



## Planning History

1.4 The following planning applications have been submitted for residential development on this site:

- 18/02692/FUL - Erection of two houses. This application was refused by sub-committee in September 2020 due to impact on the conservation area and the setting of Poppleton House.
- 20/02513/FUL – Erection of two houses. This application was refused by sub-committee in January 2022 due the impact on the conservation area and the setting of Poppleton House. However this decision was overturned at appeal APP/C2741/W/22/3298538 as the inspector deemed the harm to the heritage assets to be less than substantial and that this harm was outweighed by the public benefit of providing additional housing in the area.

## **2.0 POLICY CONTEXT**

### Upper Poppleton and Nether Poppleton Neighbourhood Plan

2.1 Relevant policies are:

PNP3 Development within Conservation Areas  
PNP4 Village Design Statement

### Draft Development Control Local Plan 2005

2.2 Relevant policies are:

GP1 Design  
GP4a Sustainability  
HE2 Development in Historic Locations  
HE3 Conservation Areas  
GP15A Development and Flood Risk  
H4A Housing Windfalls

### Publication Draft Local Plan 2018

2.3 Relevant policies are:

DP3 Sustainable communities  
D1 Placemaking  
D2 Landscape and setting  
D4 Conservation areas  
D5 Listed Buildings  
ENV2 Managing Environmental Quality

ENV4	Flood Risk
ENV5	Sustainable Drainage
CC1	Renewable and Low Carbon Energy
CC2	Sustainable Design and Construction of New Development
T1	Sustainable Access

### 3.3 CONSULTATIONS

#### INTERNAL

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

3.1 Informal verbal comments given. Officers to determine if the revised scheme constitutes any further harm to the conservation area or the setting of the adjacent listed building. The previous appeal decision is a material consideration in the determination of this application and if there is deemed to be no further harm than the existing approved scheme, DCSD officers do not wish to object.

##### Public Protection

3.2 The proposed dwellings would be close to a commercial use, a public house. The public house can generate noise from plant/machinery located to the rear, noise from the use of the car park and noise from the customers using the premises. These existing noise sources could cause disturbance to the future occupants of these new dwellings. Conditions requiring noise insulation measures and electric vehicle recharging sockets have been recommended.

##### Highway Network Management

3.3 No comments provided.

##### Flood Risk Management

3.4 No comments provided.

##### Ainsty Internal Drainage Board

3.5 No objections. A condition regarding drainage detailed is recommended.

#### EXTERNAL

##### Yorkshire Water

3.6 No objections. A condition regarding no piped discharge of surface water is proposed.

### Nether Poppleton Parish Council

3.7 Objects on the following grounds:

- The proposals significantly change the scale, height and design of the dwelling that was approved at appeal.
- The elevation of the site is a key issue, two storey development is not appropriate for plot 2 and two storey development has previously been refused by committee
- Impact on the conservation area
- One house will not significantly add to the housing stock
- Proposals are in conflict with national and local policies including Policy PNP3 of the Upper and Nether Poppleton Neighbourhood Plan

## **4.0 REPRESENTATIONS**

4.1 Neighbours and Publicity – 10 objections:

- Impact on the conservation area
- Contemporary design out of keeping with the area
- The land is a Burgage strip and should not be developed
- The proposals are not consistent with the NPPF, local plan and neighbourhood plan
- Loss of pub parking has caused parking issues, especially now that the pub is thriving under new management
- Loss of green space, wildlife and habitats
- Breach of conditions re. clearance of the site
- The application has no benefits for the community
- All previous conditions should be added to the current scheme if approved
- A single dwelling will not add significantly to the housing stock
- Unduly dominant/prominent form of development
- Two storey has consistently been refused on this plot
- No changes should be made to the approved scheme
- Result in overshadowing and overlooking to houses on Hallgarth Close, level difference between the site

## **5.0 APPRAISAL**

5.1 MAIN ISSUES

- Principle of development for housing
- Design and impact on heritage assets
- Flood risk and drainage
- Access, parking and highway safety
- Neighbour amenity
- Asset of community value
- Climate change

## UPPER POPPLETON AND NETHER POPPLETON NEIGHBOURHOOD PLAN 2017

5.2 The Upper Poppleton and Nether Poppleton Neighbourhood Plan is the statutory Development Plan for the application site by virtue of Section 38(3) of the Planning and Compulsory Purchase Act 2004 which requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 30 of the NPPF states that policies in a made neighbourhood plan take precedence over existing non-strategic policies covering the neighbourhood area where they are in conflict. Policy PNP4 (Village Design Statement) states that all new developments within the settlement limits of the village should respect the design guidelines in the Village Design Statement.

