

COMMITTEE REPORT

Date: 15 April 2021 **Ward:** Dringhouses And Woodthorpe

Team: West Area **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 21/00121/OUT
Application at: Site To The Rear Of 5 Cherry Lane York
For: Outline application for the erection of 1no. detached dwelling with means of access (resubmission)
By: Crossways Commercial Estates Ltd
Application Type: Outline Application
Target Date: 17 March 2021
Recommendation: Approve

1.0 PROPOSAL

1.1 The proposal is for the construction of 1 detached dwelling on a 0.9 Ha site. The house will sit adjacent to the access with a detached triple garage. The eastern end of the site will remain as undeveloped paddock. The application is in outline with all matters, excluding access, reserved. Access will be taken from a new junction where Cherry Lane meets St Edwards Close.

1.2 The site is an undeveloped field adjacent to the Knavesmire. It is accessed via Cherry Lane which leads off Tadcaster Road, past the Holiday Inn Hotel, and down to a small car park serving the Knavesmire. The bottom half of the lane becomes very rural in character being narrow with high hedges on the Southern side. These hedges form part of a Site of Importance for Nature Conservation (SINC) with intermittent TPO trees within the hedgerow. To the North is a residential area formed of large individual detached properties in large plots.

1.3 To the East the site abuts the Knavesmire while to the South it shares a boundary with the racing stables. An access from the stables to the Knavesmire runs close to this boundary. The paddock to the South of the boundary is also a SINC. A vehicle maintenance shed has recently been granted permission (19/02730/FUL) within the stables site and close to the application boundary.

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Site history

1.4 Application 19/02729/OUT for 5 detached houses was refused as a result of the impact of the proposal on the green corridor and the open and undeveloped setting of the racecourse.

2.0 POLICY CONTEXT

2.1 Emerging Local Plan (Submission draft 2018)

DP2 Sustainable Development

DP3 Sustainable Communities

SS1 Delivering Sustainable Growth for York

H2 Density of Residential Development

H10 Affordable housing

D1 Placemaking

D2 Landscape and Setting

D6 Archaeology

GI1 Green Infrastructure

GI3 Green Infrastructure Network

GI4 Trees and Hedgerows

CC1 Renewable and Low Carbon Energy Generation and Storage

CC2 Sustainable Design and Construction of New Development

ENV2 Managing Environmental Quality

ENV5 Sustainable Drainage

T1 Sustainable Access

2.2 Development Control draft Local Plan (including 4th set of changes) 2005

H4A Housing Windfalls

GP1 Design

HE10 Archaeology

HE11 Trees and landscape

L1c Open space

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

Design, Conservation and Sustainable Development (Archaeology)

3.1 The site is just outside Dringhouses Area of Archaeological Importance. The site has not been disturbed by development and has been in agricultural use since at least the medieval period. It is possible that late prehistoric-Roman evidence of land use (e.g. field systems) may exist on the site. Further archaeological evaluation of the site is required and can be secured via planning condition.

Public Protection

3.2 Conditions recommended for electric vehicle charging, construction environmental management plan (CEMP) and land contamination.

The applicant has submitted a noise impact assessment to demonstrate the impact of the surrounding commercial activities on the proposed residential dwellings. The report concludes that standard double glazed units within the development will be sufficient to ensure that internal noise levels can be achieved.

Design, Conservation and Sustainable Development (Landscape)

3.3 The practicalities of implementing a site access are the same for this single dwelling as for the previous refused scheme of 5 dwellings. Highways would in principle accept the use of a product such as Geo-web around the TPO tree at the site entrance. Condition regarding tree protection recommended.

Design, Conservation and Sustainable Development (Ecology)

3.4 A small section of the hedgerow SINC will be removed to achieve access to the site. Given the small size of the SINC, this will have an impact on the hedgerow and the potential for an alternative access should be considered. (Officer note – the access is identical to that on the previous application. That application was not refused on issues relating to loss of the hedge.)

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Conditions recommended.

Highways Network Management

3.5 No objection in principle as long as the access can be delivered without harm to the tree and conditions are imposed requiring detailed design of the junction to be agreed and a road safety audit to be undertaken.

