provide facilities for charging electric vehicles in line with the NPPF and CYC's Low Emission Strategy.

Notes

Alternatively, a suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows faster charging of electric vehicles. Further advice can be provided by City of York Council's Public Protection team on request.

All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015)."

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), unless otherwise agreed in writing with the Local Planning Authority any windows in the side elevations of the dwellings at first floor level shall at all times be obscure glazed to a standard equivalent to Pilkington Glass level 3 or above and remain fixed shut.

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

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13 The dwellings to be erected on this site shall be no more than the following heights above existing ground level:

Plot 1 to be no more than 5.9 metres.

Plot 2 to be no more than 6.3 metres.

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

14 NOISE7 Restricted hours of construction

15 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 Class F of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of preventing hard surfacing being laid over the root protection area of the existing trees at the site 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.

## **7.0 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:

Revised plans to reduce the scale of the development from 3 dwellings to 2 dwellings, to determine the drainage strategy and to minimise the impact on the protected trees.

#### **Contact details:**

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