



**Notice of a public meeting of
Area Planning Sub-Committee**

- To:** Councillors Hollyer (Chair), Crawshaw (Vice-Chair),
Craghill, Daubeney, Fisher, Galvin, Melly, Orrell,
Waudby, Perrett and Webb
- Date:** Wednesday, 16 February 2022
- Time:** 4.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West
Offices (F045)

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Minutes

(Pages 3 - 10)

To approve and sign the minutes of the last meeting of the Area Planning Sub-Committee held on 20 January 2022.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is **5:00pm on Monday, 14 February 2022.**

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill out an online registration form. If you have any questions about the registration form or the meeting, please contact the relevant Democracy Officer, on the details at the foot of the agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The public meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Plans List

To determine the following planning applications:

- a) **9 Bransdale Crescent, Osbaldwick, York, YO10 3PB [22/00003/FUL]** (Pages 11 - 24)

Single storey flat-roof rear extension, rear dormer and replacement of former detached garage with a replacement attached garage to side (retrospective). [Osbaldwick And Derwent Ward]

- b) **The Lord Nelson 9 Main Street Nether Poppleton York YO26 6HS [20/02513/FUL]** (Pages 25 - 58)

The erection of two detached dwellings on land to the rear of the Lord Nelson public house, Nether Poppleton. [Rural West York Ward]

- c) **Royal Masonic Benevolent Institute,** (Pages 59 - 92)
Connaught Court, St Oswalds Road, York,
YO10 4QA [20/01471/FULM]

Change of use of existing bungalows (Use Class C2) to residential accommodation where care is provided (Use Class C3(b)) with construction of associated parking court and access driveway from Fulford Park. [Fulford And Heslington Ward]

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Jane Meller

Contact details:

- Telephone: (01904) 555209
- Email: jane.meller@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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Coronavirus protocols for attending Committee Meetings at West Offices

If you are attending a meeting in West Offices, you must observe the following protocols.

Good ventilation is a key control point, therefore all windows have been opened to allow adequate ventilation, they must be left as set prior to the start of the meeting.

If you're displaying possible coronavirus symptoms (or anyone in your household is displaying symptoms), you should follow government guidance. You are advised not to attend your meeting at West Offices.

Testing

The Council encourages regular testing of all Officers and Members and also any members of the public in attendance at a Committee Meeting. Any members of the public attending a meeting are advised to take a test within 24 hours of attending a meeting, the result of the test should be negative, in order to attend.

Test kits can be obtained by clicking on either link: [Find where to get rapid lateral flow tests - NHS \(test-and-trace.nhs.uk\)](https://www.nhs.uk/conditions/coronavirus/covid-19/testing/rapid-lateral-flow-tests/), or, [Order coronavirus \(COVID-19\) rapid lateral flow tests - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/order-coronavirus-covid-19-rapid-lateral-flow-tests).

Alternatively, if you call 119 between the hours of 7am and 11pm, you can order a testing kit over the telephone.

Guidelines for attending Meetings at West Offices

- Please do not arrive more than 10 minutes before the meeting is due to start.
- You are not required to wear a face covering whilst in West Offices. CYC supports the decision of those who wish to do so.
- Visitors to enter West Offices by the customer entrance and Officers/Councillors to enter using the staff entrance only.
- Ensure your ID / visitors pass and lanyard is clearly visible at all time and worn around the neck.
- Regular handwashing for 20 seconds is recommended.
- Please use the touchless hand sanitiser units on entry and exit to the building and hand sanitiser within the Meeting room.
- Bring your own drink if required.
- Only use the designated toilets next to the Meeting room.

Developing symptoms whilst in West Offices

If you develop coronavirus symptoms during a Meeting, you should:

- Make your way home immediately
- Avoid the use of public transport where possible
- Follow government guidance in relation to self-isolation.

You should also:

- Advise the Meeting organiser so they can arrange to assess and carry out additional cleaning
- Do not remain in the building any longer than necessary
- Do not visit any other areas of the building before you leave

If you receive a positive test result, or if you develop any symptoms before the meeting is due to take place, **you should not attend the meeting.**

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City of York Council

Committee Minutes

Meeting	Area Planning Sub-Committee
Date	20 January 2022
Present	Councillors Hollyer (Chair), Crawshaw (Vice-Chair), Craghill, Daubeney, Fisher, Galvin, Melly, Orrell, Waudby, Perrett and Webb
Apologies	None

In view of the changing circumstances around the Covid-19 pandemic, this meeting was held remotely. Any relevant decisions recorded in these minutes will be formally approved by the Chief Operating Officer, using his emergency delegated powers.

43. Declarations of Interest

At this point in the meeting, Members were invited to declare, any personal interests not included on the Register of Interests, any prejudicial or disclosable interests that they might have had in the business on the agenda.

Cllr Crawshaw advised that, as the Ward Councillor for Micklegate, he had been in a significant amount of contact with the applicant for item 4a. He had also spoken to Officers concerning the previous applications on the property. Since then, there had been some contact regarding the applicant's request to have this item determined by the committee. Given this level of contact, he had sought advice from the council's Legal Officers. He was satisfied that he had not a pre-determined view on the application, he had decided to withdraw from the meeting for Item 4a. This was to ensure that there was no possible suggestion that he had influenced the outcome of the application.

Cllr Craghill noted, for transparency reasons, that as a Guildhall Ward Councillor that she had attended the Minster Neighbourhood Forum but this was not a prejudicial interest.

44. Minutes

Resolved: That the minutes of the Area Planning Sub-Committee meetings held on 30 November 2021 and 8 December 2021 be approved and signed by the Chair as a correct record.

45. Public Participation

It was reported that there had been no registrations to speak under the council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

46. Plans List

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

**47. Church House, 10-14 Ogleforth, York, YO1 7JG
[21/00601/FULM]**

Prior to the meeting the Chair had received a request by the applicant to defer the item to a later date.

The proposal to defer the item was moved by the Chair and seconded by Cllr Galvin.

A named vote was taken and Cllrs Craghill, Crawshaw, Daubeney, Fisher, Galvin, Orrell, Perrett, Waudby, Webb and Hollyer voted for the motion. Cllr Melly abstained. It was therefore:

Resolved: That item 4b be deferred.

Reason: To allow the item to be considered at a later meeting.

48. 14 Mount Parade, York, YO24 4AP [21/02140/LBC]

Members considered an application which sought to gain Listed Building Consent (LBC) for internal and external alterations to a grade II listed building located in York Central Historic Core

Conservation Area. The Development Manager gave a presentation on the application.

Public Participation

Diane Baines, the agent for the applicant, spoke in support of the application. She highlighted that similar alterations had been made to neighbouring properties. She noted that the National Planning Policy Framework (NPPF) aimed to optimise the viable use of buildings and she also highlighted the areas of public benefit that she believed would result from the plans. These benefits were replacing the extension, improving means of escape from the building and contributing to the city's family housing stock.

In response to questions from Members, the agent explained that the public benefit was derived from a more sympathetic extension and by making the building safer in terms of fire safety.

The applicant, Linda Grenyer, also spoke in support. She described how the current use of the property and how the plans would improve the use and safety of the property.

Following an additional question from a Member, the agent confirmed that the neighbouring properties had been altered in the late 1990's / early 2000's.

In response to questions from members, the Development Manager stated that:

- Section 5.18 of the report referred to the 2004 planning application which proposed similar internal work and slightly different external works to the property. The 2004 planning permission for No. 14 had timed out and could not now be implemented.
- Neighbouring properties had received the following permissions:
 - No. 12, LBC in 2001
 - No. 13, there were no records
 - No. 15, internal and external alterations in 1998
- The NPPF had changed the way of assessing applications for alterations to heritage assets, great weight should be given to avoiding harm to the asset against the public benefit.

- For LBC, the impact on the building should be considered independently of surrounding buildings. The plans should be considered against the architectural interest of the building itself.
- Officers had determined that the plans would result in some harm to the listed building and that that the benefits put forward by the applicant were private rather than public benefits. The property was considered to be at its optimal viable use and 'public benefits' needed to significantly benefit the wider public.
- The use of the basement room as a bedroom raised a fire safety issue. It was difficult to justify this decision by the homeowner to use the room as a bedroom, if it was considered harmful to the listed building to address this issue.

Following a debate, Cllr Galvin moved that the committee recommend to the Chief Operating Officer that Listed Building Consent be approved.

The Senior Solicitor reminded members that they needed to consider if there were any levels of harm caused. If there was harm, even minimal, Members should take into account the public benefits and significant weight should be given to the harm caused. If it was considered that there was no harm to the listed building then the public benefit test would not apply.

Cllr Galvin then clarified his position and confirmed that he believed that there would be no harm to the building, should LBC be granted. Cllr Daubeney seconded the motion.

A named vote was taken with the following result:

- Cllrs Craghill, Daubeney, Fisher, Galvin, Orrell, Perrett voted for the motion.
- Cllrs Melly, Waudby, Webb and Hollyer voted against the motion.

The motion was therefore carried and it was

Resolved: That, as the sub-committee identified no harm to the listed building, the Chief Operating Officer be recommended to grant the application for Listed Building Consent and that authority be delegated to the Head of Development Services to set the conditions for the application.

Reason: That the proposed alterations would not result in harm to the listed building.

[Cllr Crawshaw left the meeting at 17:00 and was absent for item 4a]

[The meeting adjourned between 18:02 and 18:10]

**49. Land To The North Of 21 Main Street, Copmanthorpe
[20/02043/FUL]**

[Cllr Crawshaw re-joined the meeting immediately after the adjournment, at 18:10]

Members considered an application that sought to erect a part 2-storey, part single-storey, detached, 3-bedroom house on land to the north of 21 Main Street, Copmanthorpe.

The Development Manager gave a presentation on the application in which he outlined plans for the property.

Public Participants

Parish Cllr, Lars Kramm, spoke in objection to the application on behalf of Copmanthorpe Parish Council and the Methodist Church trustees. He highlighted the Parish's concerns that the property was not needed and not in keeping with the identity of the village. He noted that the church was a valued community asset and drew Member's attention to problems regarding overshadowing and loss of light to the Methodist Church's outside space.

Phillip Watson spoke in objection, as a local resident. He raised concerns that the application had been filed incorrectly. He also noted that the land provided an open space amenity to the village and was a biodiverse habitat for wildlife. He stated that there were concerns regarding privacy; that the building was disproportionate, it was an overdevelopment and not in keeping with the village. Finally, he raised concerns regarding pedestrian safety.

Following a Member's query, Mr Watson explained that privacy issues revolved around the windows which over looked the neighbouring property and properties on the road behind the plot.

Andrew Piatt from Gateley Legal, agent for the applicant, spoke in support of the application. He described the plans for the property and explained the ways in which they would echo the street scene. He also explained the consideration given to neighbouring properties in terms of privacy and amenity.

In response to questions, the agent described the access to the property and explained the benefits, in terms of noise insulation, of the windowless elevation that would face the church.

The Development Manager and Case Officer then responded to a number of questions from Members as follows:

- Bins could be stored at the back of the property and prior to collection be brought to the front of the property and be stored off the highway.
- The Copmanthorpe Village Design Statement was approved in 2002 as a supplementary planning document and therefore had weight as a material consideration. The Draft Neighbourhood Plan had not been submitted for consideration by the City of York Council (CYC), it therefore had limited weight.
- Overshadowing was taken into account during the planning process, this would not override the actions an adjacent landowner could take in terms of private rights to light. The right to light to outside areas was a material consideration although the amount of weight it carried in the planning balance was less than the right to light in habitable spaces. Also in consideration was the impact loss of light would have on the functioning of a non-residential use.
- The windows on the side of the church building, next to the proposed house, were located over the stairwell.
- There would be some loss of sunlight to the church's patio area, particularly during the winter.
- Condition 15 defined the hours of operation for the site. Members could consider a construction environment management plan.
- The design of the building takes into account the activities of the church, in terms of noise and public access.
- The gap between the proposed building and the boundary of no. 21 ranged between negligible and 1 to 1.5 metres.
- All windows facing no. 21 had obscured glass, there was not a clear view from the proposed development.

Cllr Webb moved to accept the Officer recommendation and recommend to the Chief Operation Officer to approve the application. This motion was seconded by the Chair.

A named vote was taken which recorded the following:

- Cllrs Crawshaw, Melly, Orrell, Webb and the Chair voted for the motion.
- The following Members voted against the motion: Cllrs Craghill, Daubeney, Fisher, Galvin, Perrett, Waudby.

The motion was therefore lost.

After further debate, it was moved by Cllr Galvin and seconded by Cllr Fisher that the application be rejected due to overdevelopment of the site which would lead to a cramped development that was detrimental to the conservation area.

A named vote was taken which resulted in the following:

- Cllrs Craghill, Daubeney, Fisher, Galvin, Perrett, Waudby voted for the motion.
- Cllrs Crawshaw, Melly, Orrell, Webb and Hollyer voted against the motion.

The motion was therefore carried and it was:

Resolved: That the Chief Operating Officer be recommended to refuse the planning application.

Reason: The proposed development would, on the small, narrow plot, appear cramped, out of character and harmful to the character and appearance of Copmanthorpe Conservation Area.

Cllr A Hollyer, Chair

[The meeting started at 4.54 pm and finished at 7.30 pm].

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COMMITTEE REPORT

Date: 16 February 2022 **Ward:** Osbaldwick And Derwent
Team: East Area **Parish:** Osbaldwick Parish Council
Reference: 22/00003/FUL
Application at: 9 Bransdale Crescent Osbaldwick York YO10 3PB
For: Single storey flat-roof rear extension, rear dormer and replacement of former detached garage with a replacement attached garage to side (retrospective)
By: Miss Mika Maguire
Application Type: Full Application
Target Date: 1 March 2022
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 No. 9 Bransdale Crescent, Osbaldwick, is a detached bungalow, located within a residential street running off Baysdale Avenue. The proposal seeks retrospective consent for a single storey flat-roof rear kitchen/living room extension, a flat-roof rear dormer and a replacement attached garage.

Ward Councillor Call-in

1.2 The application has been called in to sub-committee by Councillor Warters, on the grounds of negative impact on neighbouring amenity and inappropriate design, which if approved would set a very bad precedent.

Planning History

1.3 21/02238/LHE – Refused 30.11.2021 as the proposal did not comply with the permitted development rights limitations for large single storey rear extensions.

2.0 POLICY CONTEXTPublication Draft Local Plan 2018

2.1 The Publication Draft Local Plan 2018 for the City of York ('2018 Draft 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. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

Application Reference Number: 22/00003/FUL

Item No: 4a

- 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 conformity of the relevant policies in the emerging plan with policies in the previous NPPF (published March 2012).

D11 – Extensions and Alterations to Existing Buildings

Draft Development Control Local Plan 2005

2.2 The Development Control Local Plan (DCLP) was approved for development control purposes in April 2005. Its policies are material considerations when they are in accordance with the NPPF although it is considered that their weight is very limited.

H7 – Residential Extensions

3.0 CONSULTATIONS

Osboldwick Parish Council

3.1 No response received.

4.0 REPRESENTATIONS

Neighbour Notification

4.1 One letter of objection received:

- Development 99% completed
- Already refused under the LHE process
- Inaccuracies relating to the number of trees
- Inaccurately states there is a 'Tall Perimeter hedgerow' on the shared boundary
- Overpowering effect due to height of parapet wall
- Loss of privacy into the side garden
- Out of character

5.0 APPRAISAL

KEY ISSUES

5.1 Impact on the dwelling and character of the surrounding area; impact on neighbour amenity.

POLICY CONTEXT

5.2 The National Planning Policy Framework (NPPF) sets out the Government's overarching planning policies, and at its heart is a presumption in favour of sustainable development. Paragraph 130 (NPPF Chapter 12, 'Achieving Well-Designed Places') states that planning policies and decisions should ensure that developments will achieve a number of aims, including that they are sympathetic to local character, surrounding built environment and their landscape setting. The NPPF also places great importance on good design. Paragraph 134 says that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

2018 Draft Local Plan

5.3 Policy D11 (Extensions and Alterations to Existing Buildings) states that proposals to extend, alter or add to existing buildings will be supported where the design responds positively to its immediate architectural context, local character and history in terms of the use of materials, detailing, scale, proportion, landscape and space between buildings. Proposals should also sustain the significance of a heritage asset, positively contribute to the site's setting, protect the amenity of current and neighbouring occupiers, contribute to the function of the area and protect and incorporate trees.

2005 Development Control Local Plan

5.4 Draft Local Plan Policy H7 concerns Residential Extensions, and states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality of the development; (ii) the design and scale are appropriate in relation the main building; (iii) there is no adverse effect on neighbour amenity; (iv) proposals respect the spaces between dwellings; and (v) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

House Extensions and Alterations Supplementary Planning Document (2012)

5.5 The SPD provides guidance relating to such issues as privacy, overshadowing, oppressiveness and general amenity as well as advice which is specific to the design and size of particular types of extensions, alterations and detached buildings.

A basic principle of this guidance is that any extension should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the street-scene. Furthermore, proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing and loss of light, over-dominance and loss of outlook.