EXTERNAL CONSULTATIONS

Yorkshire Water

3.6 Condition recommended for separate systems of foul and surface water drainage.

Ainsty Internal Drainage Board

3.7 The Board notes that the applicant intends to use an existing surface water drain. This drain appears to, in turn, connect into the Knavesmire Culvert. The Board's understanding of the Knavesmire Culvert is that it then discharges into the River Ouse further south and does not enter a Board maintained watercourse, or any ordinary watercourse in the Board's district. On this basis, the Board would have no comments to make. However, should these details change the Board would wish to be re-consulted.

Woodthorpe and Dringhouses Planning Panel

3.8 The Panel object to the scheme and raise concerns about the safety of the access.

4.0 REPRESENTATIONS

4.1. One letter of objection has been submitted. The issues raised include:

- The character of Cherry Lane will be spoilt
- The single large house will make little contribution to housing supply
- Issues with visibility at junction

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- Loss of the open field and impact on wildlife

5.0 APPRAISAL

5.1 Main Issues

- principle of development;
- design;
- highways and parking;
- drainage;
- trees;
- ecological issues;
- sustainability.

LEGISLATIVE AND POLICY CONTEXT

5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires determinations be made in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework

5.3 The revised National Planning Policy Framework (NPPF) 2019 was published on 19 February 2019 and sets out the government's planning policies for England and how these are expected to be applied. The NPPF is a material planning consideration in the determination of this application.

5.4 The planning system should contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives.

5.5 Paragraph 11 states planning decisions should apply a presumption in favour of sustainable development and that for decision taking this means where there are no relevant development plan policies, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

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ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Publication Draft Local Plan 2018

5.6 The Publication Draft City of York Local Plan 2018 ('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:

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

It is considered that given the stage of preparation of the emerging plan, nature of objections and consistency with the NPPF that all the policies listed in para. 2.1 above should be given moderate weight except H10 which should be given limited weight.

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

- City of York Housing Needs Update (2019)
 - Strategic Housing Land Availability Assessment and Appendices (2018)
 - Strategic Housing Land Availability Assessment and Annexes (2017)
 - City of York Strategic Housing Market Assessment Update (2017)
 - City of York Council Strategic Housing Market Assessment (2016)
 - City of York Council Strategic Housing Market Assessment Addendum (2016)
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2005 Development Control Draft Local Plan

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

PRINCIPLE OF DEVELOPMENT

5.9 A larger site including the current application site was considered through the Local Plan site selection process however as a result of concerns about impacts on the hedgerow SINC, character of Cherry Lane and the open aspect of the Knavesmire this larger site was not allocated. A small area of land approximately equal to the current application site area was considered suitable for development if existing trees and hedgerows could be retained and it could be developed in a manner which retained the rural character of Cherry Lane. The site was not included as an allocation in the draft Local Plan as it was not required to meet the Council's agreed level of housing need for the Plan.

5.10 The site has now come forward as a windfall greenfield site. Section 11 (Making effective use of land) of the NPPF encourages the use of previously developed land first and gives substantial weight to this but does not preclude the use of greenfield sites. Paragraph 11 of the NPPF lays out the presumption in favour of sustainable development. Paragraph 8 identifies that there are 3 objectives to achieving sustainable development –economic, social and environmental. These are not criteria against which every decision can or should be judged (paragraph 9).

5.11 The area is predominantly residential in character up to the Knavesmire. The site is unallocated (other designations related to the hedgerow SINC and adjoining Stables Pastures SINC are covered below) and in a sustainable location. The Council does not have a 5 Year Housing Land Supply and as such, provided the proposal is otherwise acceptable, the provision of residential development on the site is acceptable in principle.

DESIGN

5.12 The application is in outline with all matters excepting access being reserved. The indicative site plan shows a single large detached property with detached triple garage set towards the western end of the site close to the access point. Access comes in at the North West corner of the site and runs perpendicular to Cherry Lane along the western edge of the site to the garage. Approximately a third of the site will be occupied by the property and gardens with the remaining two thirds (closest to the racecourse) being left as paddock.

5.13 The site is approximately 0.9Ha in area. Policy H2 of the emerging Local Plan (eLP) sets housing density levels for different zones within the city. The site would fall within a zone where a housing density of 50 units/Ha is suggested. The policy does however note that housing density should be informed by the local character of the area. The site sits within an area where housing density is low. St Edwards Close is characterised by large properties in significant sized plots with large gardens up to the racecourse. The character of Cherry Lane also changes from the junction with St Edwards Close to one of a more rural lane with hedgerows and glimpses of undeveloped land. As such it is considered that the proposed low density development is appropriate to the character of the area and complies with policy H2 of the draft Local Plan as it preserves local character by retaining the open character to the racecourse of neighbouring properties.

