

## COMMITTEE REPORT

**Date:** 2 May 2013                      **Ward:** Strensall  
**Team:** Major and                      **Parish:** Strensall With Towthorpe  
                    Commercial Team                      Parish Council

**Reference:** 13/00474/FUL  
**Application at:** Harlestone 14 York Road Strensall York YO32 5UN  
**For:** Erection of dormer bungalow to rear (resubmission)  
**By:** Mr M Blacklee  
**Application Type:** Full Application  
**Target Date:** 30 April 2013  
**Recommendation:** Approve subject to Section 106 Agreement

### 1.0 PROPOSAL

1.1 This application seeks planning permission for the erection of a detached dormer bungalow. The site is the back garden of 14 York Road in Strensall. The site is bounded by 4 and 5 St Mary's Close to the North, 14 York Road to the east, 16 and 18 York Road to the south and West End to the west. The proposed house would be accessed between 14 and 16 York Road utilising an existing access point.

1.2 The proposed dormer bungalow is an irregular shape and has a footprint of approximately 64 sq m. The proposed eaves height is approximately 2.6m with the ridge sitting 6.1m above the ground. The bungalow would be constructed of brickwork with a tiled roof. Windows and doors would be painted timber. A detached single garage is proposed to the south of the proposed bungalow. The proposed bungalow contains three bedrooms within the roof space.

1.3 The application site is within Flood Zone 1 which is the lowest category of flood risk. The whole of the site is within Strensall Conservation Area. Surface water drainage would be discharged into the main public sewer via an underground storage tank with a discharge flow restrictor.

1.4 This application has been called into Planning Committee by Councillors Wiseman and Doughty on the grounds that the proposal is over development within the Conservation Area and is inappropriate garden infill. A site visit is recommended to allow Planning Committee Members to assess the impact of the proposed development on the character and appearance of the conservation area and neighbouring residential amenity.

## **2.0 POLICY CONTEXT**

### 2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Strensall Village CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

### 2.2 Policies:

CYGP1 -Design

CYHE2 - Development in historic locations

CYGP10 - Subdivision of gardens and infill devt

CYH4A -Housing Windfalls

CGP15A - Development and Flood Risk

CYL1C - Provision of New Open Space in Development

## **3.0 CONSULTATIONS**

### INTERNAL

### ENVIRONMENTAL PROTECTION UNIT

3.1 No objections subject to informatives regarding demolition and construction and the promotion of electric vehicle charge points.

### LEISURE

3.2 No on-site communal open space is proposed therefore a commuted sum should be sought for off-site open space provision/upgrade in the local area.

### HIGHWAY NETWORK MANAGEMENT

3.3 No objections to the proposed development from a highways point of view. The proposal utilises an existing access and will not incur a material increase in vehicular movements onto the highway network. Car parking and turning meet the required standards. Cycle parking is to be accommodated within the garage.

## FLOOD RISK MANAGEMENT

3.4 The application site is within Flood Zone 1 and should not suffer from river flooding. However, objections are raised based on the amount of information provided to date as it has not been possible to determine the potential impact the proposals may have on the existing drainage systems.

## ENVIRONMENT, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.5 (Conservation Officer) - States this application site is situated in Strensall Conservation Area no. 23. The application site is situated to the east of West End Close and is open to public view from West End looking from the west. There are glimpsed views of the application site from York Road. The open character of the application site, that is currently garden ground, contributes to the existing character and appearance of this part of the conservation area.

3.6 The proposals for the dwelling house have been revised since the withdrawn application ref. 12/03564/FUL. The simplified design of the dwelling house, with the half-hipped gables removed from the roofscape, generally respects the character of existing twentieth century suburban dwelling houses within the context of the application site. The design of the Front (East) Elevation of the dwelling house should be reconsidered, that is the main entrance door and bay window appear offset from the first floor window and should be repositioned. It is noted that the front elevation is not open to general public view within the context of the conservation area.