5.3 Poppleton Village Design Statement, adopted in 2003, includes design guidelines and advises that to conserve the special character of the traditional communities, the size, scale and massing of new buildings and extensions should harmonise with neighbouring properties and spaces; space should be maintained around dwellings. The use of local characteristic details and materials is to be encouraged.

## PUBLICATION DRAFT YORK LOCAL PLAN (2018)

5.4 The Publication Draft Local Plan 2018 (the 'emerging plan') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. Phases 2 – 4 took place between May and September 2022. In accordance with paragraph 48 of the NPPF the emerging 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.

Relevant policies are set out in section 2 above. Given the advanced stage of the emerging plan's preparation, the lack of significant objection to the emerging policies relevant to this proposal and the consistency with the NPPF, the policy requirements of emerging plan policies can be applied with limited weight.

## DEVELOPMENT CONTROL LOCAL PLAN (2005)

5.5 The Development Control Local Plan Incorporating the Fourth Set of Changes (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 in the determination of planning applications. Where policies relevant to the application are consistent with those in the NPPF (as revised in February 2021), the weight that can be afforded to them is very limited.

## NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.6 The revised National Planning Policy Framework was published 2021 and its planning policies are a material consideration in the determination of planning applications. The presumption in favour of sustainable development set out at paragraph 11 of the NPPF does not apply where the application of policies relating to impacts on the heritage assets indicate that permission should be refused.

## PRINCIPLE OF DEVELOPMENT FOR HOUSING

5.7 The NPPF supports the Government's objective of significantly boosting the supply of homes, with homes provided in rural areas where it will enhance or maintain the vitality of rural communities. Permission has previously been approved for two houses on the site, with this current application seeking permission to revise the design, scale, height and appearance of the dwelling on plot 2. Paragraph 69 of the NPPF advises that small sites can make an important contribution to meeting the housing requirements of an area and supports the development of windfall sites within existing settlements for homes. The site is in a sustainable location with easy access to a wide range of services. The proposed use for housing is therefore deemed acceptable.

## DESIGN AND IMPACT ON HERITAGE ASSETS

5.8 Permission has previously been given for the erection of two detached houses with attached garages. The house at plot 1 would be located towards the front of the site, immediately to the rear of The Lord Nelson's garden and car park. The dwelling would run along the north-western boundary of the site and be constructed of brick and slate. It would have a largely traditional appearance with two storeys, four bedrooms and a pitched roof. The house at plot 2 would be located towards

the rear of the site, close to the north-western boundary. The approved dwelling was contemporary in design, single storey with four bedrooms. It would have comprised a flat sedum-covered roof and the main materials were proposed to be brickwork with aluminium for the doors and windows. This application now seeks to amend the design of this second dwelling, proposing a one and two storey 3 bedroomed dwelling. It would comprise a central two storey 'barn style' building clad in stained oak vertical cladding with clay roof tiles. Single storey elements would wrap around the front and side of the dwelling and would be finished in red brick, grey standing seam roofing with pale grey windows throughout. The previous appeal decision is a material consideration that carries significant weight in the determination of this application.

5.9 The application site is within the Nether Poppleton Conservation Area. The neighbouring Poppleton House is grade II listed. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the same Act requires that in determining planning applications for development which would affect a listed building or its setting the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.10 Case law has made clear that when deciding whether harm to a conservation area, a listed building or its setting is outweighed by the advantages of a proposed development, the decision-maker must give particular weight to the desirability of avoiding such harm to give effect to its statutory duties under sections 66 and 72 of the 1990 Act.

5.11 Paragraph 130 of the NPPF requires that developments, inter alia, function well and add to the overall quality of the area, be visually attractive and be sympathetic to local character and history. It states in paragraph 134 that development that is not well deigned should be refused. These aims are reflected in policies D1, D2, D4 and D5 of the emerging plan.