5.14 The property indicated is two storey with brick and slates or tiles being the proposed materials. These materials are considered in keeping with the general character of the area and details would be agreed at reserved matters stage. Given the sensitivity of the site in views from the Knavesmire it is considered appropriate to condition that the dwellings are no more than 9m in height as this is the scale which has been assessed in photomontages provided of the development from the Knavesmire.

HIGHWAYS AND PARKING

5.15 Details of the new junction have been agreed to ensure safety for all road users. Cherry Lane becomes a single track road after the junction and is well used as access to the Knavesmire. There is no footpath on this section of the road which is used by vehicles, pedestrians and horse-riders. To address this safety issue the

road has been realigned and a speed control table introduced. The detail of this will be controlled via condition.

5.16 It is recognised that the property has a triple garage and a minimum of 3 additional parking spaces which would be in excess of guidance parking levels. Paragraph 106 of the NPPF states that maximum parking standards should only be set where there is a clear and compelling justification that they are necessary for managing the local road network or for optimising the density of development. On this site it has already been noted that low density development is appropriate. The level of parking also reflects the scale of the properties and will help to ensure that visitor parking does not spill out on to Cherry Lane or St Edwards Close.

TREES AND LANDSCAPE

5.17 Properties on St Edwards Close are set back from the Knavesmire and, along with the site, give a sense of green space and tree cover which contributes to the attractive setting and character of Micklegate Stray. The tree cover is visible across the Stray and contributes therefore to its character and setting and provides local distinctiveness. Denser residential areas to the south of the application site are strongly defined and tightly formed and give a harder edge to the stray.

5.18 The development is compatible with retention of the existing tree cover around the perimeter of the site and includes additional tree and shrub planting along the southern boundary where vegetation is lacking. Additional planting is also proposed to the racecourse boundary and Cherry Lane to reinforce the existing and provide screening. The existing and proposed planting would help to mitigate the visual impact of the proposed development and the distance of the property from the racecourse boundary further helps to ensure there is minimal impact on views from the racecourse.

5.19 Cherry Lane would retain its character due to the existing/ proposed vegetation and scale of development proposed. The loss of openness on the other side of the hedge would be apparent at the site entrance so there would be a slight change in visual amenity for those using Cherry Lane but further down the site would remain as pasture, and therefore unaltered in character.

5.20 The proposal does not require the removal of any of the individually surveyed trees on site of which 3 are covered by TPO. The distance between existing trees

and the proposed development is considered acceptable in terms of outlook and root protection. A short section of hedge (approximately 7m or 4%) will be removed to facilitate the site access. The hedgerow is a designated SINC and its integrity would be preserved into the future through the production and implementation of a Habitat Management Plan. The TPO hornbeam at the access point would be protected and a no-dig cellular system is proposed for the road construction at this point to protect tree roots.

5.21 Draft Local Plan policy GI4 recognises the value of trees and hedgerows to biodiversity, the contribution they make to the quality of a development and how they can help it be assimilated in to the landscape. This development has been shown to benefit from retained tree and hedgerow cover and new planting which will provide screening of the development, enhance residential amenity and ecological benefits. As such the proposal is considered to comply with policy GI4.

ECOLOGICAL ISSUES

5.22 Draft Local Plan Policy GI2 requires that development avoids loss or significant harm to SINC. Given that the proposal is for removal of only 4% of the hedgerow and that the SINC would benefit from a management plan going forwards it is considered that the proposal complies with policy GI2 in this matter.

5.23 The site to the South is also a SINC and is so designated for its neutral grassland. This site connects through to the Stray which is managed under a Higher Level Stewardship for nature conservation.

5.24 These areas and the site itself are all part of the Knavesmire/Hob Moor District Green Corridor. Draft Local Plan Policy GI3 seeks to maintain and enhance the integrity and management of York's green infrastructure network, including its green corridors and open spaces. The Local Biodiversity Action Plan gives the following information about green corridors:

'In 2009 a series of strategic Green Corridors were identified through Natural England's Yorkshire & Humber Green Infrastructure Mapping Project, which aimed to link together to create an overall structural network for the region. For York this work was consolidated in the Local Development Framework (LDF) Core Strategy Green Corridor Technical Paper (2011).

