

COMMITTEE REPORT

Date: 24 March 2025 **Ward:** Fulford And Heslington
Team: East Area **Parish:** Fulford Parish Council
Reference: 24/01931/FUL
Application at: St Oswalds Church Of England Primary School Heslington Lane
York YO10 4LX
For: Single storey side extension, new pedestrian access gates and
paving, alterations to hard and soft landscaping, and siting of PV
solar array to main roof
By: Mr Jonathan Ramsey
Application Type: Full Application
Target Date: 26 March 2025
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks permission for erection of a single storey side extension, new pedestrian access gates and paving, alterations to hard and soft landscaping, and siting of a PV solar array to the main roofscape at St Oswald's Church of England Primary School, Heslington Lane.

1.2 The extension would see the net formation of 2no. additional classrooms at the school, including a group room, office and externally accessed store, as positioned off the northeastern 'arc' of the existing building on a small area of grass and paving. The addition would replicate the existing form of the school, to comprise a dual pitch roof with matching eaves and ridge. The footprint of the addition measures approximately 220 metres. Materials indicated propose red clay facing bricks to match the existing masonry walling, painted render panels to match existing, and an aluminium standing seam roof. This portion of works would incorporate a new tarmac pedestrian path in replacement for that disturbed by the new building works.

1.3 A new pedestrian gated access is proposed from the southwest of the site, from School Lane. The access would mirror that of an existing route into School Lane Playing Fields, accessed from a raised crossing. The new access would be formed through an existing hedgerow.

1.4 Formation of the new outdoor learning space proposed to the west of the main school building, adjacent with School Lane, has subsequently been omitted from the scheme, to prevent impact on trees.

1.5 A solar PV array is also proposed to the southerly orientated roof plane of the principal teaching block of the school. The Design and Access Statement states that the surface-area of the panels would total approximately 488 metres² in total.

1.6 The application site sits on the periphery of Fulford Village Conservation Area, which spans School Lane to the west and Heslington Lane to the north, including a small margin of school land to its northwest. The works proposed within this application, however, are comprised elsewhere within the site; it is therefore not considered on this basis that the policies relevant to Conservation Areas apply.

1.7 Relevant Property History:

- Outline application for demolition of existing primary school and erection of new primary school, nursery and library services, approved 28.04.2003, reference 03/00369/GRG3.
- Reserved matters application for demolition of existing primary school and erection of new primary school, nursery, library services and car park - outline application 03/00369/GRG3 refers, approved 17.03.2005, reference 03/03916/REM.

1.8 The application has been submitted by Sewells Ltd, on behalf of works funded by and proposed to a City of York Council School, which is maintained by Sewell until 2036.

2.0 POLICY CONTEXT

City of York Local Plan

2.1 The Local Plan was adopted on 27 February 2025. Local Plan Policies relevant to the determination of this application are:

ED6	Preschool, Primary and Secondary Education
D11	Extensions and Alterations to Existing Buildings
D2	Landscape and Setting
GI2	Biodiversity and Access to Nature
ENV2	Managing Environmental Quality
ENV3	Land Contamination
ENV5	Sustainable Drainage
T1	Sustainable Access

National Planning Policy Framework (NPPF)

2.2 The National Planning Policy Framework, December 2024 (NPPF) sets out the Government's overarching planning policies and at its heart is a presumption in

favour of sustainable development. The NPPF forms a material consideration in planning decisions.

3.0 CONSULTATIONS

INTERNAL:

Flood Risk Engineer

3.1 No objections raised subsequent to the submission of additional information. The In-situ Percolation Testing Report confirmed infiltration will not work on this site. Additional information required can be secured by condition.

Public Protection

3.2 No comments to make.

Highways

3.3 No objections raised subject to conditions.

Ecology

3.4 No objections raised subject to conditions.

Landscape Architect

3.5 Commented in respect of the formation of the outdoor learning space, as a result of the significant risk of harm to Willow T6 and potentially Horse chestnut T7, due to the extent of encroachment of hardstanding into the recommended root protection area (RPA) of 30% (and 13% respectively).