3.7 The scale and mass of the proposed dwelling house will create a sense of enclosure to West End Close and increase the density of the built form in this part of the conservation area. Existing views along West End looking east will be altered with the infill of the existing garden ground that has an open character. However, the proposed dwelling house will be viewed within the context of existing twentieth century suburban housing that contributes to the existing character and appearance of this part of the conservation area.

## EXTERNAL

### STRENSALL PARISH COUNCIL

3.8 Object on the following grounds:

- (i) there are drainage issues which must be addressed for both surface and foul water as there are already issues with surface water drainage in this area
- (ii) the application contravenes NPPF 17/4 in the loss of amenity to the host property and surrounding properties
- (iii) the advice of the Conservation Officer must be sought

(iv) the Parish Council were shocked to find that the copper beech tree which was on the rear boundary had been felled

## FOSS INTERNAL DRAINAGE BOARD

3.9 No correspondence received at the time of writing the report.

## LOCAL RESIDENTS

3.10 Objections have been received from 1, 3 and 4 West End Close, 4 St Mary's Close, and 9, 14 and 16 York Road. A summary of the comments made are below:

- infill in a conservation area should not be permitted
- the dwelling would be very intrusive and overpowering and would harm the character and appearance of the Conservation Area
- the dwelling would appear intrusive when viewed from West End
- the access road would be from Strensall Road in the middle of a double S bend which is currently saturated with traffic, increasing traffic and access points would be extremely dangerous and irresponsible
- there are historic foul drainage issues in the area and the proposal would add to these problems
- the proposed house will create more surface water which will affect surrounding properties and gardens, there have already been problems with sinkage in the area and gardens have standing water problems
- the proposed development would overlook houses in West End Close
- the submitted supporting statement contains a number of errors, it states that the proposal is in accordance with local and national planning policies when it is in fact contrary to the policies and advice
- the proposal would dominate surrounding buildings, would result in the loss of open space between developments, would have a detrimental impact on landscape features and would appear crammed in
- the site is not previously developed land or within walking distance of the city centre as specified by the applicant
- the proposal will have a significant impact on the outlook and amount of light enjoyed from the rear of 16 York Road
- the proposed house provides no natural surveillance of public spaces or paths or even the proposed access drive
- the proposal would result in a loss of privacy in neighbouring houses
- the application is contrary to Local Plan Policies GP1, HE2, H4a, and GP10 as well as guidance within the NPPF.
- the construction of the proposed development will cause problems on York Road and make crossing dangerous

## 4.0 APPRAISAL

4.1 The key issues are:

- Principle of residential development
- Impact on the character and appearance of Strensall Conservation Area
- Impact on neighbouring residential amenity
- Highways, car and cycle parking
- Drainage
- Open Space

### PRINCIPLE OF RESIDENTIAL DEVELOPMENT

4.2 The National Planning Policy Framework (NPPF) states that 'housing applications should be considered in the context of the presumption in favour of sustainable development.' However, Paragraph 53 requires local planning authorities to 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. Whilst written significantly before the NPPF the Development Control Local Plan Policy GP10 'Subdivision of Gardens and Infill Development' follows this theme by stating that planning permission will be granted for sub-division of existing garden areas or infilling where this would not be detrimental to the character and amenity of the local environment. Policy H4a 'Housing Windfalls' sets more detailed criteria for assessing applications for residential development on non-allocated sites (such as the application site) by stating that developments will be granted where:

- the site is in the urban area and is vacant or underused; and
- the site has good accessibility to jobs, shops and services by non-car modes; and
- it is of an appropriate scale and density to surrounding development; and
- it would not have a detrimental impact on existing landscape features.

4.3 The application site is within the settlement limit of Strensall. The occupants of the proposed house would have access to local services and facilities and also those within the wider City by non-car modes. Therefore, the proposed site is considered to be within a sustainable urban location. The application site consists of a section of the side and rear garden of 14 York Road. Although garden land is no longer classified as "previously developed (brownfield) land" there are no policies at a local or national level which state that such developments are unacceptable in principle. Each application must be assessed on a case by case basis to establish whether there would be any harm. This analysis is undertaken below when assessing the likely impact on the character and appearance of Strensall Conservation Area and neighbouring amenity.