ASSESSMENT

Visual Impact on the Bungalow / Street-Scene

5.6 The flat-roof garage is being constructed from brick to match that of the original bungalow, with a white soffit to match that on the existing property. It will incorporate a roller-shutter door. The finished structure will be very similar in scale to that which it has replaced and will not harm the visual amenity of Bransdale Crescent. The rear replacement dormer has been constructed from red-brick, to match those of the original bungalow and rear extension. Whilst large, if constructed in isolation the dormer would be within permitted development limitations. Rear dormers are a feature of similar adjacent bungalows. The rear extension, as completed, is approx 3.2m height, spans the entire width of the original bungalow and projects approx 6.0m to the rear. It has been constructed in brick which match those of the existing property. The rear garden is quite spacious and very wide, in consequence reasonable external amenity space is retained. The rear extension is almost completely screened from any public views from Bransdale Crescent and not prominent from public views on Tranby Avenue. It is not considered the development significantly harms the character and appearance of the host bungalow, or immediate surrounding area.

Impact on neighbour amenity

5.7 In terms of No.11 Bransdale Crescent, which lies to the south-west of the application property, the rear extension is set well back from the shared side/rear boundary. A side and rear extension was added to this property, under a 1988 permission. The side elevation of the extension as built faces towards the blank side elevation of the structure added to the neighbouring property. In terms of No.7 Bransdale Crescent, which lies to the north of the application property, the configuration of the rear extension means it angles away from the shared side/rear garden boundary. There is a timber fence running along this boundary. There are no additional windows on the facing side wall of the extension and again no significant neighbour amenity issues arise.

5.8 In terms of No.19 Tranby Avenue, the configuration of the respective properties means that the principal external amenity space, of this neighbouring dwelling (its side garden) borders the rear garden boundary of the application property. In terms of amenity; there is a minimum of approx 9.6m separation between the extension and shared garden boundary and a maximum separation of approx 15.6m. There is

a patio seating area to the rear of this neighbouring dwelling. The development is larger and closer to the boundary than what it replaces but it is not considered that it overshadows or over-dominates the neighbouring property, or results in any significant loss of privacy. It is recommended that a condition is imposed on any planning permission to restrict the use of the flat roof as a roof terrace because of the impact on the amenity of adjoining houses.

6.0 CONCLUSION

6.1 The development is considered to be appropriately designed and not to harm the appearance of the streetscene or residential amenity. It would comply with the National Planning Policy Framework (2021), policy D11 of the Publication Draft Local Plan 2018, policy H7 of the 2005 Draft Local Plan, and advice contained within Supplementary Planning Document 'House Extensions and Alterations'

7.0 RECOMMENDATION: Householder Approval

1 The roof of the rear extension shall not be used as a roof terrace or area for domestic use or sitting out.

Reason: In the interests of the living conditions of adjoining properties.

8.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

2. Informative regarding Electric Vehicle (EV) Charge Points

The Government's Electric Vehicle Homecharge Scheme' offers a grant to reduce the cost of installing a home electric vehicle charge point. For more information see the Office for Zero Emission Vehicles' (OZEV) website at:

<https://www.gov.uk/government/collections/government-grants-for-low-emission-vehicles>. All electrical circuits/installations should comply with the electrical requirements in force at the time of installation.

Contact details:

Case Officer: Paul Edwards

Tel No: 01904 551642

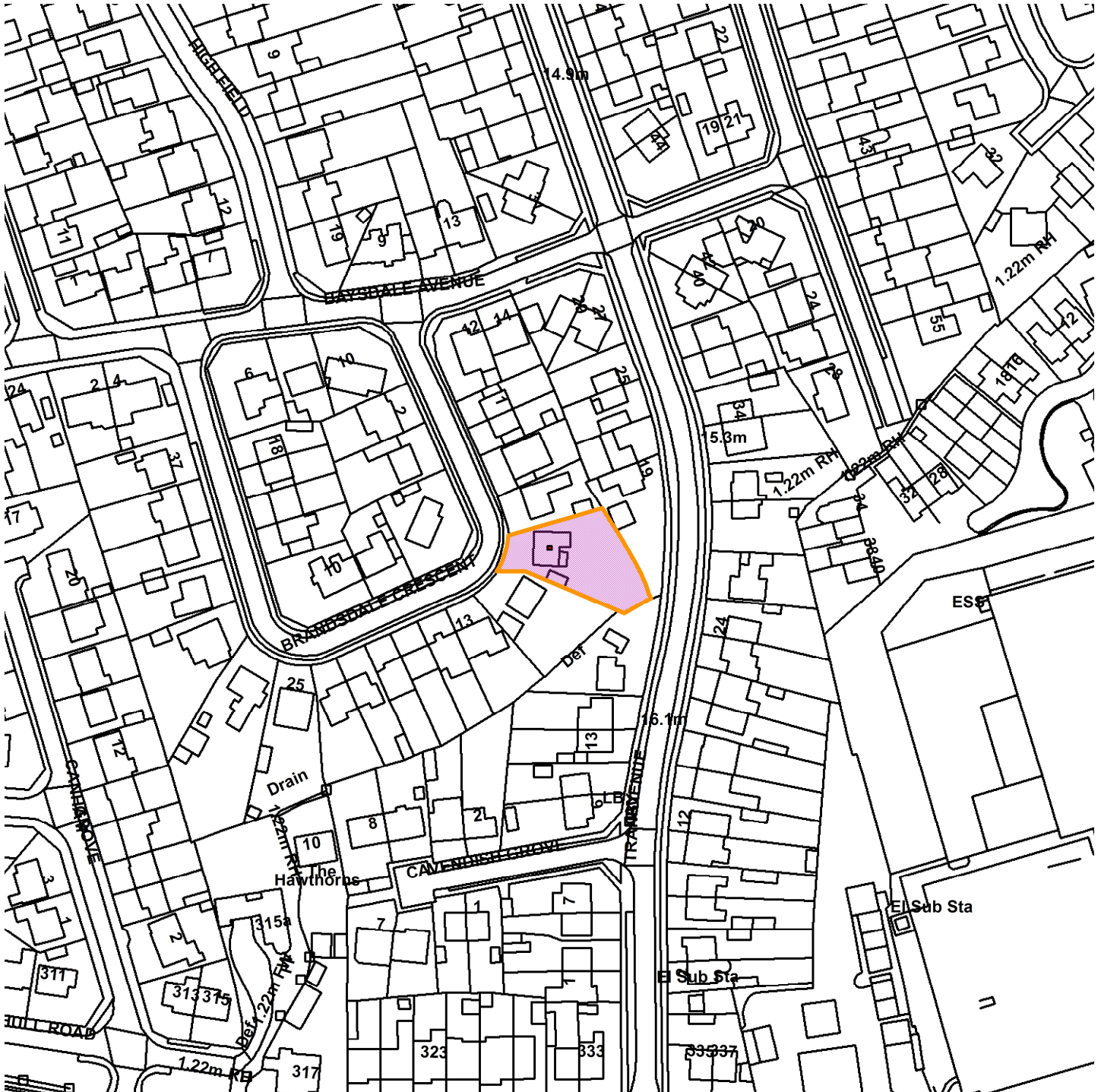
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9 Bransdale Crescent, Osbaldwick, YO10 3PB

22/00003/FUL



GIS by ESRI (UK)



Scale : 1:1583

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	07 February 2022
SLA Number	

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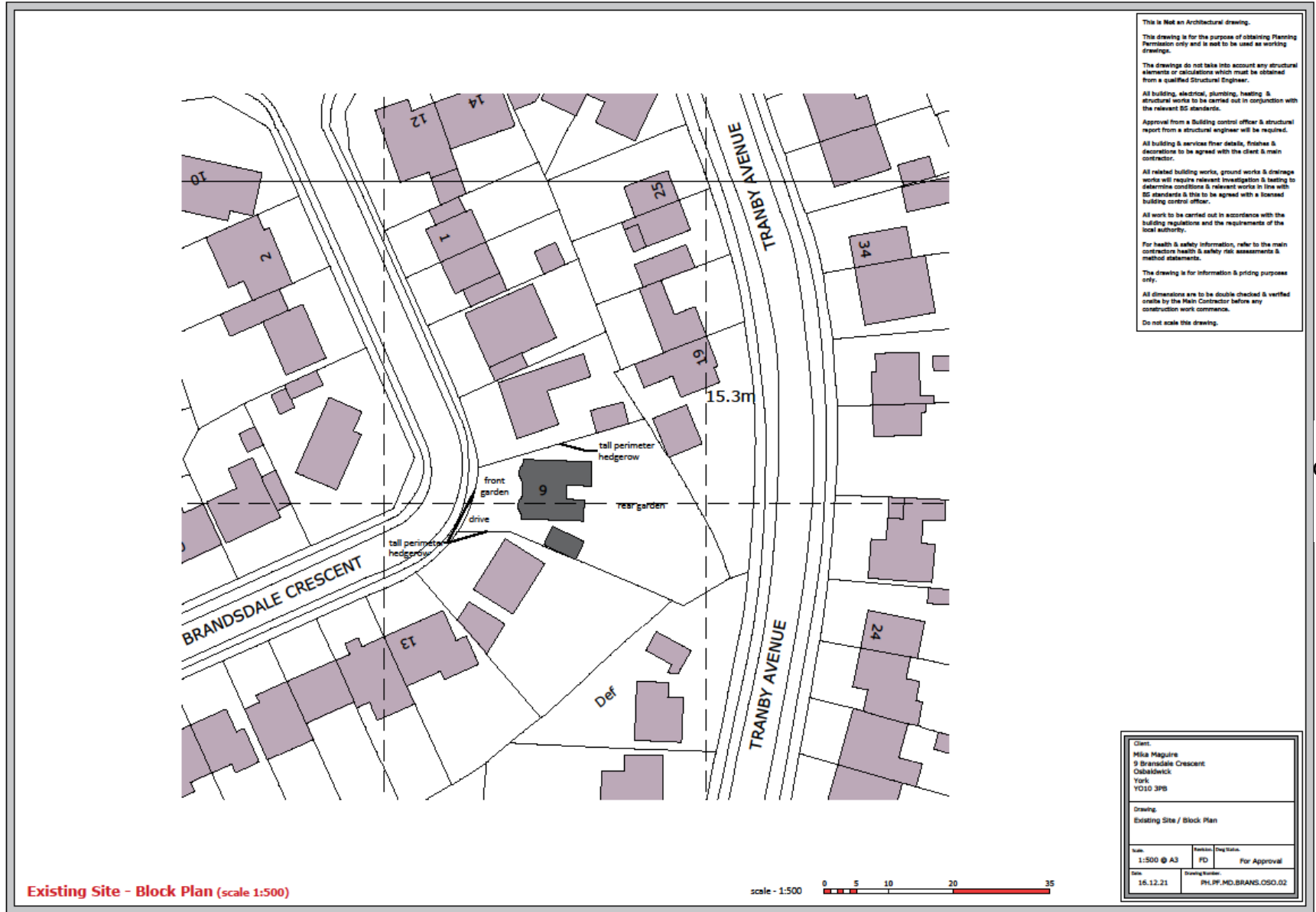


Area Planning Sub-Committee

22/00003/FUL

9 Bransdale Crescent Osbaldwick

As existing site plan



As existing plans and elevations

Existing West Elevation (scale 1:100)

Existing East Elevation (scale 1:100)

Existing South Elevation (scale 1:100)

Existing North Elevation (scale 1:100)

Existing First Floor (scale 1:100)

Existing Ground Floor (scale 1:100)

Existing Roof Plan (scale 1:100)

scale - 1:100

0 1 2 3 4 5

Client:
Mika McGuire
9 Bransdale Crescent
Osbalwick
York
YO10 3PB

Drawing:
Existing Plans & Elevations

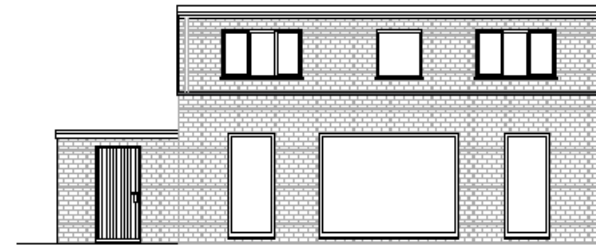
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Varies @ A3	FD	FD	For Approval
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16.12.21	PH, JF, MD, BRANS, OSO, 01		

This is Not an Architectural drawing.
This drawing is for the purpose of obtaining Planning Permission only and is not to be used as working drawings.
The drawings do not take into account any structural elements or alterations which must be obtained from a qualified Structural Engineer.
All building, electrical, plumbing, heating & structural works to be carried out in conjunction with the relevant BS standards.
Approval from a Building Control Officer & structural report from a structural engineer will be required.
All building & services (fire, drains, & electricity) to be agreed with the client & main contractor.
All related building works, ground works & drainage works will require relevant investigation & testing to determine conditions & relevant works in line with BS standards & this to be agreed with a licensed building control officer.
All work to be carried out in accordance with the building regulations and the requirements of the local authority.
For health & safety information, refer to the main contractor health & safety risk assessments & method statements.
The drawing is for information & pricing purposes only.
All dimensions are to be double checked & verified onsite by the Main Contractor before any construction work commences.
Do not scale the drawing.

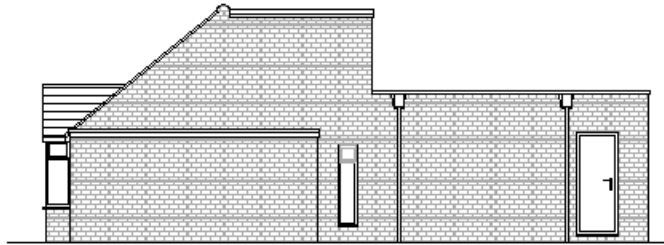
As proposed plans and elevations



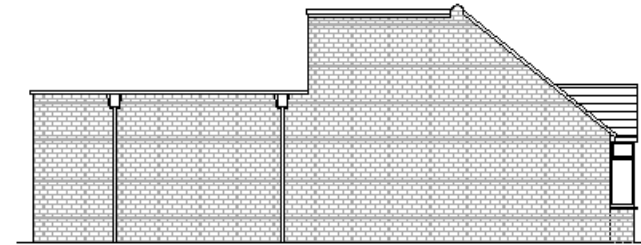
Proposed West Elevation (scale 1:100)



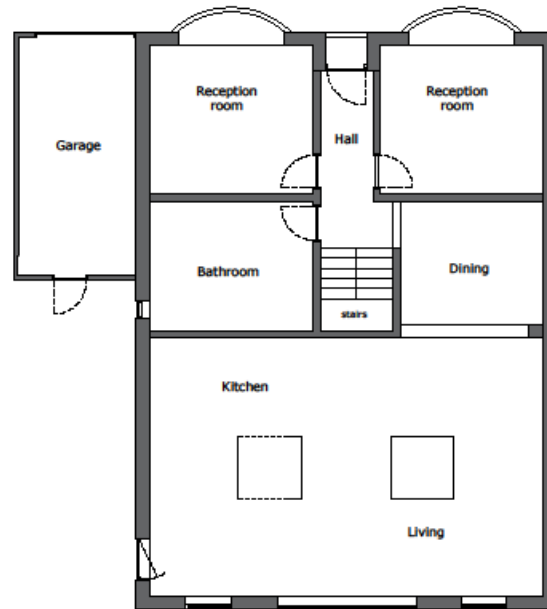
Proposed East Elevation (scale 1:100)



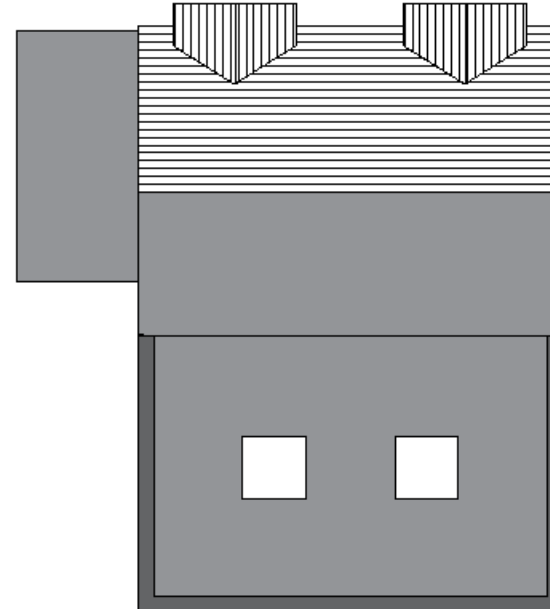
Proposed South Elevation (scale 1:100)



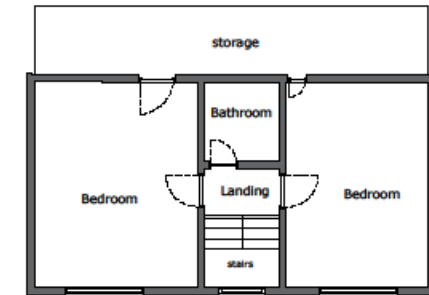
Proposed North Elevation (scale 1:100)



Proposed Ground Floor (scale 1:100)



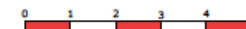
Proposed Roof Plan (scale 1:100)



Proposed First Floor (scale 1:100)