EXTERNAL:

Yorkshire Water

3.6 No comments to make.

Fulford Parish Council

3.7 No objections in principle, however raised concern in relation to the proposed location of the new pedestrian entrance on School Lane with regard to safety issues for pedestrians in that this may encourage vehicles to access this narrow section of School Lane for drop-offs.

Ouse & Derwent Internal Drainage Board

3.8 Commented in objection, due to uncertainty of existing drainage system in operation.

PLANNING OFFICER NOTE - additional information was submitted to the Local Planning Authority subsequent to this comment in relation to in-situ percolation testing.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1 Representations were received from eight parties in total, five of support, three of objection and one general comment. The following concerns were raised:

- Existing traffic calming and crossing point does not appear to be sufficiently large enough to provide a safe refuge/raised pavement area for those entering or leaving the school at the proposed new entrance.
- The proposed entrance is at an even narrower part of the Lane than the existing entrance and School Lane has only one pavement at this point.
- Vehicular traffic arriving at the school should use the existing dropping off area in the school rather than along School Lane as there is no turning area available further down School Lane beyond the existing school car park entrance.
- The new entrance would potentially increase congestion on School Lane due to cars dropping off children closer to the proposed new entrance.
- The proposal enables school expansion by at least 60 pupils; Heslington Lane is the main route for Fulford School which is also significantly increasing. The cars and buses are often blocked by the congestion of cars at the entrance to School Lane.
- There are not enough car parking spaces for parents in the school car park; the congestion at these times and the pollution is terrible with the queuing traffic.

5.0 APPRAISAL

KEY ISSUES:

- Principle of Development;
- Design and Appearance;
- Impact on Neighbouring Amenity;
- Ecology and Biodiversity;
- Highways and Access;
- Drainage and Flood Risk.

ASSESSMENT:

PRINCIPLE OF DEVELOPMENT

5.1 Policy ED6 (Preschool, Primary and Secondary Education) states that provision of sufficient modern education facilities for the delivery of preschool, primary and secondary school education to meet an identified need and address deficiencies in existing facilities will be facilitated. New or enhanced education facilities will be permitted if they are in accessible and sustainable locations for those communities they intend to serve and do not have a significant adverse impact on the amenities of neighbouring properties. Paragraph 100 of the NPPF states that Local Planning Authorities should give great weight to the need to create, expand or alter schools.

5.2 The site is established in its educational use. As existing, the school has two primary accesses, on Heslington Lane and School Lane (the latter forming the route for vehicular traffic). Correspondence with the applicant has set out that the works are aimed more at reconfiguration of the internal teaching spaces and would not result in any immediate increase in the number of students at the school, although they would accommodate for forecasted growth in the future. The plans demonstrate that the works would provide an enhanced user experience at the school and function well. The additional classrooms would allow other school functions to revert to their originally intended spaces and reduce the need for mixed-age classes.

5.3 Taking into account the above, the works, in improving the facilities of the school, are considered to amount to acceptable development in principle and would comply with the aspirations of paragraph 100 of the NPPF and policy ED6 of the Local Plan.

DESIGN AND APPEARANCE

5.4 Policy D11 of the Local Plan supports proposals that respond positively to its immediate architectural context in terms of use of materials and detailing, scale, proportion, landscape design and the space between buildings.

5.5 NPPF Paragraph 135 states planning decisions should ensure that developments will function well and add to the overall quality of the area. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Proposals should be sympathetic to local character and history, including the surrounding built environment. Paragraph 139 states development that is not well designed should be refused.

5.6 Architecturally, the building comprises a relatively contemporary form. The extension would see replication of existing architectural detailing which would not

unduly dominate in appearance. The proposal is seen to make an efficient use of the space and appears well proportioned without undue massing. The extension would be contained within the site away from public view and from the street, which falls within the Conservation Area, and thus would not affect its setting or character. The addition is acceptable in design terms, and would comply with policy D11 of the Local Plan and paragraph 135 of the NPPF.