However, given the sustainability of the site, the City's need for new housing, and the presumption in favour of sustainable development set out in the NPPF, it is considered that the broad principle of development is acceptable.

## IMPACT ON THE CHARACTER AND APPEARANCE OF STRENSALL CONSERVATION AREA

4.4 Policy HE2 'Development in Historic Locations' of the Development Control Local Plan states that within or adjoining conservation areas, development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials. Proposals should retain or enhance elements which contribute to the character or appearance of the area. As stated above both Policy GP10 and H4a require new residential developments to not be detrimental to the character and appearance of the street scene. Policy GP1 'Design' further adds to this and states 'Developments which are considered to be likely to have a significant impact on the character and appearance of the area should be refused.'

4.5 The whole of the application site is within Strensall Conservation Area. Strensall Conservation Area was originally designated in 1979; the application site is thought to have been part of the extension of the Conservation Area in 2001. Each Conservation Area designation has supporting text which highlights the special qualities of these areas and picks out the key elements which it is particularly important to protect and preserve. The supporting text for Strensall Conservation Area does not make any reference to the application site or the land around it in terms of its special qualities. It is considered that the most prominent views of the proposed house would be from along West End. It is considered that only glimpsed views would be afforded from York Road and St Mary's Close.

4.6 Surrounding the application site are a variety of house types both in terms of height, footprint, design, and period of construction. The majority of dwellings in the area are relatively modern and no single style of design dominates. The proposed dwelling is one and half storeys in height, whereas dwellings along West End and York Road are predominantly two storey houses. It is therefore considered that the proposed dormer bungalow would appear secondary and generally subservient when seen from the west along West End. The proposed dormer bungalow would result in the loss of some space around dwellings in that the existing garden of 14 York Road does play a role in creating separation between dwellings. However, it is not considered that the proposed dormer bungalow would appear out of place on this site as it would be seen as a 'book end' to the cul-de-sac. The proposed bungalow's siting would retain views from West End towards the rear of houses along York Road and it is not considered that it would dominate views or create a cramped and overdeveloped appearance as seen within the context of existing twentieth century suburban housing which is the dominant character of the area as seen from West End.

4.7 Only glimpsed views of the proposed dormer bungalow would be afforded between existing houses on York Road and from St Mary's Close to the rear. It is not considered that the proposed dwelling would appear dominant or intrusive from any public vantage points in these areas. The proposed dormer bungalow is simple in design and relatively modest in height. It is considered that the proposal generally respects the character of existing twentieth century suburban dwelling houses within the context of the application site. The Conservation Officer has not objected to the application; comments were made regarding the front elevation due to the fact that the proposed entrance door and bay window are offset from the first floor window. However, there is no significant public view of this elevation and it is not considered that this would warrant a reason for refusal.

4.8 Part of the proposed access would change an existing area of grass at the side of 14 York Road into hard standing for vehicular access. This will have some impact on public views of the site. However, the front of the proposed access which is closest to York Road is already hard standing so the immediate environment adjacent to the public footpath would not change. Additionally the access is proposed to contain 0.5m of green landscaping on both sides which would visually break up the amount of hard standing as well as retaining a reasonable level of green landscaping in the interests of visual amenity.

4.9 Two substantial trees have been removed from the area in the last year. These trees are considered to have made a positive contribution to the character and appearance of the area. A Mountain Ash tree remains within the garden of 5 St Mary's Close, close to the curtilage boundary with the application site. It is considered that the proposed development is set far enough off the northern boundary to ensure that this tree continues to thrive. A condition is recommended regarding tree protection methods during construction to ensure this tree is not damaged. Within the proposal the applicants are proposing to plant new trees close to the boundary with West End. The planting of suitable trees, as well as other landscaping within the site, could be secured by condition. It is considered that when these trees have matured, they will make a positive contribution to the character and appearance of the Conservation Area.

## IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY

4.10 The application site shares a boundary with seven different dwellings and is therefore going to have some level of impact on the amenity of a number of local residents. The application site is currently green and undeveloped and therefore any proposed development on this site is likely to be a sensitive issue and understandably result in concerns being expressed by neighbouring residents. However, in determining this application, the proposal needs to be considered in terms of considering whether residents would retain a reasonable level of amenity.