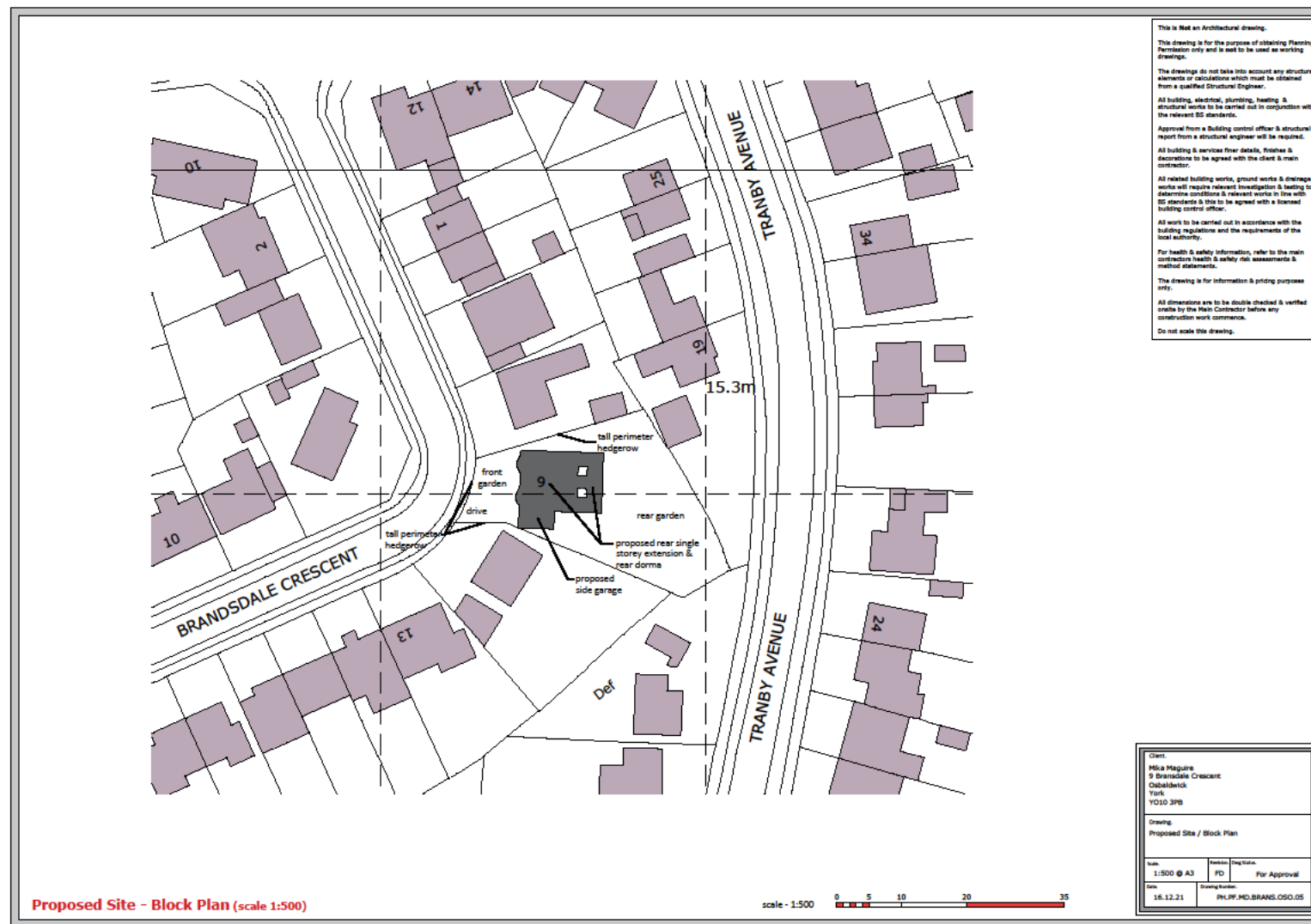
This is **Not** an Architectural drawing.
 This drawing is for the purpose of obtaining Planning Permission only and is not to be used as working drawings.
 The drawings do not take into account any structural elements or calculations which must be obtained from a qualified Structural Engineer.
 All building, electrical, plumbing, heating & structural works to be carried out in conjunction with the relevant BS standards.
 Approval from a Building control officer & structural report from a structural engineer will be required.
 All building & services finer details, finishes & decorations to be agreed with the client & main contractor.
 All related building works, ground works & drainage works will require relevant investigation & testing to determine conditions & relevant works in line with BS standards & this to be agreed with a licensed building control officer.
 All work to be carried out in accordance with the building regulations and the requirements of the local authority.
 For health & safety information, refer to the main contractor's health & safety risk assessments & method statements.
 The drawing is for information & pricing purposes only.
 All dimensions are to be double checked & verified onsite by the Main Contractor before any construction work commences.
 Do not scale this drawing.

scale - 1:100



Client:	
Mika Maguire 9 Bramdale Crescent Osbalwick, York YO10 3PB	
Drawing: Proposed Plans & Elevations	
Scale: Varies @ A3	Revision: FD
Date: 16.12.21	Drawn/Checked: PH, JF, MD, BRANS, OSO, 04
For Approval	

As proposed site plan



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Client:	
Mila Maguire 9 Brandsdale Crescent Osabelwick York YO10 3PB	
Drawing: Proposed Site / Block Plan	
Scale:	Revision / Description:
1:500 @ A3	FD For Approval
Date:	Drawing Number:
16.12.21	PH.FF.MD.BRANS.OSO.OS

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COMMITTEE REPORT

Date: 16 February 2022 **Ward:** Rural West York

Team: West Area **Parish:** Nether Poppleton Parish
Council

Reference: 20/02513/FUL

Application at: The Lord Nelson 9 Main Street Nether Poppleton York YO26
6HS

For: Erection of 2no. dwellings on land to the rear of the Lord Nelson
public house (resubmission)

By: ACT York Ltd

Application Type: Full Application

Target Date: 23 December 2021

Recommendation: Approve

1.0 PROPOSAL

1.1 The erection of two detached dwellings on land to the rear of the Lord Nelson public house, Nether Poppleton. The site is vacant and was last used for the storage of caravans. Access to the site would be via an existing vehicular access from Main Street, which serves the land and the public house. The dwelling at plot 1 would be located immediately behind the pub car park and would have two storeys. The house at plot 2 would be further into the site and have one storey. Both dwellings would have a private garden, garage and forecourt parking.

1.2 The site lies within the Nether Poppleton Conservation Area. It is unallocated in the Upper and Nether Poppleton Neighbourhood Plan and the 2018 Draft Local Plan (2018 eLP). Poppleton House, which is Grade II listed, lies to the south east of the site, separated from it by mature landscaping and a high boundary wall.

Ward Councillor Call-in

1.3 The application has been called-in by Cllr Hook due to conflict with the Poppleton Neighbourhood Plan, in particular policy PNP3 which states that all proposals for development in the Upper Poppleton and Nether Poppleton conservation areas should preserve or enhance their special character or appearance.

Planning History

1.4 The application is a resubmission of 18/02692/FUL for the erection of two houses. The previous application was refused by sub-committee in September 2020 due to impact on the conservation area and the setting of Poppleton House.

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

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development (Archaeology)

3.1 The proposed development area is within the historic village of Nether Poppleton. It occupies a village toft leading back from Main St which has seen little disturbance. It is an area of archaeological interest.

3.2 An archaeological evaluation of this site is required ahead of the construction of any proposed dwellings. This will assess the impact of the scheme on any surviving archaeology on the site and allow a mitigation strategy to be agreed. If nationally significant archaeology is discovered during the evaluation preservation in-situ may be required. If archaeological features of regional/local significance are located on the site a full excavation may be required. Conditions are sought.

Design, Conservation and Sustainable Development (Conservation)

3.3 The spacious character of the application site contributes to the village character of the settlement, 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 Lord Nelson should be regarded as a non-designated heritage asset). Both new dwellings are of substantial scale and occupy a considerable proportion of the site. The form and materials of plot 2 would appear at odds with the prevailing style and materials in the area. Of greater concern is the impact of the scale of the development on the openness of the plot. In diminishing its open character, the development harms the contribution the site makes to the historic character of the conservation area. In addition, the 2-storey dwelling would be a bold addition to the setting of Poppleton House, diminishing the spacious setting which it has enjoyed since the date of construction. The harm to the conservation area and the setting of Poppleton House are less than substantial. The provision of two dwellings on the site is insufficient to balance or outweigh the harm. The application should be refused. If the applicant wishes to continue with the application we would recommend the scheme is reduced to a single dwelling, single storey, located close to the rear of the public house to maintain the openness of the site and the contribution it makes to the character and setting of the designated heritage assets.

Design, Conservation and Sustainable Development (Landscape)

3.4 The building footprint of the dwelling on plot 2 is large and the proposed driveway is close to protected trees within the grounds of Poppleton House. The building footprint should not come any further towards the trees than approximately half way across the width of the site. I also have some concern over the proximity of the dwelling on plot 2 to the tall mature trees in relation to the scale of the proposed building footprint and available garden space. The revisions since submission reduce the impact on the protected trees. If planning permission is to be approved add a condition requiring submission of an arboricultural method statement and scheme of arboricultural supervision regarding protection measures for existing trees.

Public Protection

3.5 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. Therefore add a condition requiring noise insulation measures for the dwellings. A condition is also proposed in connection with electric vehicle recharging sockets.

Highway Network Management

3.6 No objections to the revised proposals. Add conditions regarding submission of access details, method of works, provision of car/cycle parking and service access to the public house.

Flood Risk Management

3.7 In February 2019 the Flood Risk Management Team witnessed soakaway testing, which was successful. No objections are raised to the development in principle. If planning permission is to be granted, conditions should be attached in order to protect the local aquatic environment and public sewer network.

EXTERNAL

Ainsty Internal Drainage Board

3.8 The application appears to enlarge the impermeable area on site and has the potential to increase the rate of surface water run-off from the site if this is not effectively constrained. The applicant states that surface water will drain by a combination of soakaways and balancing storage. Soakaway testing worked well so surface water run-off to soakaway can be conditioned. The applicant is proposing to connect into the mains sewer. If Yorkshire Water is content with the proposed arrangement and is satisfied that the asset has the capacity to accommodate the flow, then the Board would have no objection to the new proposed arrangement.

Yorkshire Water

3.9 No comments to make.

Conservation Area Advisory Panel

3.10 The two proposed dwellings are set extremely close to the site boundary. It would be difficult to object to the use of the site for housing but the area remaining

for the pub car park may not be viable. The two dwellings proposed are in contrasting styles, one traditional and one modern. The modern design for the bungalow is more appropriate to the site and could equally be applied to the 2-storey house. The Panel supports the principle of the proposal but would wish to see the design of the house amended.

York Civic Trust

3.11 Does not object to the application. It acknowledges the revisions made from the original application but notes that there is the potential for this development to make a stronger contribution to the conservation area through good-quality, sustainable 21st Century design.

Nether Poppleton Parish Council

3.12 Objects on the following grounds:

- Impact on the area.
- Design and appearance of the buildings in relation to the conservation area and listed buildings.
- The need to protect green spaces.
- Overlooking and overshadowing of existing properties.
- The current plan ignores protection of all trees adjacent to the property and does not address the previously stated material considerations.
- The CYC conservation officer is of the opinion that the open aspect of the plot should be preserved by the erection of only one building on the site.

4.0 REPRESENTATIONS

Neighbour notifications and Publicity

4.1 17 objections received:

- Overdevelopment
- Incongruous design and materials
- Harmful impact on the conservation area
- Plot 1 - Unduly high and prominent; should be single-storey only
- Plot 1 - Impact on Poppleton Hall and other listed buildings
- Plot 1 - Loss of views of Poppleton House from the river and snicket
- The land is a burgage strip and should not be developed
- The proposals are not consistent with the NPPF, local plan and neighbourhood plan
- Additional level of hardstanding could lead to surface water drainage issues

- Plot 1 - Overlooking, overshadowing, overbearing, noise nuisance
- Would result in the pub, a community asset, having to close.
- Loss of pub parking
- Would exacerbate existing parking issues
- Access for pub deliveries would be hazardous
- Detrimental to the pub and its customers
- Inadequate access for emergency vehicles
- Traffic hazard due to access, bus stop, bend
- Conflicts with designation of Asset of Community Value
- Loss of green space, wildlife and habitats
- Uncertainty about loss of boundary screening
- Site is of archaeological importance
- Permitted Development Rights should be removed
- The application has no benefits for the community
- Benefits of the scheme don't outweigh the harm

4.2 6 representations in support:

- Development of the site is inevitable and a good thing
- The site is ideal for housing
- It has good access to the main road
- Houses would cause less disturbance than the previous use for caravan storage
- The land has no amenity value to the village and is being wasted
- The retained car parking is sufficient for the pub
- New housing would re-invigorate the pub as the focal point of the community

5.0 APPRAISAL

5.1 MAIN ISSUES

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

UPPER POPPLETON AND NETHER POPPLETON NEIGHBOURHOOD PLAN

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 National Planning Policy Framework (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 '2018 eLP') 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. In accordance with paragraph 48 of the NPPF the emerging policies can be afforded weight according to:

- The stage of preparation of the 2018 eLP (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 2018 eLP 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 2018 eLP'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 2018 eLP 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 July 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. The proposal would provide two dwellings. 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 acceptable in principle subject to other material considerations being acceptable.

DESIGN AND IMPACT ON HERITAGE ASSETS

5.8 The scheme seeks permission 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. It too would have four bedrooms but its design would be contemporary, in stark contrast to the house at plot 1. It would have one storey and a flat segum-covered roof. Main materials would comprise brickwork with aluminium for the doors and windows.

5.9 The application site is within the Nether Poppleton Conservation Area. The neighbouring Poppleton House and 5 Main Street are grade II listed. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the "1990 Act") 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. There is a strong presumption against the grant of planning permission in such cases.

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 2018 eLP.

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 18th and 19th 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 18th 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.

5.14 The traditional form of plot development in the conservation area is a house towards the front of the plot with ancillary agricultural buildings, attached or free standing, to the rear. The application follows this general form by locating the 2-storey, pitch-roofed house at the front of the site and the single-storey, flat-roofed

house at the rear. Furthermore the houses would be orientated along the boundary of the site adjacent to Hallgarth Close. This would provide a clear separation between the proposed scheme and the setting of Poppleton House. The two plots would be separated by low hedging to maintain the open aspect through the site.

5.15 The house at plot 1 would be built using traditional materials in keeping with the character of the conservation area, i.e. clamp bricks, timber doors/windows and slate for the pitched roof. The house would be approximately 36m from the rear elevation of Poppleton House, which is a substantial, predominantly 3-storey, grade II listed building set within ample grounds, with a brick wall along the shared boundary and partially screened by mature trees. The proposed house would be about 18m from the boundary. Design guideline 9 of the VDS states that listed buildings and their surrounding environment must be fully considered when contemplating new build. The presence of the 2-storey house at Plot 1 would diminish the spacious setting of the listed building. Nevertheless, the 36m separation distance, in combination with the partial screening by the brick wall and boundary planting, would prevent the proposed house having a significant impact on the setting of the listed building. The harm to the significance of the listed building would be less than substantial.

5.16 The building at plot 2 would not be visible from Main Street. It has been designed to minimise its profile by being single-storey with a flat roof. Height (excluding a chimney at the south-western end) would be 3.8m-4.8m. As at plot 1, the building would be clad in clamp bricks, in keeping with the character of the conservation area. The building would be largely screened from Poppleton House by virtue of its low height, boundary wall and by mature trees along this part of the boundary. The house would cause no harm to the significance of the listed building.

5.17 The contemporary design of the house at plot 2 is not in accordance with guideline DG8 of the village design statement, which states that in the conservation area development should reflect and respect existing character in size, scale, materials, layout and landscape. However, further guidance in the design statement makes provision for modern design within the village, especially DG13 which states that new development should be mixed '... to uphold the present juxtaposition of differing periods of development' and DG14 which states that 'contemporary design should complement and be in sympathy with existing building character'.

5.18 In assessing the proposal officers have considered the desirability of sustaining and enhancing the significance of the heritage assets and have considered the impact it would have on the significance of this heritage asset, as required by paragraph 199 of the NPPF, and have judged that the harm would be less than substantial. As such the NPPF states that the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use.

5.19 The size of the site could accommodate more than two detached dwellings, which would help meet housing delivery targets. However, this would result in a greater impact upon the character and appearance of the conservation area by removing the linear form and bringing development closer to Poppleton House. It is considered that, in principle, the proposals for two dwellings would retain the generous character of the existing site and would preserve the established pattern of development. It would not be economically viable to leave the site vacant in perpetuity.

5.20 The neighbourhood plan highlights issues that can result from backland development. At paragraph 7.4 it defines overdevelopment as '.... increased housing density which is out of character with the surrounding housing types, increases the density of housing on a plot in such a way as to have significant impact on amenities, space for gardening, car parking on site where access may be compromised and which could impact on neighbours, open recreational space, schools or rural ambience.' The provision of two houses on the 0.27ha site does not represent overdevelopment, despite the large footprint, particularly for the single-storey house at plot 2. The low density of development is to reflect the character and appearance of the conservation area and the presence of the listed building.

5.21 In summary, the proposal would result in less than substantial harm to designated heritage assets in terms of loss of the site's openness. This harm is outweighed by public benefits of the scheme, i.e. the provision of two additional houses in a sustainable location.