IMPACT ON NEIGHBOURING AMENITY

5.7 Policies D11 and ENV2 of the Local Plan seek to ensure that development proposals do not unduly affect the amenity of nearby residents in terms of noise disturbance, overlooking, overshadowing or from overbearing structures. Paragraph 135 of the NPPF seeks a good standard of amenity for all existing and future occupants, and that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

5.8 The school extension would be well-distanced from the nearest adjacent dwellings mitigate any undue loss of light or outlook beyond the existing conditions, particularly given the set in from the site boundary and openings (contained at ground floor level) not resulting in any new or additional overlooking. The extension would be located in closest proximity to the rear boundaries of Nos. 22-28 Heslington Lane. However, it would be generally well screened by virtue of an established boundary treatment at the foot of these rear amenity spaces. The works would be in compliance with Policies D11 and ENV2 of the Local Plan and paragraph 135 of the NPPF.

ECOLOGY AND BIODIVERSITY

5.9 Policy GI2 relates to biodiversity and access to nature. Paragraph 193(d) of the NPPF seeks to ensure development contributes and enhances 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. These enhancements are required in addition to the protected species licence requirements. Development should achieve net gain in biodiversity (BNG) in accordance with The Environment Act 2021 and national policy and contribute to the recovery of priority species and habitats and new habitat creation.

5.10 BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

5.11 The applicant submitted a Biodiversity Net Gain Report (dated 15.10.2024) and small sites metric. These reports identified that a final biodiversity net gain of 13.96% would be achieved. This is in accordance with Schedule 7A of the Town and Country Planning Act 1990 which requires a statutory biodiversity net gain of a minimum of 10%. The Biodiversity Gain Hierarchy should be applied to avoid habitats of most value and where they cannot be avoided; they should be maintained on site. The application site does not contain habitats of special value that should be maintained. BNG is secured by an informative on any decision together with a condition to submit a Biodiversity Gain Plan prior to development commencing. The City Ecologist has reviewed the information submitted and does not raise any objections or dispute to the conclusions as established.

5.12 A further condition is imposed, in line with the provisions for enhancing biodiversity outlined in the Local Plan, to seek to enhance the biodiversity and wildlife interest of the area, to include the provision of bat and bird boxes within the site.

5.13 More widely, the loss of 2no. trees are proposed to facilitate the development. To compensate, replacements have been indicated as proposed within the Arboricultural Impact Assessment.

5.14 Conditions are imposed to ensure a scheme for the protection of retained trees is submitted, along with a detailed landscaping scheme to agree a scheme for replacement tree planting across the site. Revised plans demonstrate that no works would be carried out within the root protection areas of those trees to the west of the site. The scheme would comply with the requirements of The Environment Act 2021, paragraph 193 of the NPPF, and policy GI2 of the Local Plan.

HIGHWAYS AND ACCESS

5.15 Policy T1 (Sustainable Access) of the Local Plan (2018) advises 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, including those with impaired mobility, such that it maximises the use of more sustainable modes of transport, and they provide sufficient convenient, secure and covered cycle storage.

5.16 Paragraph 116 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Paragraph 117 states that proposals give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas, and create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians,

cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

5.17 In terms of vehicle parking, access would be taken from School Lane as existing. The greatest change would be the introduction of a new pedestrian access from the site's southernmost point, also off School Lane. This would involve some change to the net flows of people with regard to the overall use of School Lane, subject to the mode of transport parents and pupils arrive at the school, and whether they would approach the site from the north or south.

5.18 The new access is proposed to encourage parents and students to walk and cycle to the school, therefore decreasing the use of cars, in particular from those who approach the school from the south, who at present must travel to the principal vehicular entrance to enter the site. The southern entrance proposed would see a new access available to more immediately and conveniently serve users of the early years and reception area of the site. The northern access would remain in situ for access to the Junior school.

5.19 The current on-site car parking space is comprised of 51 parking bays - with five being disabled bays. 32 of these parking bays are taken up by the staff and the rest by parent/guardians dropping off/picking up pupils. There is an existing cycle shelter. The proposed classroom extension is to cater for the number of students already at the school. There is no planned intake upon the completion of the extension, therefore, there would be no expected increase in traffic visiting the school, as a direct effect of this proposal, at this moment in time.