It is acknowledged that with all development in residential areas there will be some impact, but the consideration has to be whether the impact is sufficient to warrant refusal of the application taking account of local and national planning policy and guidance.

4.11 Development Control Local Plan Policy GP1 'Design' requires developments to ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.12 The nearest dwelling to the proposed dormer bungalow is 4 West End Close to the west. The proposed bungalow sits approximately 6.6m at the nearest point to the east side elevation of this dwelling. The rear of the proposed dormer bungalow faces towards the side and front of 4 West End. Any views from the rear windows of the proposed dormer bungalow towards the front windows of 4 West End would be at an oblique angle and would not result in a significant loss of privacy. 4 West End only has two openings within its side elevation, these are considered to be secondary in nature and do not provide the main outlook or light to the house. It is considered that the proposed development would not dominate or overshadow 4 West End Close.

4.13 To the south of the proposed dormer bungalow are dwellings at 16 and 18 West End. 18 West End is approximately 19.4m to the south of the nearest point of the proposed dormer bungalow. It is considered that the proposed dormer bungalow is a sufficient distance away to not significantly affect the amount of outlook and privacy enjoyed from rear windows and the rear garden of 18 West End. The proposed bungalow is set 9m back from the shared curtilage boundary. The existing 1.8m high boundary fence on this boundary is proposed to be retained.

4.14 The dwelling which appears to be most affected by the proposed development is 16 York Road. The proposed access to the dormer bungalow is between 14 and 16 York Road. Whilst access arrangements between existing houses are often unacceptable due to the impact this can have on neighbouring amenity, in this case it is considered that the separation distance between the side of 16 York Road and the access is sufficient to maintain a reasonable level of amenity. 16 York Road is approximately 3.2m from the shared curtilage boundary; beyond this a 0.5m wide landscaping strip would be retained to provide an additional visual buffer between the access and the side of number 16. It is considered that the 3.7m separation between the access drive and the side of 16 York Road is acceptable given the nature of the site adjacent to a busy road. It is not considered that the typical comings and goings associated with a three bedroom dwelling would harm residential amenity of this dwelling to an extent which would warrant refusal of the application. Likewise it is considered that a reasonable level of separation is provided between the proposed access and 14 York Road, a 1.5m high boundary fence and a 0.5m landscaping strip would be created to the side of the access to provide privacy and some sound reduction for the residents of 14 York Road.

4.15 At the nearest point the separation distance between the side of the proposed dormer bungalow and the rear of 16 York Road is approximately 13.4m. 16 York Road has a rear garden area which is smaller than the majority of other houses in the area. The distance between the rear of 16 York Road and the boundary with the site is approximately 8m. The proposed dormer bungalow has been orientated such that it does not face directly towards the rear elevation of number 16. Views from the proposed glazed doors at ground floor level and the one small bedroom at first floor level on the south side elevation of the proposed dormer bungalow would not directly face towards 16 York Road. Therefore, it is not considered that the proposal would create a sense of being overlooked. It is considered that the non-direct angle of view from these proposed windows towards the rear of 16 York Road and the 13.4m separation distance are sufficient to not result in an unacceptable loss of privacy within number 16.

4.16 The application site is tight and the proposed dormer bungalow and detached garage would alter the view and outlook from the rear of 16 York Road. However, the retention of existing private views is not a significant material planning consideration; what must be considered is the impact on outlook to ensure that the dwelling does not appear dominant and overbearing. The proposed dormer bungalow has a modest eaves height of approximately 3m and a ridge height of approximately 6.1m. A section of the proposed dormer bungalow protrudes towards the rear of 16 York Road and creates the minimum separation distance of 13.4m. However, this measurement is towards a corner of the side protrusion, the design then includes a 1.7m set back with the roof then hipping away from 16 York Road. Whilst the outlook from the rear of 16 York Road would alter, it is not considered that the rear garden or rear windows of 16 York Road would be dominated by the proposed dormer bungalow to an extent which would warrant refusal of the planning application. The proposed dormer bungalow is north of 16 and 18 York Road and therefore would not have a significant impact on the amount of sunlight entering these neighbouring curtilages. Both dwellings would continue to receive evening sun from the west. The proposed garage has been designed with a low angle of pitch and has been located off the boundary but partially behind the rear garage of 16 York Road in order to minimise the impact on the living conditions of this dwelling.