LANDSCAPE

5.22 The site contains no trees of significance but a row of trees within the grounds of Poppleton House adjacent to the southeast boundary of the site is subject to a tree preservation order (TPO 1/1970 –A5). The trees contribute to the setting and public amenity of the conservation area and their scale is fitting to the setting of the listed Poppleton House. The most immediate trees include some tall Lime, Beech, and Sycamore. The trees are noted in the tree survey submitted by the applicant, though they have not been surveyed in detail because of their location off-site. The access road through the site would pass close to these protected trees. Since submission of the application the route of the road has been moved further from the trees. It would now be possible, with strict adherence to a suitable arboricultural method statement (AMS), to construct the road and buildings without entering the recommended root protection area of the trees. Permeable paving is also proposed to the driveway.

FLOOD RISK AND DRAINAGE

5.23 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 2018 eLP support this approach to flood risk and drainage.

5.24 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

5.25 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.

5.26 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.

5.27 Objections have been expressed that the scheme would result in an unacceptable loss of parking for the public house and inadequate turning within the site for delivery vehicles. The scheme provides nine car parking spaces to the rear of the public house. At present the land to the rear of the public house is used for car parking although there are no formal bays marked out. It is considered that the public house serves the local community and is in easy walking distance from a sizable population. It is considered that nine car parking spaces are sufficient for the size of the premises.

5.28 Objections have also been raised that due to the level of on-site car parking being proposed vehicles would be displaced to the highway. Parking spaces are limited at present on the highway. It is noted that due to the bus terminal, which is present to the front of the public house, buses idle waiting for the departure time and

this often results in congestion due to existing parked cars. If cars are displaced from the car park it would appear that they would have to park some distance from the site, due to existing levels of on street parking. The conflict between the bus and parked cars is an existing situation, which would not be worsened as a result of the proposal.

5.29 Swept paths have been identified within the rear car park which show that an 8m-long delivery vehicle can enter and leave the site in a forward gear preventing conflict at the entrance to the site. It is unlikely that, given the size of the public house, larger vehicles would deliver to the site.

5.30 In line with paragraph 107 of the NPPF, and the Council's adopted Low Emission Strategy developments should be designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Passive provision should be made a condition of approval.

NEIGHBOUR AMENITY

5.31 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 2018 eLP states that design should consider residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing.

5.32 Objections have been expressed that the dwelling would result in overlooking, overshadowing, overbearing, noise nuisance and loss of privacy to the occupiers of adjacent dwellings.

5.33 No.1 Hallgarth Close faces Main Street with its rear garden running parallel to the proposed house at plot 1. Two first floor windows are proposed to plot 1. These would look directly onto the car park of the public house but would have acute views towards No.1 Hallgarth Close. A separation distance of 22m together with the proposed garage to plot 1 and a substantial conifer hedge (within the curtilage of No.1 Hallgarth Close) would prevent any significant overlooking. The slab level of No.1 Hallgarth Close is somewhat lower than the ground level of the proposed house at plot 1. Any significant overbearing or overshadowing impact is likely to be minor due to the presence of the existing conifer hedge. Any residual impact would be to the garden only.

5.34 The house at plot 2 is single-storey to minimise its impact on the locality. Part would be 4.3m high and part would be 3.4m high. Since submission of the application the house has been reduced in floor area and moved further from the side boundary with the rear garden of No.2 Hallgarth Close. The house would be visible from the garden of No.2 and from the upper floor but the visual impact would be minor.

5.35 The south-western end of the site abuts the modest-sized rear gardens of nos 20 and 22 Littlefield Close. Any impact on the occupiers of these dwellings due to the development (the house at plot 2) is likely to be minor due to the low height of the house at plot 2, an existing garage at No.20 Littlefield Close and mature planting along the boundary. The applicant has confirmed that what appears on the submitted site plan to be a pool at plot 2 is a water feature. It is unlikely to have any material impact on the neighbouring occupiers.

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

ASSET OF COMMUNITY VALUE

5.37 The 2018 eLP views public houses as a community facility. This is in accordance with the NPPF. Policy HW1 of the 2018 eLP states that the loss of viable community facilities will not be supported. The Lord Nelson was listed as an Asset of Community Value in September 2019. Objections have been raised that the development would have a detrimental impact upon the viability of the pub due to the proposed reduction in its on-site car parking. However, the public house is located within a sustainable location and is easily accessible by foot for properties within Nether and Upper Poppleton. An external seating area has been retained to the rear and it is not considered that the reduction in car parking would have a financial impact upon the running of the business.

CLIMATE CHANGE

5.38 Paragraph 158 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.

5.39 Policy CC1 of the 2018 eLP 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 2018 eLP 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 2018 eLP 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.

5.40 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. This harm is outweighed by public benefits of the scheme, in particular the provision of two additional houses in a sustainable location. The revised proposals are considered acceptable in relation to the character and appearance of the conservation area, the setting of the listed building, 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 plans:

748_P236 E - PROPOSED SITE PLAN
748_P230 B - PROPOSED PLANS PLOT 2
748_P232 B - PROPOSED ELEVATIONS PLOT 2
748_P233 D - PROPOSED SITE SECTIONS
748_P238 A - PROPOSED SITE ROOF PLAN
748_P234 A - PLOT 1 PROPOSED PLANS
748_P235 A - PLOT 1 PROPOSED ELEVATIONS
748_P001A - LOCATION AND SITE PLANS

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 the Local Planning Authority for approval 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 All windows and external doors of the house at plot 1 as identified on the approved plans shall be made of timber.

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

5 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.

6 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

7 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.

8 Prior to construction of any above ground works details of refuse and recycling facilities shall be submitted to the Local Planning Authority for approval in writing. 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.

9 Prior to construction of any above ground works details of the access, internal drive and turning areas shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved plans. 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.

10 Prior to the residential development coming into use details of the cycle parking areas, including means of enclosure, for the dwellings and the public house shall be submitted to and approved in writing by the local planning authority. The dwellings 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.

11 Prior to any alterations to the access being undertaken, provision shall be made within the public house site for accommodation of delivery/service vehicles in accordance with the approved plans. Thereafter all such areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To ensure that delivery/service vehicles can be accommodated within the site and to maintain the free and safe passage of highway users.

12 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.

13 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 will be available for reference and inspection on site at all times.

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

14 The development shall not be occupied 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. 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 in the interests of the character and appearance of the area.

15 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.

16 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.

17 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.

Reason: In order to achieve an acceptable form of development

18 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.

19 Each 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 each 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.

20 No development shall take place until a detailed scheme of noise insulation measures for protecting the approved residential properties 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.

21 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: Notes to Applicant

1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. In order to achieve a positive outcome the local planning authority sought revised plans to address concerns about overdevelopment, impact on heritage assets, neighbour amenity and harm to protected trees.

2. 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.

3. NOISE INSULATION

The building envelope of all residential accommodation shall be constructed so as to achieve internal noise levels in habitable rooms of no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and 30 dB LAeq (8 hour) and LAFMax level during the night (23:00-07:00 hours) should not exceed 45dB(A) on more than 10 occasions in any night time period in bedrooms and should not regularly exceed 55dB(A). These noise levels shall be observed with all windows open in the habitable rooms or if necessary windows closed and other means of ventilation provided.

4. CONTROL OF POLLUTION

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.

(g) In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority. 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 2A of the Environmental Protection Act 1990.

5. ELECTRIC VEHICLE RECHARGING

Any future Electric Vehicle Charging Points need to be professionally installed. The installation process routinely involves wall mounting a charge point on an exterior wall or garage and connecting it safely to the mains electricity supply. All electrical circuits/installations shall comply with the electrical requirements in force at the time of installation

Details of passive provision to be included within household pack for first occupant, to include location of proposed Electric Vehicle Recharge Point, trunking/ducting provided and details of distribution board location and capacity

6. DRAINAGE DESIGN

The developer's attention is drawn to Requirement H3 of the Building Regulations 2000 with regards to hierarchy for surface water dispersal and the use of Sustainable Drainage Systems (SuDS). Consideration should be given to discharge to soakaway, infiltration system and watercourse in that priority order. Surface water discharge to the existing public sewer network must only be as a last resort therefore sufficient evidence should be provided i.e. witnessed by CYC infiltration tests to BRE Digest 365 to discount the use of SuDS.

If SuDS methods can be proven to be unsuitable then In accordance with City of York Councils City of York Councils Sustainable Drainage Systems Guidance for Developers (August 2018) and in agreement with the Environment Agency and the York Consortium of Internal Drainage Boards, peak run-off from Brownfield developments must be attenuated to 70% of the existing rate (based on 140 l/s/ha of proven by way of CCTV drainage survey connected impermeable areas during the 1 in 1 year event). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 30% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

If existing connected impermeable areas not proven then Greenfield sites are to limit the discharge rate to the pre developed run off rate. The pre development run off rate should be calculated using either IOH 124 or FEH methods (depending on catchment size) during a 1 in 1 year event.

Where calculated runoff rates are not available the widely used 1.4l/s/ha rate can be used as a proxy, however, if the developer can demonstrate that the existing site discharges more than 1.4l/s/ha a higher existing runoff rate may be agreed and used as the discharge limit for the proposed development. If discharge to public sewer is required, and all alternatives have been discounted, the receiving public

sewer may not have adequate capacity and it is recommend discussing discharge rate with Yorkshire Water Services Ltd at an early stage.

In some instances design flows from minor developments may be so small that the restriction of flows may be difficult to achieve. However, through careful selection of source control or SuDS techniques it should be possible to manage or restrict flows from the site to a minimum 0.5 l/sec for individual residential properties, please discuss any design issues with the City of York Council Flood Risk Management Team.

Surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available.

The applicant should provide a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

Details of the future management and maintenance of the proposed drainage scheme shall be provided.

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 Waters 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 is advised that the York Consortium of Internal Drainage Board's prior consent is required (outside the planning process) 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 to the watercourse will also require the Board's prior consent.

Contact details:

Case Officer: Kevin O'Connell

Tel No: 01904 552830

The Lord Nelson, 9 Main Street, Nether Poppleton

20/02513/FUL



GIS by ESRI (UK)



Scale : 1:1583

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	07 February 2022
SLA Number	

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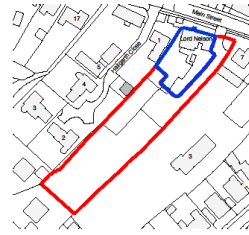


Area Planning Sub-Committee

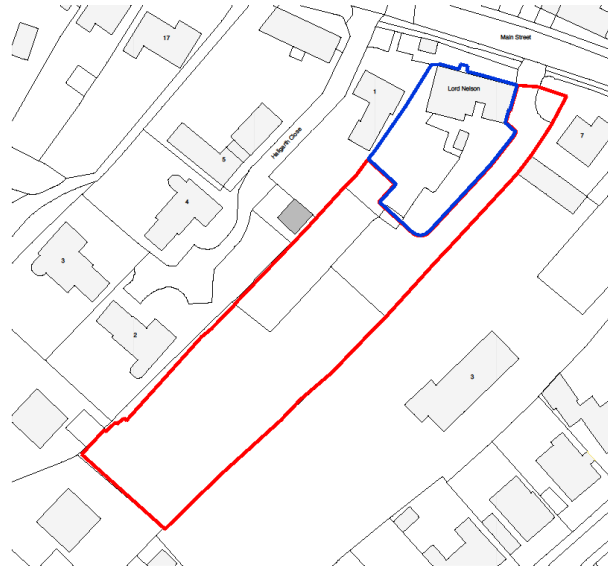
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The Lord Nelson 9 Main Street Nether Poppleton

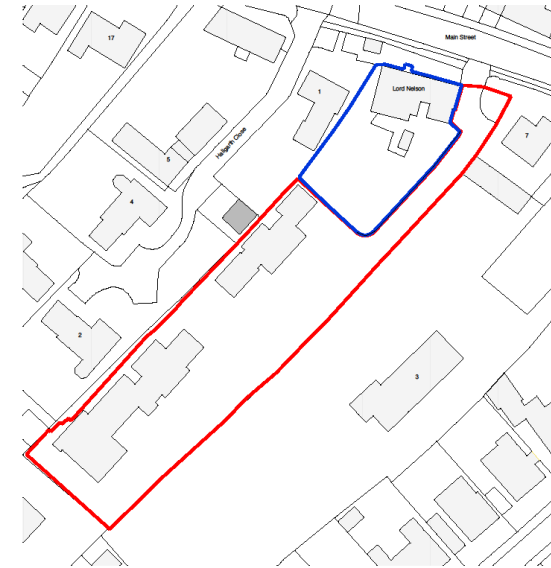
Site location and existing layout



Existing location plan
Scale 1:1250 of A1



Existing site plan
Scale 1:500 of A1



Proposed site plan
Scale 1:500 of A1

CDM REGULATIONS Safety, Health + Environmental Information			
In addition to the hazards / risks typically associated with the types of work detailed on this drawing, please NOTE the following advisory statements: None are related to CONSTRUCTION, MAINTENANCE + CLEANING, and / or DEMOLITION; however this list is not exhaustive.			
CDM	REGULATION	DATE	STATUS
It is assumed that all works are to be carried out by a competent contractor working, where appropriate to an approved method statement.			



CDM	REGULATION	DATE	STATUS

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New dwellings
Land rear of The Lord Nelson
Nether Poppleton
Location and Site plans

Scale of A1	Project No	Drawing No	Rev
1:1250	748	P001	A

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Proposed layout



Proposed site plan
Ground floor plans

CDM REGULATIONS

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Commence all construction work immediately if any protected species is suspected to be present within an existing building or new development site. A qualified ecologist must be consulted to carry out the relevant survey and provide mitigation advice prior to recommencing construction.

NO	REVISION	DATE	BY	APP'D
1	MW	21/10/20	APP	

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New Dwellings
Land rear of The Lord Nelson
Nether Poppleton

Proposed site plan
Ground floor plans

SCALE	PROJECT NO	DRAWING NO	REV
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Plot 1 Floor Plans



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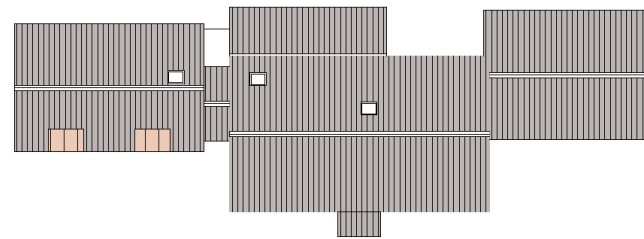
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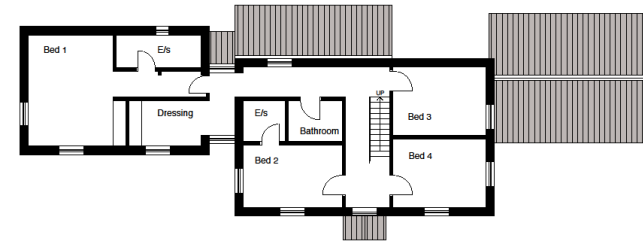
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Consent of construction work immediately if any protected species is suspected to be present within an existing building or new development site. A qualified ecologist must be contacted to carry out the relevant survey and provide mitigation advice prior to recommencing construction.



Proposed roof plan
Plot 1



Proposed first floor plan
Plot 1

Scale: 1:100
Date: 21/10/22
Author: MW
Appr: APP

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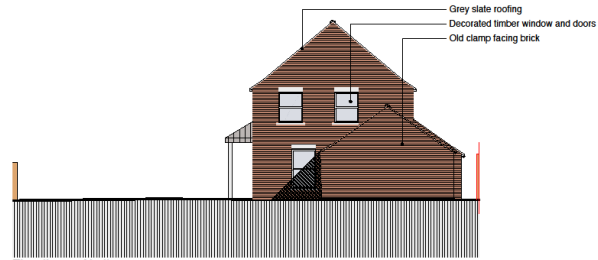
New dwellings
Land rear of The Lord Nelson
Nether Poppleton

Proposed plans
Plot 1

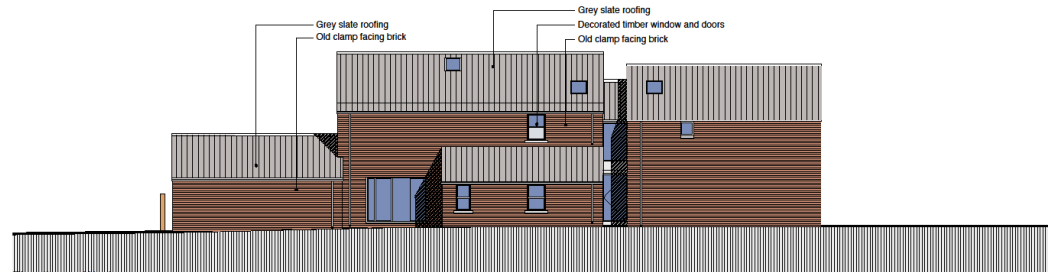
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Drawing Title: P234
Date: A

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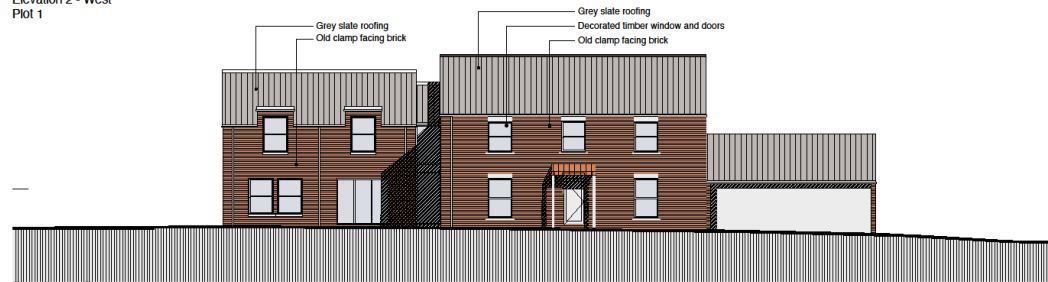
Plot 1 elevations



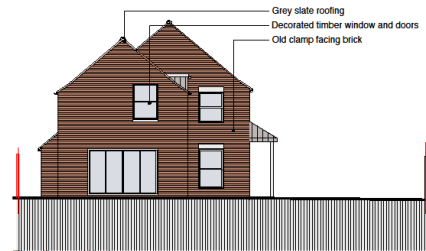
Elevation 1 - North
Plot 1



Elevation 2 - West
Plot 1



Elevation 3 - East
Plot 1



Elevation 4 - West
Plot 1

CDM REGULATIONS
Safety, Health + Environmental Information

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NO.	DESCRIPTION	DATE	BY	FOR

It is assumed that all works are to be carried out by a competent contractor working, where appropriate to an approved method statement.

