

COMMITTEE REPORT

Date: 8 September 2011 **Ward:** Strensall
Team: Major and **Parish:** Strensall With Towthorpe
 Commercial Team Parish Council

Reference: 11/01831/OUTM
Application at: Bonneycroft 22 Princess Road Strensall York YO32 5UD
For: Residential development of 10 dwellings (amended scheme)
By: C/o Agent
Application Type: Major Outline Application (13 weeks)
Target Date: 10 October 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks outline consent for the erection of 10 dwellings with all matters reserved except access and layout. Plots 1-7 would be detached. They would be two storeys high but their maximum heights (5.4m to the eaves and 8m to the ridge) would allow some accommodation to be provided in the roof space. All would have either single or double garages. Plots 8-10 would form a terrace at the front of the site, parallel to Princess Road. It would be three storeys high, up to 6.5m to the eaves and 9.2m to the ridge. Each of the terraced houses would have two parking spaces. All of the proposed dwellings would be for sale on the open market. Access would be via the existing access from Princess Road. A dilapidated bungalow on the site would be demolished.

PLANNING HISTORY

1.2 In 2005 planning permission was sought for the erection of four dwellings on the site (05/00677/OUT). The application was withdrawn so was never determined. In 2009 an application was refused for a 60-bed care home (09/01176/OUT). The reason for refusal was that, in essence, the size of the care home would adversely affect the amenity of adjacent residents and the character and appearance of the area. The subsequent appeal was dismissed. In March this year planning permission was sought for the erection of 14 dwellings on the site. Officers recommended refusal due, in essence, to overdevelopment resulting in unacceptable impact on the character of the area, protected trees and the amenity of adjacent residents. The application was withdrawn prior to determination.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Strensall Village CONF

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City Boundary GMS Constraints: York City Boundary 0001

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

2.2 Policies:

CYGP4A
Sustainability

CYGP1
Design

CYGP10
Subdivision of gardens and infill devt

CGP15A
Development and Flood Risk

CYH4A
Housing Windfalls

CYH5A
Residential Density

CYNE1
Trees, woodlands, hedgerows

CYHE2
Development in historic locations

CYL1C
Provision of New Open Space in Development

CYED4
Developer contributions towards Educational facilities

CYT4
Cycle parking standards

3.0 CONSULTATIONS

3.1 INTERNAL

Highway Network Management - No objections subject to standard conditions being imposed.

Design, Conservation and Sustainable Development (Conservation) - The retention of the mature trees and grass verge at the front of the site is essential to the preservation of the existing character and landscape setting of the conservation area. The siting and orientation of the house at plot 1 respect the pattern of existing built form and are unlikely to detract from the character and appearance of the conservation area. The proposed group of three storey terraced dwellings, which the design and access statement describes as 'double fronted', appear to face west with the rear elevation facing Princess Road. The principal elevation of these houses should face east to respect the existing character of dwelling houses in Princess Road.

The scale and mass of the proposed 3-storey terrace appear visually dominant and detract from the setting of the conservation area. The terrace should appear subservient to the existing group of nineteenth century terraced houses at 19-25 Princess Road, which contribute to the distinct suburban character of Princess Road/Moor Lane as defined in the Strensall Conservation Area Appraisal. The scale and mass of the proposed terrace should be reduced to respect the scale, proportion, height and massing of the existing built form in Princess Road and Moor Lane.

Design, Conservation and Sustainable Development (Landscape) – The various revisions have improved the relationship between the development and existing trees. Although not ideal, the latest scheme appears to be acceptable.

Design, Conservation and Sustainable Development (Countryside) – No objections. Attach conditions relating to biodiversity enhancement of the site and the bird nesting season.

York Natural Environment Panel - Overdevelopment that would have an adverse affect on the setting of the adjacent Conservation Area. The number of houses should be reduced. A small number of prestige houses (e.g. 4) would maintain the character of the surrounding area. The separation distance shown on the revised proposals has lessened the impact on trees but is still not sufficient to ensure the trees' long term retention.