5.20 The congestion experienced along School Lane, particularly at the start and end of the school day, is acknowledged. However, the potential increase in pedestrian flows from the northern approaching users to the early years area of the school (down School Lane) is considered to be somewhat offset by those users approaching the south which now don't need to travel up school lane to enter the site to return to the southern site area.

5.21 In terms of pedestrian safety, the new access would be positioned to a stretch of School Lane characterised typically by slow vehicular movements, with the entrance made from an enlarged portion of pavement which forms a traffic calming measure with adjacent speedhump. Taking into account the intended position of the access, it is not considered that it would result in undue safety concerns with respect to the intended users. This entrance would specifically serve the nursery and reception year groups, with other school years continuing to utilise the northern entrance as existing.

5.22 A condition securing a full travel plan is recommended to monitor and manage any effects or changes experienced to travel as necessary in the interests of the safety and good management of the public highway.

5.23 Taking into account the conditions imposed, it is considered that the development proposal would not result in an unacceptable impact on highway safety or severe cumulative impacts on the road networks following mitigation. The proposal encourages the use of more sustainable modes of transport. The application is therefore compliant with Policy T1 of the Local Plan and paragraph 116 and 117 of the NPPF.

DRAINAGE AND FLOOD RISK

5.24 Policy ENV5 (Sustainable Drainage) states 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. Existing land drainage systems should not suffer any detriment as a result of development. The development is in Environment Agency (EA) low-risk Flood Zone 1 and should not suffer from river flooding.

5.25 A percolation test confirmed that infiltration will not work on this site. A drainage scheme with suitable attenuation can be secured by planning condition.

6.0 CONCLUSION

6.1 The proposed works will respect the general character of the site and area and the impact on the amenity of neighbouring residents and the highway network would be acceptable. It is considered it complies with the City of York Local Plan and national planning guidance, as contained in the National Planning Policy Framework.

7.0 RECOMMENDATION: Approve

1 The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

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

Proposed Plan Layout - Dwg. No: 242135-202 Rev P4, dated 06.03.2025.

Proposed Elevations - Dwg. No: 242135-203 Rev P2, dated 17.09.2024.

Proposed Cross Sections through Extension - Dwg. No: 242135-204 Rev P1, dated 19.09.2024.

Existing and Proposed Roof Plans - Dwg. No: 242135-205 Rev P2, dated

06.03.2025.

Proposed Block Plan - Dwg. No: 242135-207 Rev P2, dated 07.03.2025

Proposed Plan Layout - Dwg. No: 242135-209 Rev P4, dated 06.03.2025.

Existing and Proposed Levels - Dwg. No: 242135-211 Rev P2, dated 06.03.2025.

Access Route During Construction - Dwg No: 242135-MLJ-ZZ-00-DR-A-215 Rev P3, dated 30.01.2025

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

3 No development shall take place until details of the proposed means of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

Curtilage surface water discharges to the public sewer will be restricted to the level of run-off - i.e. same rate of discharge - to that from the existing use of the site. Any discharge of surface water from the site should discharge to similar points of connection to that of the existing use of the site. The applicant will need to demonstrate positive drainage, based on a 1 in 1 year storm, to the public sewer to us by means of investigation and calculation carried out at their expense.

To do this, we are required to see existing and proposed drainage layouts with pipe sizes, gradients, gullies, downpipes, and connection points, measured impermeable areas of the present and proposed use of the site, along with the calculations that show the existing and proposed discharge rate from the site to the public sewer.

Reason: In the interest of satisfactory and sustainable drainage.

4 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

5 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are 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 No site clearance, preparatory work or development involving excavations shall take place until a scheme for the protection of the retained trees (the tree protection plan) and specialist construction details and working methods (the Arboricultural method statement) in accordance with the recommendations within the Arboricultural impact assessment and British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations, shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

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 adjacent conservation area.

7 Within three months of commencement of development a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the species and stock size and position of replacement trees (and shrubs and other plants where applicable). The approved scheme for replacement tree planting shall be implemented within 6 months of completion of the development or within 2 years of the date of the removal of the existing trees approved for removal, whichever is the sooner. The replacement trees shall be planted, supported, watered, and maintained in accordance with good Arboricultural practice. Any trees that die, are removed, or become, in the opinion of the local planning authority, seriously damaged or defective or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing.