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All work shall be carried out in accordance with Local Authority, Statutory Authority and Health + Safety Regulations.

CEASE all construction work immediately if any protected species is suspected to be present within an existing building or new development site. A qualified ecologist must be contacted to carry out the relevant survey and provide mitigation advice prior to recommencing construction.

NO.	DESCRIPTION	DATE	BY	FOR

NO: MW
DATE: 21/10/20
APP: APP

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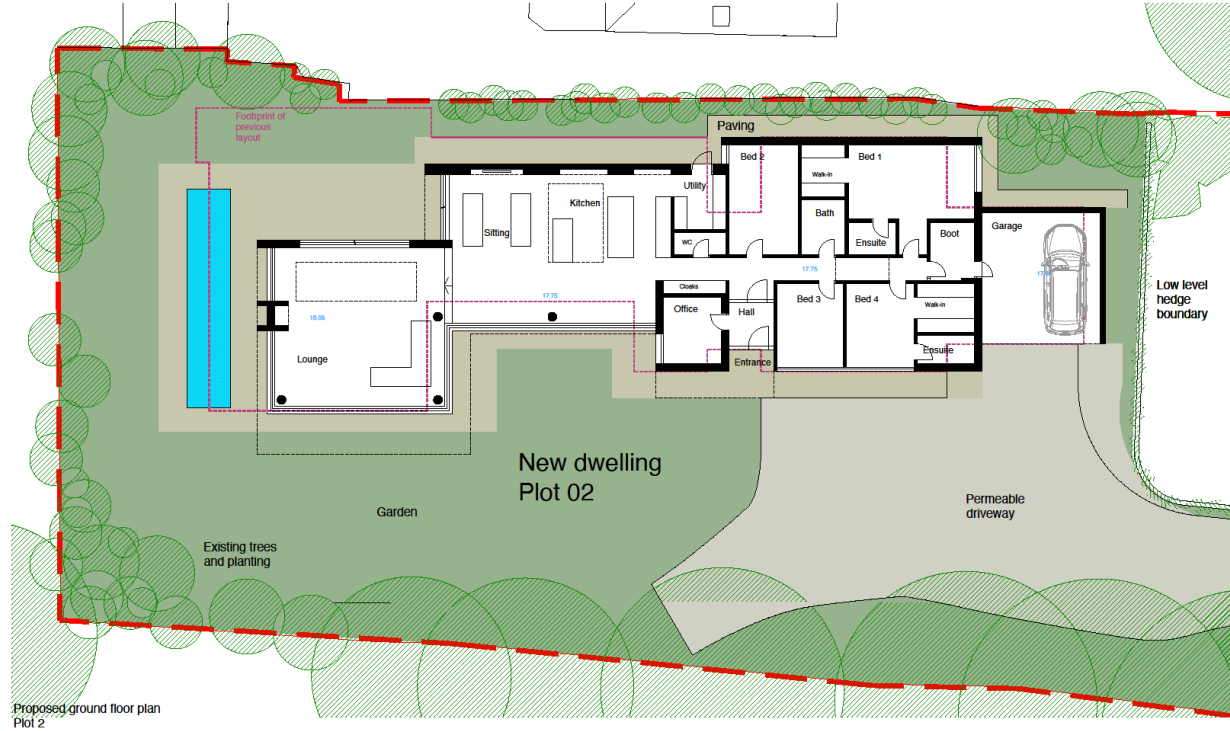
PROJ:
New dwellings
Land rear of The Lord Nelson
Nether Poppleton

DRAWING NO:
Proposed elevations
Plot 1

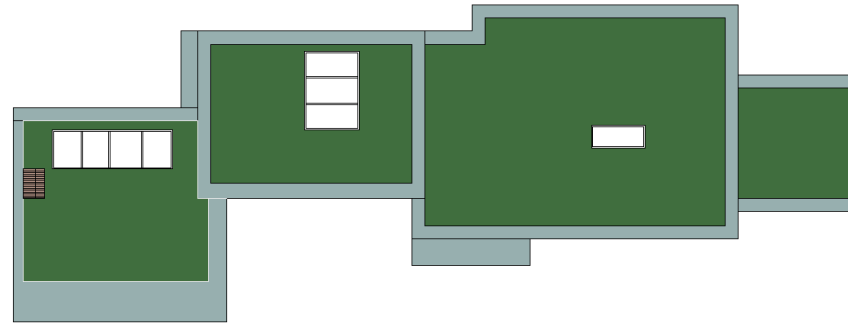
SCALE	PROJECT NO.	DRAWING NO.	REV.
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Plot 2 floor plans




Proposed ground floor plan Plot 2

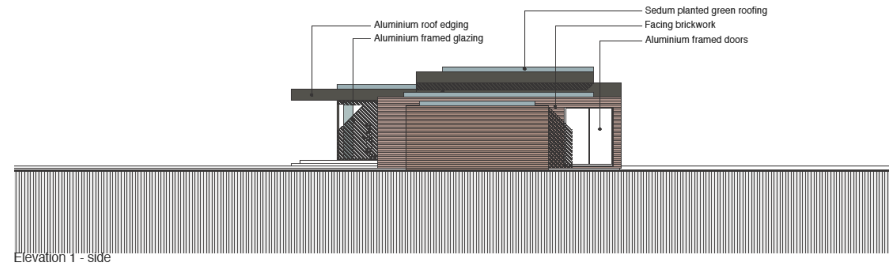


Proposed roof plan Plot 2

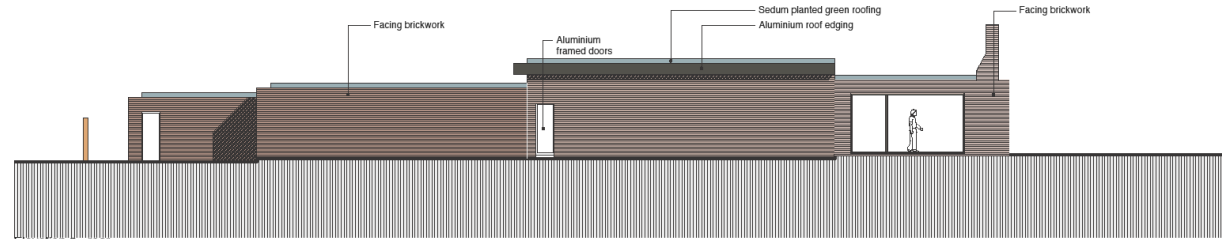
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NO	Description	Date	By	For
001	MW	21/10/20	APP	
PLANNING				
 Walker Dep Architects 2 Watlington Lane York YO20 4JF United Kingdom Tel: +44(0)1904 436170 www.walkerdep.com				
ACT (York) Ltd Nether Poppleton York				
New dwellings Land rear of The Lord Nelson Nether Poppleton				
Proposed plans Plot 2				
Scale @ A1	Project No	Drawing No	Rev	
1:100	748	P230	B	
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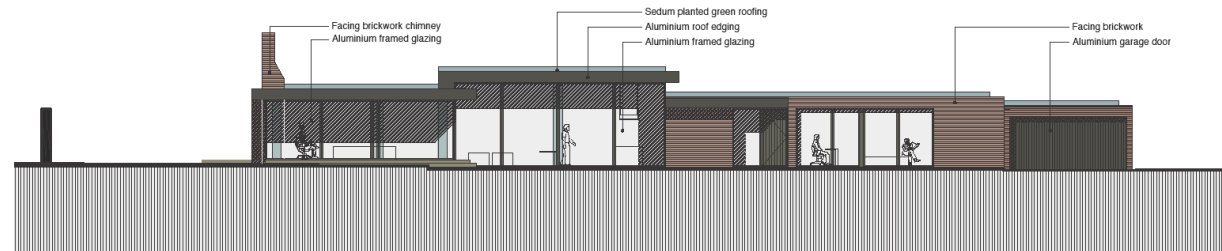
Plot 2 Elevations



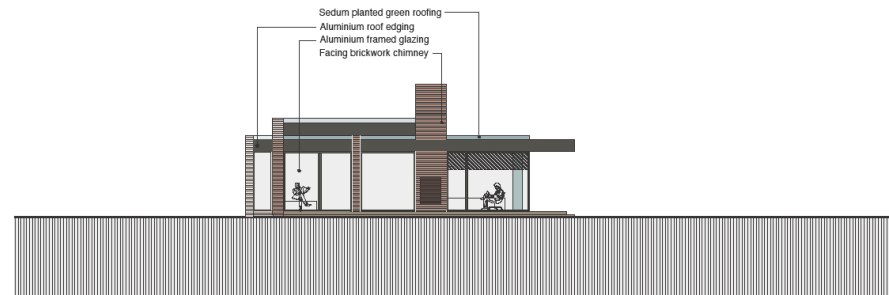
Elevation 1 - side



Elevation 2 - rear



Elevation 3 - front



Elevation 4 - side

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no	description	date	drawn / checked by
original	MM	21/10/20	APP

PLANNING

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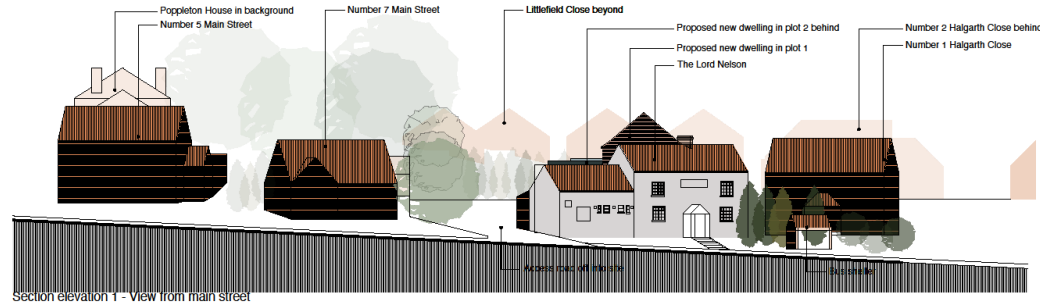
ACT (York) Ltd
Nether Poppleton
York

New dwellings
Land rear of The Lord Nelson
Nether Poppleton
Proposed elevations
Plot 2

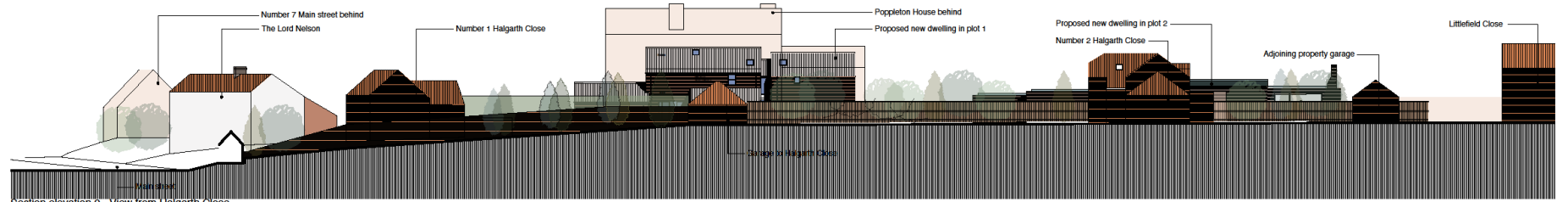
scale	project no	drawing no	rev
1:100	748	P232	B

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Site sections



Section elevation 1 - View from main street



Section elevation 2 - View from Halgarth Close



Section elevation 3 - View from access road and driveways



Section elevation 4 - View from rear of site, looking back towards Main Street

CDM REGULATIONS
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Consent all construction work immediately if any protected species is suspected to be present within an existing building or new development site. A qualified ecologist must be consulted to carry out the relevant survey and provide mitigation advice prior to commencing construction.

Scale	1:200	Project No	748	Drawing No	P233	Date	D
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PLANNING

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Nether Poppleton
York

Project: **New dwellings**
Land rear of The Lord Nelson
Nether Poppleton

Drawing title: **Proposed site sections**

COMMITTEE REPORT

Date: 16 February 2022 **Ward:** Fulford And Heslington
Team: East Area **Parish:** Fulford Parish Council

Reference: 20/01471/FULM
Application at: Royal Masonic Benevolent Institute Connaught Court St Oswalds Road York YO10 4QA
For: Change of use of existing bungalows (Use Class C2) to residential accommodation where care is provided (Use Class C3(b)) with construction of associated parking court and access driveway from Fulford Park (resubmission)
By: RMBI Care Company
Application Type: Major Full Application
Target Date: 30 November 2021
Recommendation: Approve subject to Section 106 Agreement

1.0 PROPOSAL

1.1 Connaught Court is a care home in a parkland setting. The site lies between Main Street, St. Oswalds Road, Atcherley Close, Fulford Park and Fulford Ings. The care home site is dominated by a large 2 and 3-storey building, with associated smaller buildings and dwellings grouped around it. Most of the remainder of the site is private open parkland. The main vehicular access is from St. Oswalds Road. The whole of the site is in Fulford Conservation Area and in flood zone 1.

1.2 The proposal comprises:

- (i) Change of use of 10 existing bungalows from C2, residential institutions to C3(b), dwellinghouses for people living as a single household and receiving care;
- (ii) Construction of a car park for five cars to serve the bungalows;
- (iii) Construction of a 3m-wide, 85m-long internal access road to the bungalows from the public highway at Fulford Park. It would comprise a cellular confinement system with gravel surfacing above a geotextile membrane, laid over the existing grass;
- (iv) Minor alterations to the access from Fulford Park.

1.3 The application does not include alterations to the bungalows, which would be made available at affordable rents to persons aged 55 and over and in need of care.

PLANNING HISTORY

1.4 The application is made on behalf of the Royal Masonic Benevolent Institution (RMBI). It is a resubmission of 18/02169/FULM, which the area sub-committee resolved to refuse the application at the meeting of 3 October 2019. The reason for refusal was stated as 'the public benefits of bringing forward the housing proposed do not outweigh the identified harm to the conservation area, parkland and trees'. The applicant withdrew the application before the decision notice was issued.

1.5 The main changes from the previous scheme are: a reduction in the size of the parking court/turning area to halve the number of spaces from 10 to 5; construction of all parking bays to accessible standards; identification of facilities for electric vehicle charging and cycle storage; and submission of updated details of the construction of the access driveway.

1.6 16/01577/FUL - Refurbishment of the bungalows 1,2,3,4,5,6,9 and10. Approved and implemented

1.7 16/01585FUL - Single storey extensions and external alterations to bungalows 7 and 8. Approved and implemented.

1.8 05/00022/OUTM - Outline application for erection of extra care sheltered accommodation, extension to elderly mentally frail unit, residential development, relocation of existing bowling green and provision of new access road and car parking. Refused and dismissed at appeal.

2.0 POLICY CONTEXT

Draft Development Control Local Plan 2005

2.1 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

Application Reference Number: 20/01471/FULM

Item No: 4c

2.2 Relevant policies are:

D1	Placemaking
D2	Landscape and setting
D4	Conservation areas
D5	Listed Buildings
H3	Balancing the Housing Market
H9	Older Persons Specialist Housing
G13	Green Infrastructure Network
G14	Trees and Hedgerows
ENV5	Sustainable Drainage
T1	Sustainable Access

3.0 CONSULTATIONS

INTERNAL

Highway Network Management

3.1 No objection in principle. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe. We have rejected the residual cumulative impact ground as this is a small development and uses an access previously used for car parking. We do not consider that the proposed development has an unacceptable impact on highway safety.

3.2 All the bungalows are proposed to be rented as non-car units without allocated parking. The level of parking on site would be much reduced. This should mean that the parking provision on site should be sufficient to accommodate visitors and carers without vehicles having to park on the access drive or other unsuitable areas.

3.3 Some small changes would be required to the junction with Fulford Park to ensure that adequate visibility is available for users of the proposed development and users of Fulford Park, including cyclists and taking account of current parking on Fulford Park. This can be secured by a planning condition requiring details to be submitted for approval and implemented through section 278 (it might also include TRO changes if double yellow lines or similar are required). It would include agreement on how the proposed driveway would tie in with the adopted highway. We would need a 6m buffer between any gates and the public highway at Fulford Park. Add standard conditions requiring vehicle areas to be surfaced, turning area to be provided and details of cycle parking to be agreed.

Design, Conservation and Sustainable Development (Conservation)

3.4 I do not consider that the heritage significance of any listed buildings or built non-designated heritage assets or their settings would be affected by the proposals.