These corridors are not identified exclusively for wildlife however, and they accommodate a whole range of Green Infrastructure functions such as flooding, recreation and heritage. Depending on how many functions were present, a category for each corridor was determined. This was based on the number of functions present, the corridor size and local knowledge of initiatives and likely opportunities for interventions. The strategic approach to the work meant that the functions provided within the corridor had to be significant to be considered in the corridors. The corridors are hierarchical and have been identified as being of;

- i) Regional importance, where they link with corridors in neighbouring authorities.*
- ii) District (City) importance, where they provide links across and within the City and to other corridors.*
- iii) Local importance, where they link areas within a particular part of the city.*

In terms of wildlife, these corridors are not necessarily contiguous but may consist of a series of open space 'stepping stones' separated by otherwise less hospitable habitat.

The aim of developing a strategic Green Corridor Network, which represents a consensus of where there is a concentration of Green Infrastructure, is to help target enhancement to where it is likely to be the most effective. They are not meant to be exhaustive or be used as fixed boundaries.

The network does not have to be continuous open space but can be a series of sites or stepping stones. Even in the countryside, not every habitat that wildlife is adapted to exists as continuous network. The essential element is that the spaces are not so far apart as to reduce the ability of species to move between them. As such, the aim of enhancing any corridor is to improve the ability of wildlife to move from one site to another. This can be by improving the quality of existing sites, linking sites together with a more wildlife friendly (more porous) corridor or providing additional sites in between to reduce the distances that need to be covered.'

5.25 Green corridors are intended to indicate a concentration of green infrastructure to help target enhancement where it is likely to be the most effective. They are not meant to be exhaustive or be used as fixed boundaries. Policy GI3 of the draft Local Plan requires that development maintains and enhances the integrity and management of York's green infrastructure network including its green corridors. The proposed development would not significantly affect the integrity of the green corridor. The new native species planting on the southern boundary will help to

maintain habitat connectivity with adjacent sites. For these reasons it is considered that the proposal will maintain York's green infrastructure network and therefore complies with policy GI3.

AMENITY ISSUES

5.26 The layout shows a large house in a significant plot. Amenity for residents will be good. There are no existing properties in such close proximity that the proposal would impact on their amenity through overlooking, overshadowing or over-dominance.

5.27 The site sits to the North of the stables for the racecourse. A storage shed has recently been given permission within the paddock adjacent to the site. A noise assessment has been undertaken to consider issues of noise impact from the stables on future residents. The report concludes that standard double glazed units within the development will be sufficient to ensure that internal noise levels can be achieved.

DRAINAGE

5.28 Drainage can be dealt with via condition.

SUSTAINABILITY

5.29 A condition has been recommended to ensure the proposal complies with policies CC1 and CC2 of the emerging Local Plan. The developer suggests that sustainable measures such as electric vehicle charging, high levels of insulation and reduced water consumption will be included in the scheme at reserved matters stage. The proposed planning condition will ensure that appropriate additional measures are included.

6.0 CONCLUSION

6.1 The site has been considered through the Local Plan process and the majority of the Eastern side of the site has been assessed through that process as not suitable for development as a result of a likely adverse impact on the SINC hedgerow, character of Cherry Lane and open aspect to the Knavesmire. The area of the current site was considered appropriate for development providing trees and hedges

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were protected and the development reflected local character. It was not allocated within the draft Local Plan as there was not a need for the site to meet the level of housing need agreed by the Council for the Plan. However the Council does not currently have a 5 year housing land supply and the proposal would result in a new dwelling which is a small but not insignificant benefit of the scheme.

6.2 The scheme, as submitted, has been assessed as maintaining the integrity of the hedgerow SINC. A condition requiring a management plan will ensure its future maintenance. Evidence submitted with the application also indicates that the property will have a very minimal impact on views from the Knavesmire as a result of the scale of the dwelling, the tree cover and distance from the racecourse of the development. The layout has been designed to move the development away from Cherry Lane, the Stables SINC and the Knavesmire and issues raised during the Local Plan process are thereby considered to be overcome.

6.3 Given the benefits of the scheme in providing housing while preserving the adjacent SINC, it is considered that the previous concerns about impacts on the green corridor and views from the racecourse are overcome. The proposal is considered to meet relevant policy in the NPPF and emerging Local Plan and is recommended for approval subject to conditions.