Reason: The replacement tree planting and its successful establishment is required to mitigate the removal of existing trees and perpetuate the amenity of the adjacent conservation area and development.

8 A biodiversity enhancement plan/drawing shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of works. The content of the plan shall include, but not be limited to the erection/installation of bat and bird boxes on the renovated and new buildings. The biodiversity enhancement plan/drawing shall be implemented in accordance with approved details.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraphs 187-195 of the NPPF (2024) 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.

9 No part of the development shall be occupied until a Full Travel Plan has been submitted and approved in writing by the Local Planning Authority. The Travel Plan should be developed and implemented in line with local guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan. Within 12 months of occupation of the site a first-year travel survey shall have been submitted to and approved in writing by the Local Planning Authority. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

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

10 Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which shall be agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and good management of the public highway the details of which must be recorded prior to the access to the site by any construction vehicle.

11 Prior to the development commencing details of the cycle and scooter parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the 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 other purpose.

Reason: To promote active travel, thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

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 39) 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 were submitted during the course of the application's consideration, in which the outdoor learning space was omitted from the application.

2. INFORMATIVE: BIODIVERSITY NET GAIN (BNG)

The statutory framework for biodiversity net gain set by paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 requires a Biodiversity Gain Plan to be submitted and approved prior to the commencement of development. The development cannot be lawfully commenced until this condition is satisfied.

Development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, which is required in respect of this permission, is the City of York Council.

SUBMISSION REQUIREMENTS:

Under paragraph 14(2) of Schedule 7A, a Biodiversity Gain Plan must include the following:

- information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
- the pre- and post-development biodiversity value of the onsite habitat,
- any registered off-site biodiversity gain allocated to the development, and
- any biodiversity credits purchased to off-set the development and whether or not from a registered provider.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- a description of the development and planning permission reference number (to which the plan relates);
- the relevant date, for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- the completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and post-development biodiversity value;
- a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;

- pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North;
- a description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date, and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and
- if habitat degradation has taken place:
 - a statement to this effect,
 - the date immediately before the degradation activity,
 - the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
 - any available supporting evidence for the value.

There is a standard Biodiversity Gain Plan template available to complete which brings together many of these matters into one document.

https://assets.publishing.service.gov.uk/media/65df0c4ecf7eb16adff57f15/Biodiversity_gain_plan.pdf

Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

3. DRAINAGE NOTES:

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.

The applicant should be advised that the Yorkshire Water's prior consent is required (as well as planning permission) to make a connection of foul and surface water to the public sewer network.

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.

4. INFORMATIVE:

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You are advised that this proposal may have an effect 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.

5. AVOIDING DAMAGE TO THE HIGHWAY GRASS VERGE

Applicants/Developers are reminded that great care should be taken to ensure that no damage to the surface or structure of the public highway is caused, by activities relating directly to the approved development (e.g. delivery of building materials via HGV's). The Council is particularly concerned at the increasing impacts and damage occurring to grass verges. This is detrimental to residential amenity, can present safety issues and places an unreasonable financial burden on the Council, if repairs are subsequently deemed necessary. Therefore, applicants/developers are strongly advised to work proactively with their appointed contractors and delivery companies to ensure that their vehicles avoid both parking and manoeuvring on areas of the public highway (grass verges) which are susceptible to damage. The council wishes to remind applicants that legislation (Highways Act 1980) is available to the authority to recover any costs (incurred in making good damage) from persons who can be shown to have damaged the highway, including verges. If the development is likely to require the temporary storage of building materials on the highway, then it is necessary to apply for a licence to do so. In the first instance please email highway.regulation@york.gov.uk, with details of the site location, planning application reference, anticipated materials, timelines and volume. Please refer to the Council website for further details, associated fees and the application form.

6. CONSTRUCTION MANAGEMENT:

INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch 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.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) 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 manufacturer's instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

Contact details:

Case Officer: Owen Richards

Tel No: 01904 552275