They have the potential to affect the character or appearance of the Fulford Village conservation area because they involve the construction of a new car park and access road within an area of heritage and landscape significance.

3.5 The access road would have a low level effect on the communal significances of the site and would not affect its other heritage significances. The effects would amount to 'less than substantial' harm to the character and appearance of the conservation area.

3.6 The car park would be detrimental to the aesthetic and communal heritage significances of the site. However, the reduction in the number of parking spaces from 10 as previously proposed to five, has a number of benefits which reduce the detrimental effects of the proposal. They include

- The reduction in the extent of the parking area reduces its prominence in views into the central court of the bungalows;
- The parking court can be more effectively concealed by planting of hedges or shrubbery;
- The reduced parking provision would be likely to result in lower numbers of vehicle movements across the park via the new drive, which would reduce the effect on its tranquil character.

3.7 However, the presence of a parking court within the park would still be essentially incongruous in the landscape and the development would therefore continue to represent 'less than substantial' harm to the heritage values of this part of the conservation area.

3.8 I am also concerned by the potential for further incremental development in the park as a result of the proposed scheme. It is important that if this application were approved suitable planning restrictions would be applied and if necessary legal undertakings sought to mitigate the risks to the site of harmful incremental changes or subdivision of ownerships.

Design, Conservation and Sustainable Development (Landscape)

3.9 The parkland between the existing access from Fulford Park and the bungalows contains a number of mature trees protected by a tree preservation order. The route of the new road would wend its way between these trees to minimise the risk of harm to their root systems. Even with the proposed no-dig construction there is a residual risk of harm, so any such development within the root protection area (RPA) of a tree that is subject to a TPO and worthy of retention should be avoided if at all possible. Therefore, in weighing up the planning balance, consideration needs to be given to whether the overall value of the development is worth the residual risk of harm to the trees, also bearing in mind the age, species, and rarity of individual trees, and their value to the public amenity and conservation area; coupled with the degree of harm to the landscape within the conservation

area; and the loss of the replacement Beech within the courtyard, which would otherwise have the capacity to attain the stature of its predecessor, unlike the proposed smaller species.

Design, Conservation and Sustainable Development (Ecology)

3.10 There are no statutory or non-statutory designated sites that will be negatively impacted by the development proposals.

3.11 The trees have been fully inspected (updated Habitat Survey Report from Wold Ecology) for their potential to support roosting bats. No evidence of bats was found and the trees are generally unsuitable to support roosts. Based on these findings no further surveys are recommended. The wider site is recognised to have potential to support foraging and commuting bats. A planning condition is recommended to ensure that the access road is not lit. This is to ensure disturbance to the surrounding parkland is not negatively impacted by lighting.

3.12 Add a condition regarding submission of a Biodiversity Enhancement and Management Plan (BEMP). Invasive non-native species notifiable under schedule 9 of the Wildlife and Countryside Act 1981 have been identified on site. The applicant with need to detail how they intend to deal with these species to ensure compliance with the Act. I support the recommendation for removal of these species.

Design, Conservation and Sustainable Development (Archaeology)

3.13 The application site lies within the former grounds of Fulford Park. It is about 150m to the north-west of the medieval village of Fulford and 350m to the south-east of St. Oswald's Church (11th century). The creation of the road and car park could reveal or disturb archaeological features particularly relating to the medieval or Roman periods. It will be necessary to record any revealed features and deposits through an archaeological watching brief.

Flood Risk Management

3.14 No objections to the development in principle. If planning permission is to be granted a condition should be attached requiring the submission of drainage details (including infiltration testing) in order to protect the local aquatic environment and public sewer network.

Public Protection

3.15 No objections. Add a condition requiring provision of recharging facilities for two recharging points for electric vehicles and for hours of construction to be restricted to normal working hours.

Housing Development

3.16 This proposal is welcomed in respect of meeting wider housing needs identified within the City of York.

EXTERNAL

Fulford Parish Council

3.17 Objection on the following grounds:

- Harm to the Fulford Village Conservation area and historic parkland character
- Harm to a designated green wildlife corridor
- Risk to protected trees including veteran trees.
- Loss of security for the residents of Connaught Court
- Highway safety risk due to unsatisfactory access with Fulford Park
- No evidence to justify change of use from category C2 to C3(b)
- the very minor public benefits of the proposal are sufficient to outweigh the identified heritage and environmental harm
- There is no information on how the entrance gate will be operated in practice, whether by automatic opening or by other means.

North Yorkshire Fire & Rescue Service

3.18 No objection/observation to the development at this stage in the planning approval process. We will make further comment regarding the proposed fire safety measures when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

4.0 REPRESENTATIONS

Woodland Trust

4.1 Has concerns regarding potential detrimental impact on two trees recorded on the Ancient Tree Inventory (ATI). T100 is a veteran hawthorn tree and T1 is a notable sweet chestnut that are to be subject to root encroachment in order to facilitate the proposed access road.

4.2 While notable trees are not afforded the same level of protection through national planning policy as ancient and veteran trees, they should still be identified, retained and afforded suitable buffer zones/root protection areas (RPA). Notable trees are those that do not hold the same level of protection and value as ancient/veteran trees but have significant value to local persons and are likely to become veteran specimens if afforded appropriate space to grow and develop.

4.3 Tree T100 is categorised as a veteran tree on the ATI, though we recognise that it is on the boundary of the notable and veteran categories. Nevertheless, we consider that it is most appropriate to employ a precautionary approach and ensure that the tree is protected in line with Natural England's standing advice on veteran trees. As this tree continues in its lifecycle it must be afforded the appropriate space and environment to prevent any adverse impacts.

4.4 Whilst we note that the road will be constructed using no-dig methods, both trees should be afforded an un-encroached buffer zone amounting to 15 times the stem diameter, as recommended in Natural England and Forestry Commission's standing advice. The typical 12 times stem diameter as suggested in BS5837 guidelines should ensure that such trees have the minimum space required to maintain vitality but does not necessarily account for the rooting space needed in the future growth of larger mature trees.

Neighbour Notification and Publicity

4.5 21 objections have been received raising the following planning issues:

Heritage Assets

- The proposal would cause significant harm to the conservation area.
- Fences between plots would be detrimental to the conservation area.
- The road would be visible from many viewpoints inside and outside the parkland

Landscape

- Needless removal of established trees
- Risk of harm to other protected trees
- Harm to the historic open parkland, green corridor and village setting.
- A degree of cutting into the existing ground will be unavoidable.
- Improvements/widening of the access road will be found to be necessary over time
- More parking will be found to be necessary over time
- Fails Natural England and Forestry Commission guidance on tree protection, including veteran trees
- The tree survey is out of date.
- An alternative route through Connaught Court should be considered

Ecology

- The loss of parkland, introduction of lighting and vehicular movements through the parkland corridor will cause harm to bats, a protected species, and will result in loss of habitat for other wildlife.

Traffic and Highway Safety

- Increase in traffic and congestion.
- The access road design is unsuitable and unsafe for pedestrians, cycles, emergency vehicles and other large vehicles.
- The junction onto Fulford Park raises concerns about highway safety due to its location on a bend and where parking pressure is very high due to the nearby doctors surgery.
- The development will cause more traffic at the junction with Fulford Road, which is very busy. The exit onto Fulford Road is repeatedly blocked by cars
- Increased risk of road accidents
- Vehicles should enter the site from St Oswalds Road
- The location of the access gate will impede traffic movements in Fulford Park

Parking

- Residential care customers are unlikely to need car parking
- Misuse of the limited parking spaces could not be controlled
- Other car parking is available on site and nearby

Amenity and Security

- Opening up an access route into the previously secure grounds of the care home will expose the vulnerable residents of Connaught Court to crime and/or anti-social behaviour.
- Noise and fuel pollution
- The proposed car park would spoil the potential occupants' enjoyment of the garden courtyard

Other Matters

- A viability assessment should be provided with evidence to demonstrate that no other possible use for the bungalows can be found
- The change of use opens the way for open market sale
- If the planning application goes ahead it would encourage further harmful housing development in the future.

4.6 Two letters of support have been received from local residents stating that:

- Reusing the existing buildings is good
- If the access road and associated car parking enable the bungalows to be brought back into active use then this is a positive outcome for Fulford.

5.0 APPRAISAL

5.1 KEY ISSUES

- Principle of the proposed development
- Traffic and access
- Car parking and cycle storage
- Impact on heritage assets
- Landscape
- Ecology
- Amenity
- Community safety
- Archaeology
- Flood risk and drainage
- Affordable housing
- Future development

PUBLICATION DRAFT YORK LOCAL PLAN (2018)

5.2 The Publication Draft Local Plan 2018 (the '2018 eLP2018 eLP') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the 2018 eLP took place in December 2019. In accordance with paragraph 48 of the National Planning Policy Framework (the "NPPF") the emerging policies can be afforded weight according to:

- The stage of preparation of the 2018 eLP (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 2018 eLP to the policies in the previous NPPF published in March 2012.

DEVELOPMENT CONTROL LOCAL PLAN (2005)

5.3 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 2019), the weight that can be afforded to them is very limited.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.4 The revised National Planning Policy Framework was published July 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 heritage assets indicates that permission should be refused.

THE APPLICATION SITE

5.5 The application site mainly comprises five pairs of 1 and 2-bed bungalows in need of modernisation, most of which partially enclose a shared, central amenity space. The bungalows are close to the main care home building but project into the care home's parkland setting. The site also includes a gated vehicular access from the public highway at Fulford Park. The access appears to have been mainly used for maintenance but in recent years has also been used for access to a temporary car park within the parkland. The car park has been used for displaced staff parking during the erection of 14 houses within the grounds of the care home and/or by construction workers. The applicant has stated that the temporary car park is no longer in use, and would be removed if the application were to be approved.

5.6 A statement submitted by the applicant states that of the 10 bungalows, 8 have been vacant since 2006 and require substantial work to bring up to standard. Two bungalows have been occupied by the remaining sheltered residents until recently when a staff member took the place of one of the sheltered residents. The remaining sheltered resident is still in occupation.

PRINCIPLE OF THE PROPOSED DEVELOPMENT

5.7 Paragraph 60 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes it is important that the needs of groups with specific housing requirements are addressed without unnecessary delay. Paragraph 120(d) states that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. As part of this approach, decisions should support efforts to bring back into residential use empty homes and other buildings. Paragraph 112(b) states that applications for development should address the needs of people with disabilities and reduced mobility in relation to all modes of transport and allow for access by service and emergency vehicles.

5.8 Policy H9 of the 2018 eLP2018 eLP relates to older persons specialist housing and states that the council and its partners will work together to enable the delivery of specialist (supported) housing for vulnerable people including for the ageing population. It notes that the city's population aged over 65 is predicted to continue to grow. It adds that ensuring appropriate accommodation in suitable locations is

available to meet everyone's needs, including older people to remain in their homes longer, is a key issue to be addressed. Policy H3 states that proposals will be supported that are suitable for the intended occupiers in relation to the quality and type of facilities, and the provision of support and/or care.

5.9 The bungalows would operate as self-contained houses for older people with low-level care needs to maintain their independence with 24-hour on-call assistance and support. The applicant states that the bungalows would be let by the RMBI on assured shorthold tenancies, which would be subject to criteria restricting occupancy to people over 55 years of age, with residents responsible for arranging their own care package.

5.10 The RMBI's supporting statement submitted with the planning application says, at page 2:

'Due to the Care Quality Commission's (CQC) regulations, care provided for the bungalows cannot be managed through Connaught Court care home. Previously the bungalows would have been linked to the Home with care provided in an emergency if the pull cord was pulled. However, changes in regulations do not allow care staff to be 'pulled out' of the Home to attend to residents in the bungalows as this would result in insufficient carers in the care home. There are not enough bungalows to warrant in-house care provided by the RMBI. As such, there is no other option than to seek care by a third party provider. The call point for the two bungalows is now linked to third parties and not direct to the care home, although this is far from satisfactory as the bungalows suffer from a lack of access with no car parking provision.

Given that any care for future occupants will be managed by a third party, and not the Home, an essential functional need has been identified for the bungalows to have their own access and parking.'

5.11 The applicant states that without this separate access the bungalows would not be able to be let, which would result in them remaining vacant. The proposal would therefore achieve the substantial public benefits of bringing back into use 10 much-needed homes for older people in need of care.

TRAFFIC AND ACCESS

5.12 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the cumulative impacts on the road network would be severe. The residual cumulative impact of the proposal would be minor as this is a small development and uses an access that in recent years has been used for car parking (whilst some of it has been unauthorised and the subject of enforcement action much of it was in connection with the lawful use of the site as a care home). The

Council considers that the proposed development would not have an unacceptable impact on highway safety.

5.13 Fulford Park is a quiet, lightly-trafficked cul-de-sac with a 20mph speed limit. The road provides access to up to 30 private dwellings and a doctors' surgery. The level of traffic that would be generated by the application is extremely low. It could easily be accommodated on Fulford Park and the nearby junction with the A19. The doctors' surgery on Fulford Park can, at times, cause peaks in parking demand and careless/inconsiderate parking by patients/visitors. This is not unusual in urban areas. Some small changes would be required to the junction with Fulford Park to ensure that there would be adequate visibility at for all road users and pedestrians.

5.14 The visibility splays are in line with Manual for Streets requirements for quieter streets with low vehicle speeds. The splays could be further improved moving a short section of the fence line back into the site to improve visibility to the right for vehicles exiting the site. The submitted plans are being revised to show these changes. Members will be updated at the meeting. The revisions should be secured by a planning condition requiring details to be submitted for approval and implemented through section 278 of the Highways Act. Measures might also include provision of double yellow lines or similar, if required. A 6m buffer would be needed between any gates and the public highway at Fulford Park to prevent incoming vehicles obstructing traffic. A condition should be attached requiring vehicle areas to be surfaced.

5.15 The proposed road would be the sole vehicular access to the bungalows. It would be 3m wide with slight widening at the radii. The road width and geometry would be suitable for cars and light vans including ambulances. A passing place would be provided part way along the road and turning/manoeuvring space provided in the car park, thereby enabling vehicles to leave the site in forward gear.

5.16 The road would be wide enough for use by fire tenders, which would be there in emergency only and almost certainly rarely. There would be nothing to prevent fire tenders easily reaching the bungalows if the need were to arise. The new road would be an improvement over the present situation as emergency vehicles needing to reach the bungalows currently have no alternative but to drive across the parkland grass. The emergency services were consulted on the application and have not objected. On-street parking on Fulford Park is unlikely to significantly restrict normal or emergency access onto the site. Refuse vehicles would not need to use the access. Refuse would be collected from each bungalow by the operator of the care home and taken to a central point for despatch via St Oswalds Road. A planning obligation should be agreed to prohibit use by large vehicles except in emergency. The principle of such an obligation has been agreed by the applicant.

5.17 The access road is not proposed to be adopted so the council would not require it to be built to adoptable standards. It would not have a dedicated footpath but there is already a suitable access for pedestrians and mobility scooters from

Main Street. Cyclists would be able to share the new road with cars as they are usually no more than 1.8m wide, leaving 1.2m for approaching cyclists. This is considered acceptable as the road would serve only 10 dwellings (all for people in need of care) and five parking spaces. Bearing in mind the very low number of traffic movements and the very low traffic speed this arrangement would be acceptable and is commonplace elsewhere. Snow conditions, as raised by objectors, would be for the site manager to address, either by restricting access if the road is unsafe, advising people to use the on-street parking available on Main Street, or clearing the snow from the roadway.

CAR PARKING AND CYCLE STORAGE

5.18 The scheme has been amended from the previous application to reduce the size of the car park, with the footprint shortened at its southern boundary and the number of spaces halved from 10 to five. The proposed parking/turning court would be of permeable block paving with a kerbed perimeter. Each bay would be designed to accessible standards. The layout includes electric charging points and secure cycle parking, which would probably be for visitors and carers. Details should be made a condition of approval.

5.19 The site is in a very sustainable location, within York urban area and close to shops, local services and public transport. Residents of the bungalows would not be allocated parking spaces, they would have non-car tenancies. The small parking/turning area would provide a short-stay setting down point for residents' carers, relatives, doctors and visitors, and would provide essential direct access by ambulances. The proposed level of parking is in accordance with national planning policy which seeks to ensure that appropriate opportunities to promote sustainable transport modes can be taken up while achieving a safe and suitable access to the site for all users (NPPF paragraph 110). It is also consistent with policy T1 of the 2018 eLP which supports development that provides safe, suitable and attractive access for all users, including those with impaired mobility, and allows the use of more sustainable modes of transport. Given the nature of the use and the sustainable location of the site this level of provision should be sufficient without the need to park on adjacent streets.

IMPACT ON HERITAGE ASSETS

5.20 There are no listed buildings in the vicinity of the application site but the whole of Connaught Court, including the application site, lies within Fulford Village Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. A conservation area appraisal for Fulford Village Conservation Area was approved by the council in 2008.

5.21 In the NPPF conservation areas are classed as 'designated heritage assets'. Paragraph 197 advises that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. 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 199). Any harm or loss should require clear and convincing justification (paragraph 200). Paragraph 202 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.22 Paragraph 203 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Non-designated heritage assets include buildings identified in the conservation area appraisal as being of positive value to the conservation area. They are the St John J Hunt Memorial Cottage Homes (the almshouses) to the north of the site and The Coach House (the former coach house to Fulford Park House) to the south.