Structures and Drainage - No objection. Add a standard condition requiring submission of drainage details.

Adults, Children and Education - a financial contribution of £35,117 would be required towards education. It would be used to cover the cost of two places at Huntington Secondary School. The local primary school currently has enough places to cover the pupils expected as a result of the development.

Environmental Protection Unit - No objections. Following guidelines in PPG24 sound insulation should be provided to protect occupiers against road and rail noise. This should be made a condition of approval.

3.2 EXTERNAL

Strensall with Towthorpe Parish Council - Objection on the following grounds: (a) Whilst there is insufficient detail in the application, indications are that the streetscape will be adversely affected by the terrace of three storey properties at the front boundary; (b) The massing and size of the proposed dwellings are not consistent with the requirements of PPS3 in relation to neighbouring properties and the apparent design of the proposed dwellings does not integrate and compliment the surrounding area; (c) The application contravenes GP1 and GP10 in scale and mass and the loss of amenity to adjacent properties; (d) The Parish Council supports the comments of the CYC Landscape Architect for the previous application for 14 houses (10/00606/FUL); (e) The Parish Council would request that all properties are confined to a maximum of two storeys.

CAAP - No objection in principle. It is important to protect the boundary of the site, particularly the trees. The site would benefit from more greenery as the proposal is too urban for a village location. The 2.5 storey dwellings should be reduced to 2 storeys. More garages should be included.

Police Architectural Liaison - The indicative site layout appears to show good levels of natural surveillance whilst still creating defensible space for occupiers. The development would provide residents with a safe, non-threatening environment in which to live.

Foss Internal Drainage Board (IDB) - Surface water is to be discharged to an existing sewer. This sewer, which is under the control of Yorkshire Water, is now classed as a foul sewer. Surface water discharges to this sewer so Yorkshire Water has approved a discharge rate of 4.00lit/sec. Subsequent discussions with City of York Council have resulted in this rate being reduced to 1.40lit/sec. The Board supports the position taken by the council. Any approval should include a condition requiring drainage details including attenuation to be submitted for approval.

Network Rail - No objection to the principle of the development subject to certain detailed requirements being met to protect Network Rail property and the safe operation of the railway.

English Heritage - No comments.

Council for the Protection of Rural England - The massing and dominance of the 2.5-storey buildings conflict with adjacent long-established bungalows and the nearby conservation area. Proximity to the level crossing and in particular possible obstruction of warning lights for the crossing gates is also a major concern. [Officers' response: The proposal would not obstruct the safety warning lights]. The application should be refused.

Public Consultation - The consultation period expired on 5 August 2011. 16 objections have been received raising the following planning issues:

- Too many dwellings
- Out of keeping with the character of the street scene
- The scale of the terrace is out of keeping with the conservation area
- The terrace should be replaced with one, smaller dwelling
- The 2.5-storey houses should be 1-1.5-storeys high
- The houses should be no higher than 2 storeys
- All of the houses should be bungalows
- The terraced houses are back to front
- Overbearing
- Loss of privacy
- Loss of sunlight/daylight
- Loss of habitats
- Loss of trees
- Loss of tree/shrub screening along railway boundary
- View from Moor Lane would be imposing
- Insufficient separation from existing houses
- Dangerous access
- If approved permitted development rights should be removed

4.0 APPRAISAL

THE APPLICATION SITE

4.1 The site (0.51ha) is the curtilage of a derelict bungalow in a predominantly residential area. The site lies within the settlement limits of Strensall village and abuts (but lies outside) Strensall Conservation Area. The site is neglected and overgrown. It is occupied by a number of mature trees protected by a preservation order (TPO CYC 53). Immediately to the south is the York to Scarborough railway line. To the east, north and west are one and two storey suburban houses. Along the eastern boundary is the public highway at Princess Road.