7.0 RECOMMENDATION: Approve

1 Application for approval of all reserved matters shall be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission and the development hereby permitted shall be begun before:

the expiration of two years for the date of approval of the last of the reserved matters to be approved.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development and to comply with the Town and Country Planning (General Development Procedure) (England) Order 2015.

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

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Details to be submitted: appearance, landscaping, layout and scale of the proposed development to be carried out.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development and to comply with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

Location plan Y81.1215.01

Vehicle tracking LCL-AWP-00-GF-DR-0007-P1

Illustrative site layout Y81.948.03

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

4 The total number of dwellings shall not exceed 1 and that house shall be no greater than 9m in height.

Reason: In the interests of visual amenity and the character of the area.

5 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. 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: So as to achieve a visually cohesive appearance.

6 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the commencement of above ground works and the approved means of enclosure shall be provided in accordance with the approved details before the development is occupied.

Reason: In the interests of the visual amenities of the area and the amenities of neighbouring properties.

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7 A programme of post-determination archaeological evaluation is required on this site.

The archaeological scheme comprises 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 archaeological evaluation (geophysical survey or trenching) or development shall commence 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 LPA and 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 in the evaluation 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 3 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

This condition is imposed in accordance with Section 16 of NPPF.

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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.

8 The development shall incorporate sufficient capacity within the electricity distribution board 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) for the property as required. 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 the property in line with the NPPF and CYC's Low Emission Strategy.

9 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with these approved details.

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

10 No removal of hedgerows or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority prior to the commencement of the removal of any hedgerow, trees or shrubs.

Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended.

11 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.

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- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The approved LEMP shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity and in accordance with policy GI2 of the draft Local Plan.

12 No development shall take place (including ground works and vegetation removal) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The roles and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h) Use of protective fences, exclusion barriers and warning signs

The development shall be carried out in accordance with the approved CEMP: Biodiversity.

Reason: In the interests of biodiversity and in accordance with policy GI2 of the draft Local Plan.

13 LC1 Land contamination - Site investigation

14 LC2 Land contamination - remediation scheme

15 LC3 Land contamination - remedial works

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16 LC4 Land contamination - unexpected contam

17 HWAY13 Access to be improved

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

Monday to Friday 0800 to 1800 hours

Saturday 0900 to 1300 hours

Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

19 The development shall not come into use until the junction with the public highway has been constructed in accordance with the approved plans.

Reason: In the interests of road safety.

20 The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same.

Change of alignment of Cherry Lane

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

21 A three stage road safety audit carried out in line with advice set out in GG119 Road safety audit (formerly HD 19/15), and guidance issued by the council, will be required for the proposed new access to the development. Reports for Stages 1 and 2 must be submitted to and approved in writing by the LPA prior to works commencing on site. The Stage 3 report must be submitted to and approved in writing by the LPA prior to occupation. The development shall be carried out in accordance with the approved details.

Reason: To minimise the road safety risks associated with the changes imposed by the development.

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

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

23 The dwelling hereby approved shall achieve the following measures:

- At least a 19% reduction in Dwelling Emission Rate compared to the target fabric energy efficiency rates as required under Part L1A of the Building Regulations 2013).

- A water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

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

Prior to first occupation of the dwelling details of the measures undertaken to secure compliance with this condition shall be submitted to and approved in writing by the local planning authority. The development shall be carried out 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.

24 Prior to occupation, a "lighting design strategy for biodiversity" for the driveway and outside of the property shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter

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in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that the introduction of artificial light does not mean that protected species active at night (bats) are not disturbed or discouraged from using areas of existing habitat.

25 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.

8.0 INFORMATIVES: Notes to Applicant

1. Control of Pollution

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

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

ii. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228-1:2009 + A1:2014 and BS 5228-2:2009 + A1:2014, a code of practice for "Noise and Vibration Control on Construction and Open Sites".

iii. Best practicable means shall be employed at all times in order to minimise noise, vibration, dust, odour and light emissions. Some basic information on control noise from construction site can be found using the following link.

https://www.york.gov.uk/downloads/download/304/developers_guide_for_controlling_pollution_and_noise_from_construction_sites

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iv. 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.

v. There shall be no bonfires on the site.

2. Ecological surveys

Application(s) for reserved matters shall include an up to date (no more than 2 years old) Preliminary Ecological Appraisal and any further necessary habitat or species surveys as recommended by the appraisal.

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