5.23 Policy D4 (Conservation Areas) of the 2018 eLP states that development proposals within or affecting the setting of a conservation area will be supported where they would preserve or enhance the conservation area. Policy D1 (Placemaking) states that development proposals that fail to make a positive design contribution to the city or cause damage to the character and quality of an area will be refused.

5.24 The conservation area appraisal states, at paragraph 8.11, that the parkland setting of Fulford House (which includes Connaught Court care home and the application site) is a landscaped and planted area in existence before 1851 and probably of late C18 or early C19 origin, and is a private oasis of peace and tranquillity. It adds, at paragraph 8.12, that 20th century development within the park has still left significant large areas of open space, including some fine mature trees, and a margin of parkland between the Main Street and the Fulford Ings, which helps to preserve the distinction between Fulford Village and the city suburbs.

5.25 The Connaught Court part of the park site (including the bungalows) has a distinctive landscape character. Its significance is not limited to the undeveloped green wedge of 19th century parkland but encompasses its later 20th century adaptation. The arrangement of low-rise buildings within the parkland landscape is a relatively sensitive development within the historic parkland. The application proposals have the potential to affect the character or appearance of this historic setting because they involve the construction of a new car park and access road

within an area of heritage and landscape significance. However, due to the historic pattern of development of the parkland landscape, the site is not so sensitive to change that any alteration would be harmful. The proposed access road would be single width, informal in layout and material and designed to have a seamless connection with the grassed parkland. Its vehicular use would be intermittent and of low intensity. Consequently it is not considered that the access road would appear incongruous or diminish the historic or aesthetic significance of the site. However, the proposed car park would occupy the landscaped garden around which the bungalows are constructed and which melds into the adjacent landscape. The car park would appear as a discordant use due to the extent of hard surfacing and presence of up to five parked cars. It would detract from the existing character of the Connaught Court development within the parkland setting. That said, the car park would be seen only from certain viewpoints - glimpsed between the pairs of bungalows and through the surrounding parkland.

5.26 The harm to the conservation area would be less than substantial, requiring the harm to be weighed against the public benefits of the proposal including securing its optimal viable use. The proposals would have no impact on the heritage significance of any listed buildings or non-designated heritage assets or their settings.

5.27 There is a risk that approval of the scheme could result in further incremental development in the park. It would facilitate the future separation or sale of the site which, uncontrolled, would be likely to lead to substantial harm to its landscape qualities for example through lack of holistic control of the bungalows, more intensive redevelopment and consequential requirements for additional parking, greater privacy, lighting, separate curtilages and the 'improvement' of the access. Such incremental changes could become difficult to resist in the context of sustaining the viability of a continuing use. If planning permission is granted planning conditions should be attached and/or legal obligations agreed, to mitigate the risks to the site of harmful incremental changes or subdivision of ownerships in the future.

LANDSCAPE

5.28 Paragraph 180 of the NPPF states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. Policy D2 of the 2018 eLP states that development proposals will be supported where they recognise the significance of landscape features, including mature trees. Policy G14 states that development will be supported where it retains trees and hedgerows that make a positive contribution to the character or setting of a conservation area.

5.29 The area of parkland between the existing access from Fulford Park and the bungalows contains a number of mature trees protected by a tree preservation

order. The route of the new road would wend its way between these trees to minimise the risk of harm to their root systems.

5.30 The road would pass between tree T1, an over-mature sweet chestnut and T2, a mature horse chestnut. The council's Landscape Architect agrees with the applicant's assessment that these two trees are of moderate quality (category A1, bordering B1) with a retention life span of over 40 years. Both trees are substantial and contribute to the character of the conservation area and the amenity of the area generally. The sweet chestnut is the most valuable of the affected trees due to its size and species, which is a rarity in York.

5.31 The space between the trees is not sufficiently wide to avoid the road encroaching into part of the root protection area (RPA) of these trees. BS 5837 'Trees in relation to design demolition & construction' specifies that new permanent hard surfacing should not exceed 20% of any existing unsurfaced ground within the RPA. BS 5837 also states that this principle should not be applied to veteran trees, i.e. there should be no hard surfacing within any portion of the RPA of veteran trees. Given that the Sweet chestnut is a very mature tree – verging on being a veteran tree - the 20% guide should be applied with great caution. Trees in advanced stages of maturity are likely to be less resilient to changes occurring within their rooting zone, which could therefore impact on the vitality, and hence longevity of the tree. The hard surfacing of the new road would cover 17% of the RPA of T1 and 12% of the RPA of T2.

5.32 To minimise the impact of the road on these trees a refined 'no-dig' construction method would be used with stone-filled Geoweb on top of a membrane on the existing grass surface. It would be finished with a porous gravel wearing course, contained by timber edging and graded soil shoulders. If the driveway were constructed in strict adherence to the proposed arboricultural method statement (AMS), the risk of harm to the trees would be reduced to a minimum. The proposed construction would probably improve the ground conditions across part of this area, i.e. where there is ongoing compaction and deterioration of ground conditions due to use as a temporary car park. Nonetheless there is still an element of risk of harm to these trees by way of the road not being constructed in strict accordance with the AMS.

5.33 The Sweet chestnut (T1) and the Hawthorn (T100) are now included on the Woodland Trust's tree inventory. The Sweet Chestnut is listed as a 'notable' tree, and the Hawthorn as a 'veteran' tree (with a note in the record to explain that the classification has been taken as a precautionary approach due to it being a borderline case/veteran in-the-making). BS 5837 recommends that no construction, including the installation of new hard surfacing, occurs within the RPA of veteran trees. It is considered that the Hawthorn is not an exceptional specimen for this common species and is in decline. The amenity value of the Hawthorn is not so high as to warrant the same level of concern as the other larger, mature trees. The

Sweet Chestnut, in contrast, is a notable tree and should be afforded suitable protection. It is not however considered to be a veteran tree at present, though it has the potential to become such a tree.

5.34 Construction of the parking/turning area will require the removal of two copper beech trees (T104 and T105) and one Hazel tree (T106). The copper beeches are assessed in the submitted Arboricultural Report and Method Statement as being Category B in good condition and of moderate quality and value, although T105 is noted as being located too close to the bungalows to allow it to mature without problems. The Hazel tree is assessed as being a Category C tree of low quality and value and is also identified as being unsuited to its confined location.

5.35 Construction of the car park would also require the loss of part of the central amenity space for the bungalows. Although the courtyard is not visible from the public domain its current design and central tree are an integral part of the grounds and landscape. The amenity space provides an attractive outlook for the occupiers. The loss of this outlook would be partially mitigated by the proximity of the retained parkland around the bungalows.

5.36 The route of the drive as it enters the courtyard has been slightly amended from previous proposals to allow for greater separation to the nearest bungalow (Plot 5) and allowing for gradual grading down to the external path level around the bungalow and eliminating the need for any retaining features.

5.37 The parking court would incorporate new landscaping around its perimeter. The proposals also include planting of large-species trees within the wider grounds, Detailed proposals for tree planting and landscaping should be secured by planning condition.

ECOLOGY

5.38 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Fulford Ings Site of Special Scientific Interest (SSSI) is approximately 200m from the application site at its closet point. The proposal is unlikely to have any material impact on the SSSI and the development does not require Natural England to be consulted. There are no comparable habitats within the development site, the loss of which could have an indirect impact on the SSSI.

5.39 Policy G13 of the 2018 eLP states that development should ensure the protection of York's local district and regional green corridors. The site is located within 'Local Green Corridor (26) Fulford Park' as set out in the City of York Local Biodiversity Action Plan (LBAP, 2017). These have been identified across York with the aim of linking together habitat to create an overall structural network for wildlife. Green corridors are not fixed boundaries but are a consensus of where multifunctional green infrastructure assets occur. Although the construction of a

new access road would result in the direct loss of amenity grassland it is not considered to significantly impact on the functioning of the green corridor, particularly as no new, additional, artificial lighting is proposed.

5.40 The submitted Habitat Survey Report from Wold Ecology has recently been updated as requested by the council's ecology officer with further assessment of any potential impact on bats, including aerial inspections of trees adjacent to the proposed drive. No evidence of bats was found and the trees are generally unsuitable for supporting roosts. The lost trees should be replaced as a condition of planning permission. Habitat connectivity to Fulford Ings SSSI, through its key elements of open space and mature tree cover, would be maintained.

5.41 A planning condition should be attached to ensure that the new access road is not lit in order to avoid disturbance to species (such as bats) that are sensitive to artificial light pollution.

AMENITY

5.42 The presence of cars where there is currently a landscaped courtyard would have some impact on the outlook for residents but it would be compensated for by the improved access and mitigated by the very close proximity of the adjacent parkland, which would continue to be available for their use. The very low number of vehicles passing along the new road would have negligible impact on residents of the bungalows or those of neighbouring houses, whether from car headlights, noise or general disturbance. Cars parked in the car park would be almost entirely screened from view from the A19 and largely screened from Fulford Park.

COMMUNITY SAFETY

5.43 Some objectors are concerned that miscreants would be able to enter the site freely and have access right up to the bungalow windows. The proposals would not make the site any less secure than under the current arrangements, which allow free access through the gate at Fulford Park and by push button at the pedestrian electronic gate to Main Street. The staff at Connaught Court have confirmed that these arrangements have not given rise to any previous issues with security or anti-social behaviour, and site security would benefit from the round the clock presence of staff close by at the care home. The access drive would be unlit to minimise visual impact, but existing lamp posts within the courtyard would be retained for lighting of the parking area. Any parked cars would be overlooked by residents of the bungalows.

ARCHAEOLOGY

5.44 The application site is about 150m to the north-west of the medieval village of Fulford and 350m to the south-east of St. Oswald's Church (11th century). It

appears that the land has never been built upon and was used for agricultural purposes during the medieval and post-medieval periods.

5.45 Fulford Road, nearby may have Roman origins so Roman archaeological deposits may exist on the site. An evaluation at Connaught Court in 2004 revealed very significant Roman features to the north of the site on the south side of St Oswald's Road. Trenches to the west of the proposed car park revealed only medieval ploughsoils and furrows but did contain some Roman pottery.

5.46 It is possible that any groundworks associated with the creation of the road and car park could reveal or disturb archaeological features particularly relating to the medieval or Roman periods. It will be necessary to record any revealed features and deposits through an archaeological watching brief during the stripping of the site in preparation for the creation of the road and car park. This should be made a condition of planning permission.

FLOOD RISK AND DRAINAGE

5.47 The site is in low-risk flood zone 1 and should not suffer from river flooding. The proposed angular gravel with timber edging on top of a no-dig road construction would provide like-for-like permeable surfacing, which would mimic the existing permeable grass surfacing. It would therefore permit air and water to go into and through the track construction to the tree roots beneath, to maintain the status quo and maintain the health of the adjacent trees. If planning permission is granted drainage details should be made a condition of approval, including infiltration testing witnessed by the council's flood risk officers.

FUTURE DEVELOPMENT

5.48 Following the submitted design changes and clarification about construction methods, any residual harm to heritage assets would be outweighed by the benefits of bringing the 10 bungalows back into long-term use. Nevertheless, without adequate safeguards relating to the manner in which the dwellings would be occupied (i.e. residential dwellings as opposed to care home bungalows), parking facilities and the management of the adjacent parkland, the proposed use could, over time, have a gradual but significant detrimental impact on the conservation area and other heritage assets. The risk of harm could be reduced to an acceptable level by the provision of an effective management plan, secured by a section 106 agreement, for the lifetime of the development. It is unlikely that the management plan and its effective implementation for the lifetime of the development could be dealt with through planning conditions as it would require the agreement and cooperation of those with an interest in the application site and the surrounding parkland. The bungalows and surrounding parkland are in the ownership of the applicant which, officers are advised, would retain ownership. The applicant has agreed to the principle of the agreement and its heads of terms, which would include:

- Regular inspection and maintenance of trees;
- Regular inspection and maintenance of access road;
- No parking of vehicles other than in the designated parking area shown on the approved plans;
- Weight/size limitation on the access road except for emergency vehicles.

5.49 Other causes of possible conflict in the future could be prevented by planning conditions. These should include:

- Removal of permitted development rights for extensions to buildings, erection of fences, construction of hardstandings, etc;
- Retention of the access road in the form shown on the submitted plans;
- No external lighting outside the courtyard area.

6.0 CONCLUSION

6.1 Special attention has been paid to the desirability of preserving or enhancing the character and appearance of the conservation area and great weight given to the conservation of all relevant heritage assets. While harm is assessed as being less than substantial, the harm to the conservation area is nevertheless a matter of considerable importance. This harm has been weighed against the substantial public benefits of bringing back into use 10 homes for older people in need of care. It is concluded that, subject to safeguards provided by planning conditions and a s.106 planning obligation, the substantial public benefits of bringing forward the 10 dwellings outweigh the identified harm to the conservation area and provide clear and convincing justification for approving the application. It complies with the requirements of s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, sections 5 (Delivering a sufficient supply of homes) and 16 (Conserving and enhancing the natural environment) of the NPPF and policies H3 (Balancing the Housing Market), H9 (Older Persons Specialist Housing) and D4 (Conservation Areas) of the 2018 eLP.

7.0 RECOMMENDATION:

i That delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to:

a. The completion of a Section 106 Agreement to secure the following planning obligations:

- Regular inspection and maintenance of trees;
- Regular inspection and maintenance of access road;
- No parking of vehicles other than in the designated parking area shown on the approved plans;
- Weight/size limitation on the access road except for emergency vehicles.

b. The conditions set out below

ii The Head of Planning and Development Services be given delegated authority to finalise the terms and details of the Section 106 Agreement.

iii The Head of Planning and Development Services be given delegated authority to determine the final detail of the planning conditions

Planning Conditions

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with drawings numbered:

20640-1503 Rev X - COURTYARD PLAN

20640-1505 Rev G - PROPOSED SITE PLAN

16781-Y-DR-101 Rev.P6 - ACCESS DRIVE & PARKING COURT LAYOUT

16781-Y-DR-103 Rev.P2 - SECTION THROUGH ACCESS DRIVE AND PLOT 5

16781-Y-DR-102 Rev.P10 - ACCESS DRIVE & PARKING COURT LEVELS*

[*Undergoing revision. Members will be updated at the meeting]

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

3 The development shall not be occupied until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme (including replacement trees and visual screening of the car park) which shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which 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 in the interests of the character and appearance of Fulford Village Conservation Area.

4 The development shall be carried out in accordance with the submitted Arboricultural Method Statement dated March 2021 by Enviroscope Planning.

Reason: To protect trees that make a significant contribution to the character and appearance of Fulford Village Conservation Area.

5 Within one month of commencement of development a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the plan.

Reason:

6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no external lighting shall be erected or installed except within the courtyard bounded by the dwellings at plots 3 to 10 on submitted drawing 20640-1503 Rev X : Courtyard Plan.

Reason: To maintain the character and appearance of Fulford Village Conservation Area and to avoid disturbance to bats and other species sensitive to artificial light pollution.

7 Within one month of commencement of development details of the vehicular access at the junction with the public highway at Fulford Park, including visibility splays, surfacing and boundary treatment shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details and retained in perpetuity.

Reason: To ensure that the development is carried out in a manner that will not be detrimental to protected trees, the character and appearance of the conservation area and highway safety.

8 Prior to the first occupation of the development details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not come into use 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.

9 Prior to first occupation of the development, 2 electric vehicle recharging points as shown on the approved courtyard plan numbered 20640 1503 Revision X, shall be installed.

Reason: To promote and facilitate the uptake of electric vehicles on the site in line with the Council's Low Emission Strategy and the National Planning Policy Framework.

10 No part of the site shall come into use until the turning areas have been provided in accordance with the approved plans. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

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

11 The access road shall be constructed in accordance with the approved plan 16781-Y-DR-102 Rev.P10* and 16781-Y-DR-101 Rev.P6 and retained in that form for the life time of the development unless otherwise approved in writing by the local planning authority.

Reason: To protect trees that make a significant contribution to the character and appearance of Fulford Village Conservation Area.

[* Undergoing revision. Members will be updated at the meeting]

12 The dwellings shall provide independent living accommodation for people aged 55+ years old in need of care and for no other purpose including any other purpose in Class C3 in the Schedule to the Town and Country Planning (Use Classes Order) 1987, or in any provision equivalent to that class in any statutory instrument invoking or re-enacting that Order.

Reason: To ensure that the application provides the substantial public benefits to outweigh the less than substantial harm to Fulford Village Conservation Area.

13 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) development of the type described in Classes A, B, C, D, E or F of Schedule 2 Part 1 or Classes A or B of Schedule 2 Part 2 of that Order shall not be erected or constructed unless permission has first been granted by the Local Planning Authority.

Reason: In the interests of protecting the historic character and appearance of Fulford Village Conservation Area.

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

Reason: In the interest of satisfactory and sustainable drainage.

15 The development shall be carried out in accordance with the following programme of archaeological mitigation. All three stages shall be completed and approved by the local planning authority.

A) No development shall commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI. The WSI shall conform to standards set by the Chartered Institute for Archaeologists.

B) The watching brief and any necessary post-investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A) above and the resources shall be made available for analysis, publication and dissemination of results and archive deposition. 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 (or publication if required) shall be deposited with City of York Historic Environment Record to allow public dissemination of results within six months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site is of archaeological interest. Therefore, the development may affect important archaeological deposits which must be recorded prior to destruction.