POLICY CONTEXT

4.2 Local Plan policy GP1 - Development proposals should be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and local character; respect or enhance the local environment; provide/protect amenity space; protect residential amenity; accord with sustainable design principles; include refuse facilities; and include, where appropriate, landscaping.

4.3 GP4a - All proposals should have regard to the principles of sustainable development.

4.4 GP10 - Planning permission will only be granted for the sub-division of garden areas or infilling to provide new development where this would not be detrimental to the character and amenity of the local environment.

4.5 GP15a - Discharges from new development should not exceed the capacity of existing and proposed receiving sewers and watercourses and long-term run-off from development sites should always be less than the level of pre-development rainfall run-off.

4.6 H4a - Permission will be granted for new housing development on land within the urban area providing: it is vacant/derelict/underused or involves infilling, redevelopment or conversion; has good access to jobs, shops and services by non-car modes; and, is of an appropriate scale and density to surrounding development and would not have a detrimental impact on existing landscape features.

4.7 H5a - the scale and design of proposed residential developments should be compatible with the surrounding area and must not harm local amenity. Development densities should aim to achieve, 60 dwellings per hectare in city centre, 40 in urban areas and 30 elsewhere.

4.8 NE1- Trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation, or historic value, will be protected by: refusing proposals which will result in their loss or damage. When trees are to be removed, appropriate replacement planting should be proposed to mitigate any loss.

4.9 HE2 - Within or adjoining conservation areas and in locations that affect the setting of listed buildings, scheduled monuments or archaeological remains, development proposals must respect adjacent buildings open spaces, landmarks, and settings and have regard to local scale, proportion, design and materials. Proposals will be required to maintain or enhance existing urban spaces, views, landscapes and other townscape elements that contribute to the character or appearance of the area.

4.10 L1c - Requires that all housing sites make provision for the open space needs of future occupiers. For sites of less than 10 dwellings a commuted payment will be required towards off site provision.

4.11 ED4 - Any consequences for existing educational facilities will be assessed in accordance with the approved supplementary planning guidance. Where additional provision is necessary as a direct result of the proposal, developers shall be required to make a financial contribution toward the provision of such facilities.

4.12 T4 - Seeks to promote cycling and states that all new development should provide storage for cycles in accordance with the standards in appendix E of the Local Plan.

4.13 KEY ISSUES

- Principle of Development for Housing
- Density of Development
- Impact on the Street Scene and Conservation Area
- Protected Trees
- Neighbour Amenity
- Sustainability
- Access and Highway Safety
- Ecology and Bio-diversity
- Drainage
- Affordable Housing
- Public Open Space
- Education
- Archaeology

PRINCIPLE OF DEVELOPMENT FOR HOUSING

4.14 The site is in a sustainable location with good access to shops, public transport and local services. The site was considered during the Strategic Housing Land Availability Assessment (part of the LDF evidence base) and has been identified as a possible housing site. The inclusion of sites within this study does not imply that the council would consider planning applications favourably. Although the SHLAA will inform housing allocations it will not determine the allocation of land for housing development. Nevertheless officers accept that the application site is suitable for housing.

4.15 In June 2010 Planning Policy Statement 3 (PPS3) was revised to exclude private residential gardens from the definition of previously-developed (brownfield) land. The purpose of the change is to prevent local planning authorities feeling obliged to grant planning permission for otherwise unwanted development on

garden land ("garden grabbing"), simply to maintain targets for building on previously developed land. However, the removal of residential gardens from the definition of previously-developed land has not introduced a general presumption against the development of gardens; it merely removes this as a positive factor in determining such applications. Any scheme still has to be judged against the impact on the character of an area, the impact on adjacent residents and any other material considerations. In this particular case, the removal of the site from the definition of previously developed land does not change officers' opinion that the principle of the use of the site for housing is acceptable. In making planning decisions, local authorities are still expected to seek to secure the efficient use of land, whilst focussing new residential development on sites in sustainable locations, and there are no specific policies in the draft local plan that protect sites such as this from development.