5.12 Policy PNP3 of the Neighbourhood Plan states that all proposals for development in the conservation area should preserve or enhance its special character or appearance and protect the open character and heritage assets of the village. Section 16 of the NPPF defines listed buildings and conservation areas as designated heritage assets. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.13 The application site is comprised of a long narrow plot on rising land behind a historic public house within the historic village of Nether Poppleton. The historic core is a designated conservation area. The character of the area derives from the semi-rural character around St Everilda's Church and Manor Farm and their associations with the origins of the current settlement, which gives way to 18<sup>th</sup> and 19<sup>th</sup> century development of along Church Lane and Main Street. The long narrow plot to the rear of the Lord Nelson public house is characteristic of historic development in the village, either as a remnant of earlier burgage plots or 18<sup>th</sup> century development. The spacious character of the plot contributes to the village character and the plot form is a tangible link to its historic development. The development site thus makes a positive contribution to the character and appearance of the conservation area. The adjacent Poppleton House, a grade II listed building is a large, three storey detached house set within its own grounds. It makes a significant positive contribution to the surrounding historic appearance of this part of the village. Mature trees and vegetation as well as a high boundary wall separate the listed building and the application site. The application site makes a moderate contribution towards the spacious setting of Poppleton House.

5.14 The inspector's appeal decision stated that the plot 2 dwelling by virtue of its contemporary design would not reflect the existing surrounding development, however its single storey nature and glazed design would result in a light weight form of development that would appear subservient within its surroundings and that it would not appear conspicuous due to mature tree and hedge planting as well as its set back from the highway and from plot 1. As such, it was concluded that the plot 2 dwelling would not cause harm to the character and appearance of the conservation area, or to the significance of Poppleton House due to the separation distance, mature trees and the height of the proposed dwelling

5.15 The revised design of the plot 2 dwelling moves away from a contemporary flat roof single storey, largely glazed building in favour of a one and two storey pitched roof 'barn style' building with single storey projections to the front and side. It incorporates large window openings to the ground floor with a full height central glazed window to the two storey part of the dwelling with smaller openings to the first floor. The design still incorporates some contemporary design and materials, but seeks a smaller footprint than the approved dwelling, as well as a more traditional/agricultural appearance that is considered more in keeping with its rural setting.

5.16 Objections have been raised by both residents and councillors in terms of the increased height of the dwelling and the resulting impact on the conservation area and its visibility from outside of the site. The inspector noted in his appeal decision that the scale of plot 1 would significantly increase the amount of built development within the site and that in particular he assessed the two storey height in conjunction with the rising land levels. It was considered that there would only be



glimpsed views of the scheme and that these limited views would be seen in the context of the surrounding built development. The inspector acknowledged that the dwelling would change the character and appearance of this part of the conservation area but that it would not be unduly prominent, largely due to the height and scale of existing development, mature vegetation and trees as well as the distance from the highway.

5.17 Plot 2 lies on a similar land level to plot 1, and proposals to site a part two storey dwelling in this location are considered to have a similar impact to the conservation area as that at plot 1, although importantly plot 2 would be sited further away from the highway and behind the approved two storey building at plot 1. The proposed dwelling would be of similar height to the immediate neighbouring buildings on Hallgarth Close, having a height of approximately 7m compared to 7.15m of no. 2 Hallgarth Close. Given the distance of plot 2 from the highway it is considered that the Plot 2 dwelling would at best be seen in glimpsed views, with Plot 1 being the most visually prominent within the site given its proximity to the public house.

5.18 In considering the acceptability of the revised design and height of Plot 2 it is acknowledged that the proposal still respects the traditional form of linear plot development in the conservation area and that there would be no further harm to the conservation area or the significance of the neighbouring listed building Poppleton House than the previous scheme, which was deemed to result in less than substantial harm to the designated heritage assets in terms of loss of the site's openness. The level of harm was considered to be at the lower end of the spectrum of less than substantial harm. This harm is still outweighed by the public benefits of the scheme, i.e. the provision of an additional house in a sustainable location.

## FLOOD RISK AND DRAINAGE

5.19 Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided, with development directed away from areas at highest risk. It goes on to say at paragraph 166 that local planning authorities should ensure that flood risk is not increased elsewhere when determining planning applications. Policies ENV4 and ENV5 of the emerging plan support this approach to flood risk and drainage.

5.20 The site lies within Flood Zone 1 and should not suffer from flooding. Limited details have been submitted in connection with the drainage of the site. The application states that surface water will drain to SuDs. Soakaway testing was undertaken at the site during February 2019 and witnessed by the council's flood risk engineer. The tests were considered to be acceptable and no objections are raised in connection with the drainage of the site, subject to standard planning conditions.

## ACCESS, PARKING AND HIGHWAY SAFETY

5.21 Paragraph 111 of the NPPF states that development should only be prevented on highway grounds where there is an unacceptable impact on highway safety or the cumulative impacts on the road network would be severe. It seeks to encourage sustainable travel and the location of development in sustainable and accessible locations.