16 No demolition and construction works or ancillary operations, including deliveries to and dispatch from the site which are audible beyond the boundary of the site shall take place on site other than between the hours of 08:00-18:00 Monday to Friday and between 09:00-13:00 on Saturdays.

Reason. To protect the amenity of local residents.

8.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the local planning authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) and, in seeking solutions to problems identified during the processing of the application took the following steps in order to achieve a positive outcome:

- sought changes to the access;
- sought further information about impact on protected trees and protected species;

- attached appropriate conditions to the planning permission
- considered the requirement for a planning obligation

2. CONTROL OF POLLUTION

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 manufacturers 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

3 UNEXPECTED CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning

Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority. 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 2A of the Environmental Protection Act 1990.

Contact details:

Case Officer: Kevin O'Connell

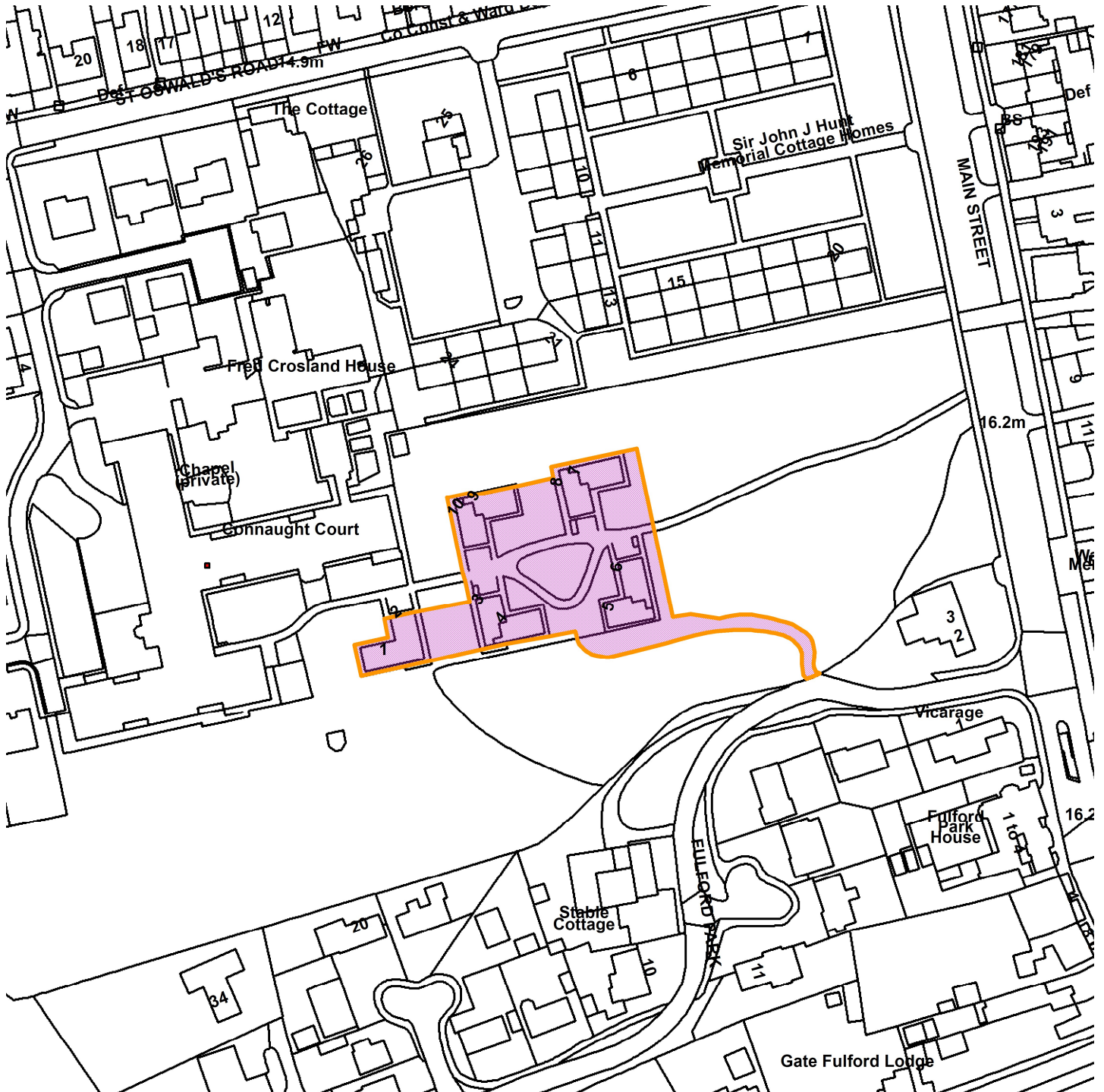
Tel No: 01904 552830

Connaught Court, St Oswalds Road, YO10 4QA

20/01471/FULM



GIS by ESRI (UK)



Scale : 1:1583

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	07 February 2022
SLA Number	

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Area Planning Sub-Committee

20/01471/FULM

Royal Masonic Benevolent Institute, Connaught Court,
St Oswalds Road

As existing site plan



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REV	DESCRIPTION	BY	CHECK	DATE
B	Amend to include 3m buffer zone			
C	Planning lines	CW	TN	11/07/2020
D	Red line boundary enclosed	CW	TN	7/07/2020
E	Red line boundary amended	HN	SW	19/08/2021



STATUS:	PLANNING		
PROJECT:	Access Drive and Parking Court to Bungalows at Connaught Court, York		
TITLE:	Landscape Site Plan		
ARCHITECT:	NICHOLSON NAIRN	DATE:	11/07/2020
CLIENT:	15508241	PROJECT NO.:	July 2020
PROJECT NO.:	20640	DRAWING NO.:	1600 E

- 1. NICHOLSON NAIRN ARCHITECTS 0151 725 1099
- 2. YORKSHIRE STUDIO 01904 676 003
- 3. nairn@nicholsonnairn.com
- 4. www.nicholsonnairn.com



As proposed site plan



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DO NOT SCALE - ALL DIMENSIONS TO BE VERIFIED ON SITE

REV	DESCRIPTION	BY	CHECK	DATE
3	Accomplished - Access route sheet	-	-	-
C	Final Issue	DW	TL	15/02/2020
D	Final Issue data received	DW	TL	24/02/2020
A	Discrepancy noted the number of units	HL	DL	14/05/2014
F	Plans will be issued	FF	DL	30/05/2014
G	Access route to be installed	FF	DW	24/03/2017



STATE: PLANNING
 ACCESS DRIVE AND PARKING COURT TO BUNGALOWS AT CONNAUGHT COURT, YORK

PROJECT: Proposed Site Plan

DATE: 15/02/2020

DRAWING NO.: 1505 @ A1

REV: July 2020

PROJECT NO.: 20640

DRAWING NO.: 1505

REV: G

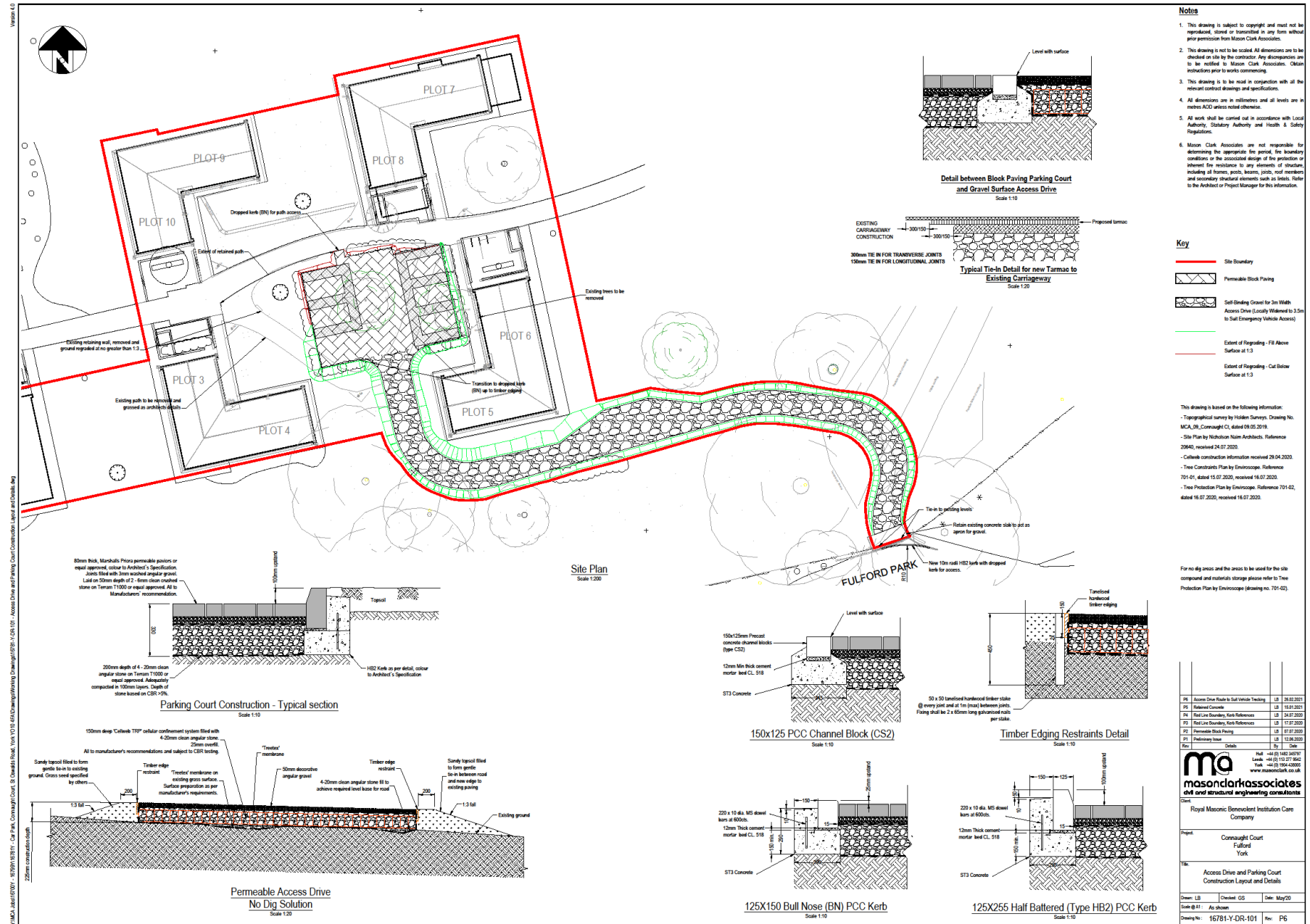
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- www.nicholsonnairn.com



Access and parking court layout

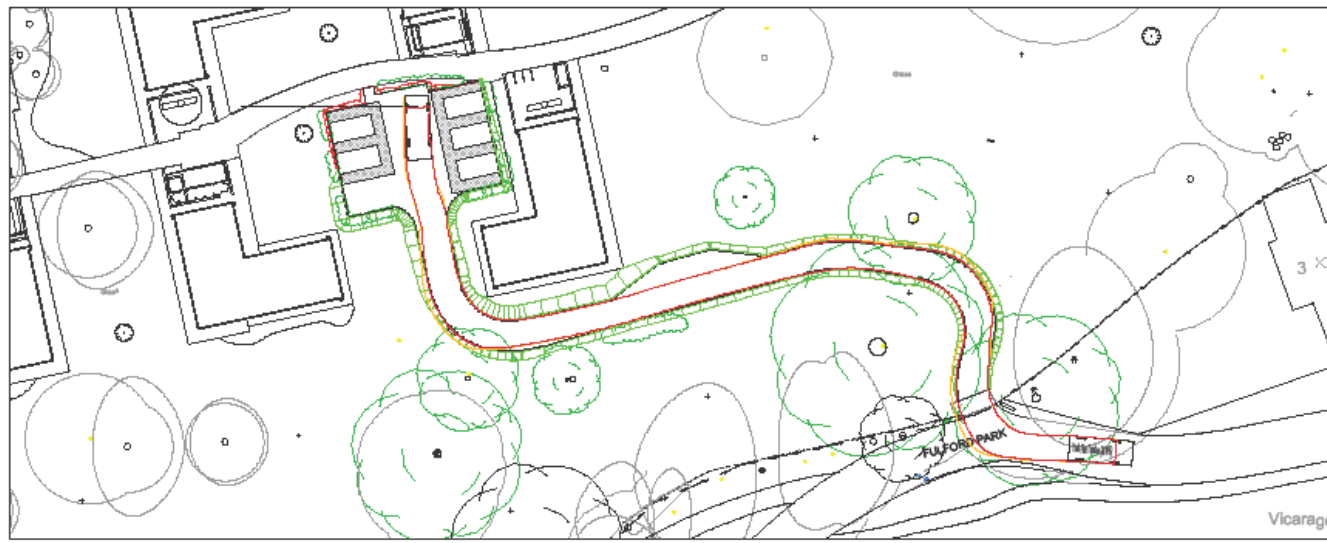


Construction layout

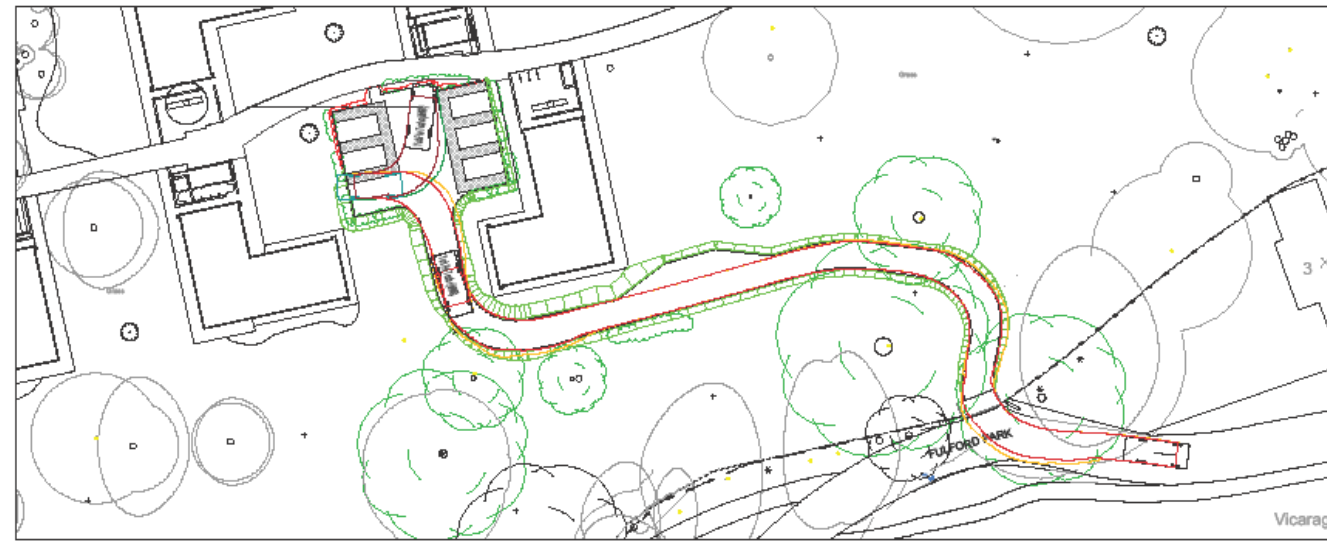


Fire tender vehicle tracking

Version 4.0
Y:\MCA Jobs\16700Y - 16799Y\16781Y - Car Park, Connaught Court, St Oswalds Road, York YO10 4FAD\Drawings\Working Drawings\16781-Y-DR-003 - Vehicle Tracking.dwg



Vehicle Entrance
Scale 1:500



Vehicle Turning and Exit
Scale 1:500

Notes

1. This drawing is subject to copyright and must not be reproduced, stored or transmitted in any form without prior permission from Mason Clark Associates.
2. This drawing is not to be scaled. All dimensions are to be checked on site by the contractor. Any discrepancies are to be notified to Mason Clark Associates. Obtain instructions prior to works commencing.
3. This drawing is to be read in conjunction with all the relevant contract drawings and specifications.
4. All dimensions are in millimetres and all levels are in metres AOD unless noted otherwise.
5. All work shall be carried out in accordance with Local Authority, Statutory Authority and Health & Safety Regulations.
6. Mason Clark Associates are not responsible for determining the appropriate fire period, fire boundary conditions or the associated design of the protection or inherent the resistance to any elements of structure, including all frames, posts, beams, joists, roof members and secondary structural elements such as inlets. Refer to the Architect or Project Manager for this information.



York Fire Tender (MWB)
 Overall Length 7.290m
 Overall Width 2.750m
 Overall Body Height 3.583m
 Min Body Ground Clearance 0.468m
 Track Width 2.750m
 Lock to lock time 5.00s
 Kerb to Kerb Turning Radius 7.100m

Rev	Details	By	Date
P6	For Planning	LKB	26.03.2021
P5	For Consent	LKB	26.03.2021
P4	WIP/SIS Dimensions	LKB	26.01.2021
P3	Revised site note	LKB	07.07.2020
P2	Road Width reduced to 3m	SW	03.10.2019
P1	Preliminary - Initial Issue	FW	19.03.2019

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Client	Royal Masonic Benevolent Institution Care Company	
Project	Connaught Court, Fulford, York	
Title	Vehicle Tracking	
Drawn	LKB	Checked GS
Date	July 20	
Scale	As shown	
Drawing No	16781-Y-DR-003	Rev P6