4.17 It is not considered that the proposed development would appear dominant or overbearing when viewed from either 4 or 5 St Mary's Close to the north. Whilst the proposed dormer bungalow is only approximately 3m from the garden boundaries, the two bungalows to the north have fairly substantial gardens with the proposed dormer bungalow not being located directly in line with the rear elevations of these existing bungalows.

The proposed bungalow is south of the existing dwelling on St Mary's Close, however due to its size, the distance from the bungalows, and the size of the garden areas, it is not considered that the proposal would result in a loss of natural light to an extent which significantly harms neighbouring amenity. The submitted sun path diagrams in support of the application confirm this view.

4.18 The application has resulted in a number of objections from local residents who are concerned about the impact of the proposed development on their residential amenity. It is acknowledged that the proposed dormer bungalow would change the outlook and views from some neighbouring houses, however it is considered that the impact from the proposed development is not significant enough to warrant refusal of the planning application. The scale of the dormer bungalow and its distance from boundaries is considered sufficient for it not to appear overbearing, the relationship between the proposed windows and existing is considered to not unacceptably result in a loss of privacy, and the size and orientation of the proposal ensures that the impact on the amount of natural light entering neighbouring houses and gardens is acceptable.

#### HIGHWAYS, CAR AND CYCLE PARKING

4.19 The proposal would create one three-bedroomed dwelling within the garden of 14 York Road. The number of vehicle movements in and out of the site would therefore be small. The proposed development would utilise an existing vehicular access which serves the existing house at 14 York Road. Highway Network Management has no objections to this access being utilised for the new house. The site does sit between a number of bends in York Road; however the advice from Highway colleagues is that serving one additional dwelling at this location would not create a significant highway safety concern. Visibility at this access point is considered acceptable. There is space within the site for a vehicle to turn around and exit the site in a forward gear, which is considered important in this location.

4.20 The proposed dwelling includes a garage which could be utilised for parking a car and there are also hard surfaced areas within the curtilage which would allow off street car parking. The proposed house only contains three bedrooms and it is considered that the curtilage has sufficient capacity to absorb likely car parking demand for any future residents and occasional visitors.

4.21 The proposed garage is approximately 3.2m by 6m in footprint. This size of garage is considered sufficient in size to allow a car to be parked within it as well as providing secure and enclosed cycle parking for future residents. It is therefore considered that the proposal incorporates adequate cycle parking in line with local standards and would therefore encourage sustainable transport choice.

## DRAINAGE

4.22 Development Control Local Plan Policy GP15a 'Development and Flood Risk' promotes the use of sustainable drainage systems in order to reduce surface water runoff. Additionally it requires new developments on undeveloped land to not impede water flows and not increase flood risk elsewhere. The application site is within Flood Zone 1 which is the lowest flood risk category. The application proposes permeable surfaces to the access drive and vehicle parking/turning areas. However, clearly the house and garage developments would reduce the amount of permeable land on site and therefore this could increase surface water runoff if it is not properly managed. In order to manage this and ensure that surface water runoff is not increased, the application proposes the use of an underground water storage chamber with a hydro brake flow control. Water which falls onto the house would be drained into the storage chamber before being released into the drains at a controlled rate. The principle of this system is generally acceptable; however at the time of writing the report there is a request from the flood risk drainage team for more detailed information. The applicants are aware of this and will be working with the Flood Risk Engineer to provide the necessary information before the date of Planning Committee. An update will be provided at Committee regarding drainage.

## OPEN SPACE

4.23 Policy L1c of the Development Control Local Plan seeks to ensure that new developments provide open space for the benefit of future occupiers of any new residential scheme. For small scale developments a commuted sum is sought for off-site provision/upgrade. For a three bedroom house such as that proposed here the latest Supplementary Planning Guidance seeks a sum of £2004. The applicants have agreed to this contribution to be secured through a Unilateral Undertaking.