5.22 Access to the site would be via the existing driveway which would be shared with the public house. A 3.8m-wide drive would lead up to the proposed dwellings along the north eastern boundary. A gate would be set back, past the entrance to the public house car park. Adequate parking and turning is proposed within the site for the occupiers and for visitors and delivery vehicles. A refuse store is proposed close to the highway to negate the need for refuse vehicles accessing the site.

5.23 The previous decision did not include any highway reasons for refusal and the proposed parking and access for Plot 2 remains unchanged from the approved scheme. All highway conditions added to the previous decision are considered appropriate for this revised scheme.

## NEIGHBOUR AMENITY

5.24 Paragraph 130(f) of the NPPF advises that decisions should ensure that developments provide a high standard of amenity for existing and future users. Policy D1 of the emerging plan states that design should consider residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing.

5.25 Objections have been raised by 2 Hallgarth Close that the increase in the height of the dwelling would cause overlooking and overshadowing, especially given the level difference between the site and Hallgarth Road.

5.26 The proposed dwelling would side onto 2 Hallgarth Close and would be separated by approximately 3.8m. The proposed dwelling would project slightly beyond the front and rear elevations of No. 2, however the location of windows central to the front elevation (of No. 2) would mean there would be little loss of light or over-dominance arising. Similarly the limited rear projection would not result in significant overshadowing, especially during the afternoon/evening when the sun moves to the south/west. First floor windows to the west elevation would be small scale and obscurely glazed in order to ensure that there would be little loss of privacy. The proposed dwelling would be visible from the rear garden of No.2 and from the upper floor but the visual impact would not be unduly harmful. It is also noted that the built footprint of the dwelling has been reduced along the shared boundary with No. 2, compared to the approved scheme. During a recent site visit,

it was also noted that the boundary hedge between the application site and No. 2 has been cleared and that land levels between the two properties appeared to be relatively even.

5.27 The south-western end of the site abuts the modest-sized rear gardens of nos 20 and 22 Littlefield Close. Although the proposed dwelling now includes a two storey element, the overall footprint has been moved away from the shared boundary with these neighbouring properties and any impact on the occupiers of these dwellings is likely to be minor due to the increased separation distance between the new dwelling and boundary.

5.28 The development is unlikely to have any material impact on the amenity of the occupiers of Poppleton Hall.

## CLIMATE CHANGE

5.29 Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future and, among other things, support renewable and low carbon energy.

5.30 Policy CC1 of the emerging plan states that new buildings must achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that this is not viable. This should be achieved through the provision of renewable and low carbon technologies in the locality of the development or through energy efficiency measures. Policy CC2 of the emerging plan states that all new residential dwellings should achieve at least a 19% reduction in dwelling emission rate (calculated as per Part L1A of the Building Regulations 2013); and a water consumption rate of 110 litres per person per day (calculated as per part G of the Building Regulations). Policy CC1 (Renewable and Low Carbon Energy) of the emerging plan requires new buildings to achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that it is not viable. Policy CC2 (Sustainable Design and Construction) states that development proposals will be required to demonstrate energy and carbon dioxide savings in accordance with water efficiency and the energy hierarchy. These requirements should be made a condition of approval.

5.31 Provision of recharging facilities for one electric vehicle should be made a condition of approval.

## 6.0 CONCLUSION

6.1 The proposal would result in less than substantial harm to designated heritage assets in terms of loss of the site's openness. The level of harm would be at the lower end of the spectrum of less than substastional harm. In accordance with the

statutory duties, considerable importance and weight is attached to this harm. Applying the balancing exercise set out in the NPPF, this harm is outweighed by the public benefit of providing additional housing in a sustainable location. The recent appeal decision to approve residential development on this site is a material consideration that carries significant weight when determining this application. On this basis, and given the extant permission for existing two storey development towards the front of the site, the proposals are considered acceptable in relation to the character and appearance of the conservation area, the setting of the listed building, Poppleton House, residential amenity and climate change. They comply with the NPPF, the Upper Poppleton and Nether Poppleton Neighbourhood Plan, Policy D1 (Placemaking), D2 (Landscape and Setting), D4 (Conservation Areas), D5 (Listed Buildings), CC1 (Renewable and Low Carbon Energy) and CC2 (Sustainable Design and Construction) of the Publication Draft City of York Local Plan 2018.

## **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 approved plans:

885\_P15 A - PROPOSED SITE PLAN  
885\_P31 A - PROPOSED PLANS  
885\_P30 A - PROPOSED ELEVATIONS

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 house above foundation level. The development shall be carried out using the approved materials.