DENSITY OF DEVELOPMENT

4.16 Until PPS3 was revised it included a national indicative minimum density for new housing of 30dph. This has now been removed. Notwithstanding that there is now no national minimum density, PPS1 (Delivering Sustainable Development) and PPS3 still expect planning authorities to set their housing policies to achieve the efficient use of land. Policy H5a accords with this guidance by requiring housing schemes in the York urban area (including Wigginton) to aim to achieve a residential density of 40dph. Nevertheless, this is subject to the scheme being compatible with the surrounding area and not harming local amenity. The current proposal has a density of 20dph which is well below the density specified in policy H5a. In this case the density is high enough to satisfy PPS1 and PPS3 bearing in mind the constraints imposed by the presence of protected trees.

IMPACT ON THE STREET SCENE AND CONSERVATION AREA

4.17 The previous (withdrawn) application was for 14 dwellings, which gave the development a cramped appearance. The current proposal, for 10 dwellings, gives the development a much more open character, more in keeping with the prevailing character of the area.

4.18 Princess Road is characterised by suburban residential dwellings. The existing built form comprises of modern detached houses, including bungalows and two storey houses; a small group of late nineteenth century 2.5-storey terraced houses and two pairs of early twentieth century 2.5-storey semi detached houses. The scale of the proposed houses and its impact on the character of the area is the main concern of local residents. Whilst the details of the proposed dwellings are not part of this application the applicant has confirmed their maximum heights. Houses 1-7 would be no higher than 5.4m to the eaves and 8m to the ridge. These maximum heights are typical of 2-storey houses and could be made a condition of planning permission. The applicant has stated that the houses may have rooms in

the roof space. This does not necessarily increase the heights of buildings. Regardless of whether or not there would be rooms in the roof space the developer would not be able to exceed any maximum heights specified in a planning condition.

4.19 Whilst the design and access statement describes the terraced houses (plots 8-10) as double-fronted they appear to face west. The private amenity space for each of these houses appears to face east, towards the public highway at Princess Road. Details of the houses have not been submitted because the design is a reserved matter for approval at a later date. If planning permission were granted care should be taken at the detailed design stage to ensure that the principal elevation is clearly towards Princess Road and respects the existing character of the street scene and the conservation area.

4.20 Of the various building types in Princess Road/Moor Lane it is the 2.5-storey houses (mentioned above) that particularly contribute to the distinctive suburban character of the conservation area. There is broad concern that the scale of the proposed 3-storey terrace (plots 8-10) at the front of the site would be out of keeping with the nineteenth century houses at 19-25 Princess Road. The proposed 3-storey terrace would be no higher than 6.5m to the eaves and 9.2m to the ridge. These heights would match the heights of the 2.5-storey houses at 19-25 Princess Road (made possible by the fact that current floor to ceiling heights are generally less than for older houses). This could be made a condition of approval. The new terrace would be over 70m from 19-25 Princess Road, would be set well back from the public highway and would be partially screened by trees. Furthermore, careful detailed design at the reserved matters stage could help to reduce the apparent height of the terrace and ensure that it is in keeping with the character of the conservation area. Officers therefore consider that the proposed height of the terrace is acceptable.

IMPACT ON TREES

4.21 A number of trees subject to TPO have been removed, with consent, in previous years due to their very poor condition. It is important that the remaining better quality trees are retained in a sustainable location. The current scheme reduces the number of houses from 14 to 10, which allows greater compatibility between the houses and some of the trees, but there are still unresolved concerns.

4.22 The mature Birch in the centre of the site presently warrants its TPO by way of its public amenity value. It has a limited life expectancy, but at the current time there are no reasons why it should be felled other than to facilitate development of the site. The removal of the Birch would be acceptable if the development provided sufficient space for a similar mature replacement tree to be accommodated in a location where it would benefit the amenity of either Princess Road or the internal street, without causing conflict with development's occupiers.

4.23 Unit 1 would result in the removal of a Spruce tree, which is visible from Princess Road. Its removal may have been acceptable if there were scope to replant something similar within the site, but this does not appear to be the case.