## 5.0 CONCLUSION

5.1 The application site is within a sustainable urban location with good access to services and facilities by non-car modes. The city is considered to have a shortage of housing. The NPPF places a strong presumption in favour of sustainable development. Local Planning Authorities are required to demonstrate strong and clear reasons for refusing any planning application for sustainable development. Without such reasons, authorities are encouraged to approve applications without delay. Any potential reasons for refusal need to be strong, robust and clearly identified, particularly given the status of the existing Development Control Local Plan.

5.2 The proposed bungalow is simple in design and has an eaves and ridge height which is below many dwellings within the immediate vicinity of the site.

Whilst the proposal would be built on an existing garden which does add to the sense of space around dwellings, it is considered that the development would not be harmful to the character and appearance of the Conservation Area as it would appear secondary in height to taller houses and would be seen within the context of existing twentieth century suburban housing.

5.3 The application site borders a number of existing curtilages and will therefore have some impact on residential amenity. However, having considered the impact on each dwelling, it is not considered that the impact is sufficient to warrant refusal of the application in terms of either loss of outlook, privacy or natural light.

5.4 There are no objections to the proposed development from a highway safety point of view. The proposal provides reasonable off-road car parking arrangements and space for secure and enclosed cycle parking.

5.5 The application is therefore recommended for approval subject to the following conditions, resolving drainage issues, and securing a commuted sum payment for the provision/upgrade of public open space.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve subject to Section 106 Agreement

1 TIME2 Development start within three years -

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

Proposed Plans and Elevations YEW-277-012 02 Revision B

Garage Elevations YEW-277-012 05

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 the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A (enlargement or improvement of dwellinghouse), B (enlargement of roof), C (alteration of roof), E (erection of outbuilding) of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no door, window or other opening additional to those shown on the approved plans shall at any time be inserted into the property.

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

5 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 including bricks and roof tiles, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually acceptable appearance for this development within Strensall Conservation Area.

6 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

7 No development shall take place until there has been submitted 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 to be planted in the garden area and alongside the access. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

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

8 Before the commencement of and during building operations, adequate measures shall be taken to protect the existing Mountain Ash tree immediately to the north of the site. This means of protection shall be agreed in writing with the Local Planning Authority and shall be implemented prior to the stacking of materials or the commencement of building works.

Reason: The existing tree is considered to make a positive contribution to the amenities of this area.

9 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 6.2 metres (excluding the chimney), as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: To establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area and neighbouring residential amenity.

## **7.0 INFORMATIVES: Notes to Applicant**

### **1. REASON FOR APPROVAL**

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- Principle of residential development
- Impact on the character and appearance of Strensall Conservation Area
- Impact on neighbouring residential amenity
- Highways, car and cycle parking
- Drainage
- Open Space

As such the proposal complies with Policies GP1, GP10, GP15a, L1c, H4a, and HE2 of the City of York Development Control Local Plan.

## 2. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

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

- Entered into discussions with the applicants following the submission of the first application to negotiate a scheme which respects the character and appearance of the Conservation Area and protects neighbouring amenity.

## 3. INFORMATIVES

Electric recharge point:-

In order to facilitate the uptake and recharging of electric vehicles / bikes / scooters within the garage, it is recommended that the applicant should install a standard domestic 13A electrical socket on an internal or external wall. This should be capable of charging at a minimum of 3KWh for up to 8 hours without overheating the cabling or socket. Ideally, a 13/32Amp socket should be supplied which can offer up to 7KWh continuous charging with a control and protection function on a specific circuit (to avoid overload through use of other appliances on the circuit). Where mounted on an external wall, a suitable weatherproof enclosure for the socket will be required.

## 4. Demolition and Construction

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a scheme remediation to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention should also be 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 attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

1. All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday - 08.00 to 18.00

Saturday - 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

2. 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".

3. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers' instructions.

4. 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.

5. 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.

6 There shall be no bonfires on the site

**Contact details:**

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