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

inspection and where they are located.

Reason: In the interests of the setting of the listed building at Poppleton House and the character and appearance of the conservation area.

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 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 in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper and sustainable drainage of the site

6 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: So that the Local Planning Authority may be satisfied that no foul and surface water discharges take place until proper provision has been made for their disposal.

7 Prior to construction of any above ground works details of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the refuse and recycling facilities have been provided within the site in accordance with such approved details.

Reason: In the interests of sustainability and the character and appearance of the conservation area.

8 Prior to construction of any above ground works details of the access, internal drive and turning areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Thereafter the internal drive and turning areas shall be retained free of all obstructions and used solely for the intended purpose.

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

9 Prior to the residential development coming into use details of the cycle parking areas, including means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The dwelling 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 purpose other than the parking of cycles.

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

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

Reason: In the interests of highway safety.

11 Before the commencement of development, a complete and detailed Arboricultural Method Statement and scheme of arboricultural supervision regarding protection measures for existing trees adjacent to the application site shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing, ground protection, a schedule of tree works if applicable, site rules and prohibitions, phasing of protection measures, 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, and means of moving materials around the site, locations and means of installing utilities, location of site compound. The document shall also include methodology and construction details where specialist construction techniques are required for a change in surface material within the potential root protection area of existing trees. A copy of the document as approved will be available for reference and inspection on site at all times.

The development shall be carried out in accordance with the approved Arboricultural Method Statement.

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.

12 The development shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This scheme as approved shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are first agreed in writing by the Local Planning Authority.

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

13 A programme of post-determination archaeological evaluation specifically trenching on the footprint of the proposed dwellings shall be carried out for the site. It shall comprise 3-5 stages of work. Each stage shall be completed and approved by the Local Planning Authority (LPA) before it can be approved/discharged.

A) No trenching or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. The WSI should conform to standards set by the Chartered Institute for Archaeologists.

B) The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report on the evaluation and an assessment of the impact of the proposed development on any of the archaeological remains identified during trenching shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

D) Where archaeological features and deposits are identified proposals for the preservation in situ, or for the investigation, recording and recovery of archaeological remains and the publishing of findings shall be submitted as an amendment to the original WSI. It should be understood that there shall be presumption in favour of preservation in-situ wherever feasible.

E) No development shall take place until:

- details in D have been approved and implemented on site
- provision has been made for analysis, dissemination of results and archive deposition has been secured
- a copy of a report on the archaeological works detailed in Part D should be

deposited with City of York Historic Environment Record within 6 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in situ.

14 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 to E of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of rests of the setting of the listed building at Poppleton House, the character and appearance of the conservation area and 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.

15 Notwithstanding the information contained within the approved plans details of all means of enclosure shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the details as so agreed

Reason: In order to achieve an acceptable form of development

16 The development shall incorporate sufficient capacity within the electricity distribution board of each dwelling for one dedicated radial AC single phase connection to allow the future addition of an Electric Vehicle Recharge Point (minimum 32A) within the garage space (or parking area) if desired. The applicant shall identify the proposed location for a future Electric Vehicle Recharge Point within the development curtilage and ensure that any necessary trunking/ducting is in place to enable cables to be run to the specified location.

Reason: To ensure future electric vehicle charge points can be easily added to the property in line with the NPPF and CYC's Low Emission Strategy.

17 The dwelling hereby approved shall achieve the following measures:

- At least a 19% reduction in Dwelling Emission Rate compared to the target fabric energy efficiency rates as required under Part L1A of the Building Regulations 2013).
- A water consumption rate of 110 litres per person per day (calculated as per Part



G of the Building Regulations).

- A reduction in carbon emissions of at least 28% compared to the target emission rate as required under Part L of the Building Regulations.

Prior to first occupation of the dwelling details of the measures undertaken to secure compliance with this condition shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied except in accordance with the approved details.

Reason: In the interests of sustainable design and in accordance with policies CC1 and CC2 of the Publication Draft Local Plan 2018.

18 No development shall take place until a detailed scheme of noise insulation measures for protecting the approved residential property from externally generated noise has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the insulation scheme works, no part of the development shall be occupied until a noise report demonstrating compliance with the approved noise insulation scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of people living in the new property from externally generated noise and in accordance with the National Planning Policy Framework.

19 The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason: To protect the amenities of adjacent residents.

## **8.0 INFORMATIVES:**

### **Contact details:**

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