4.24 The reduction in the number of dwellings (from the withdrawn scheme) is much improved at the south west end of the site. There is no longer any hard standing within the root protection area of the existing trees, in particular a large Oak. Unit 6 is compatible with the retention of the trees, and includes a usable garden area directly to the rear of the house.

4.25 Unit 7 would result in the removal of a young mature Oak T11, which still has some significant growing to do. The loss is acceptable because it would allow the larger adjacent tree (T11) to develop its natural shape unhindered. The latest proposals have re-orientated Unit 7 to reduce the impact on T11. The impact is now acceptable.

4.26 Under the latest revision the 3-storey terrace would be no closer to the trees than the previous care home proposal. Officers consider this to be the minimum separation distance to adequately protect the trees.

4.27 In summary, this is a much improved scheme. The impact on the protected trees is acceptable subject to adequate protection of retained trees suitable replacement of those trees to be lost.

NEIGHBOUR AMENITY

4.28 The site abuts residential dwellings to the north and west. Those to the north are bungalows. The houses at plots 2, 3 and 4 would be 8-9m from the site boundary and approximately 25m from the bungalows at nos.1 and 3 Orchard Way. These separation distances are sufficient to avoid significant overlooking, particularly as there is partial screening along the boundary. The separation distance, together with a condition limiting the building height, would prevent overbearing. Additional screening could be provided as part of the development's landscaping scheme. The gable end of the house at plot 1 would be 5m from the boundary with the adjacent house (Greystones). Overlooking would be avoided by a condition prevent the inclusion of first-floor windows in the elevation facing the boundary.

4.29 The dwellings to the west of the site (Glebe Close) are mainly 2-storey houses. The proposed house at plot 5 would be 7m from the boundary with no.8 Glebe Close but the angle would be oblique and would not cause significant overlooking or overbearing. Impacts would be further mitigated by existing screening along the boundary. No other residential dwellings would be significantly affected, including the bungalows on the east side of Princess Road.

SUSTAINABILITY

4.30 The site is in a sustainable location within the settlement limits of Strensall and within walking distance (approximately 350m) of the centre of the village. If planning permission were to be granted a condition should be attached requiring the development to achieve Code for Sustainable Homes Level 3 and to provide 10% of its energy demand from sustainable sources. These requirements are in accordance with the council's adopted Interim Planning Statement on Sustainable Design and Construction.

ACCESS AND HIGHWAY SAFETY

4.31 The internal road would be a shared surface, 6.5m wide. The developers are intending that this road be formally adopted by the highway authority. Two off-street car parking spaces are shown for each property which accords with council standards. There is no policy requirement for these spaces to be garages.

4.32 There is currently no public footway on the northern side of Princess Road in the vicinity of the site. Some form of facility for pedestrians is likely to be required to assist crossing Princess Road in the area of the access road. This could be agreed at the time of the reserved matters application. Adequate access could be provided for refuse vehicles.

4.33 The development is likely to generate approximately 6 car movements during the a.m. and p.m. peak hours. These movements are capable of being handled by the existing highway network. The increase in vehicle movements is unlikely to have a material impact on highway safety – including the use of the railway crossing.

4.34 The council's highways officers have no objection to the principle of the site being redeveloped for housing, nor to the location of the access. If planning permission were to be granted details of the access, pedestrian footways, turning space, parking layout and cycle storage should be made conditions of approval. Network Rail has no objection to application or the location of the access.

ECOLOGY AND BIO-DIVERSITY

4.35 The overgrown site provides good habitat, particularly for nesting birds. If planning permission were to be granted any clearance of vegetation as a consequence of the development should be carried out outside of the bird nesting season (1st March to 31st August inclusive). This should be made a condition of approval.

4.36 There are excellent foraging and roosting opportunities for bats in the Strensall area and some within the site itself, particularly to the front (east) of the site. If planning permission were to be granted provision should be made within the

buildings to accommodate bats and to further increase the wildlife value of the area. This should be made a condition of approval. Suitable measures could include the use of bat bricks, tiles or bat boxes which could be easily incorporated into the designs of the new building.

ARCHAEOLOGY

4.37 The site is on the periphery of a medieval village, close to the manor house and the church. The area has not been the subject of any significant recent archaeological investigations. Historic environment records indicate that there is potentially a widespread and well-developed late prehistoric and Romano-British landscape in this area. It is probable that features relating to this landscape would be preserved within the application site. If planning permission were to be granted a detailed archaeological watching brief should be carried out on all groundworks associated with the development. This should be made a condition of approval.

DRAINAGE

4.38 The site is in flood zone 1 and should not suffer from river flooding. The application includes a drainage statement which states that surface water discharge would be restricted 70% of the existing discharge. This accords with PPS25 and the council's standards (in agreement with the Environment Agency and Foss IDB). As this is an outline application the applicant is not expected, at this stage, to design the drainage works for the development. Nevertheless, the applicant is required to demonstrate that the required drainage works are capable of being provided. The applicant has demonstrated this to the satisfaction of the Council. If planning permission were to be granted a condition should be attached requiring drainage details to be submitted for approval.

4.39 Residents are concerned that existing sewerage problems in the area would increase if the application were allowed. Sewerage problems are generally caused by the inadequacy of combined sewers to cope with heavy rainfall. As a consequence the rainfall in the sewers overflows, bringing with it the foul water. This tendency would be reduced by the council's requirement that the surface water run-off be attenuated to 70% of existing.

AFFORDABLE HOUSING

4.40 For the purposes of assessing the need for affordable housing the council treats Strensall as being within the urban area of York. Within the urban area developments of 15 dwellings or more are expected to provide a proportion of affordable housing. In the case of Bonneycroft, the Council does not consider that the site can accommodate 15 dwellings or more, therefore there is no requirement for redevelopment of the site to include affordable housing. Nor is there a

requirement for the developer to make a financial contribution towards affordable housing off-site.

PUBLIC OPEN SPACE

4.41 The development would require a financial contribution for the provision of public open space in accordance with policy L1 of the local plan. The size of the contribution for the ten dwellings would depend on the number of bedrooms. It would be secured by a section 106 agreement. As a guide the contribution for a development of seven 3-bedroom houses and three 4-bedroom houses would be £22,536. The applicant has agreed to make a financial contribution and is in the process of preparing a unilateral agreement. Members will be updated at the meeting.

EDUCATION

4.42 The development would also require a financial contribution towards the provision of education in accordance with policy ED4 of the local plan. In this case the amount of the contribution would be £35,117, which would be secured by a section 106 agreement. The applicant has agreed to make the contribution and is in the process of preparing a unilateral agreement. Members will be updated at the meeting.

5.0 CONCLUSION

5.1 This amended application would it is considered be in keeping with the character of the area and would not have a significant impact on adjacent residents, protected trees or the conservation area. The developer would be required to contribute £35,117 towards education and approximately £22,000 (depending on the number of bedrooms) towards provision of open space. The application provides additional housing and accords with relevant national and local plan policies.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The 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 from the date of approval of the last of the reserved matters to be approved.

Reason: To ensure compliance with Section 92 and 93 of the Town and Country Planning Act 1990 as amended.

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 such details:

Details to be submitted: appearance, landscaping and scale of the proposed development to be carried out, including a schedule of all external materials to be used.

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) (Amendment) (England) Order 2006.

3 Any reserved matters application for landscaping shall include the species, density (spacing), stock size, and position of trees, shrubs and other plants; and seeding mix, sowing rate and mowing regimes where applicable. The scheme shall include replacement tree planting such that for each tree proposed for removal a new one shall be planted on site.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is integral to the amenity of the development.

4 Any reserved matters application for landscaping shall ensure that the following specification can be achieved. A fence in accordance with BS 5837 shall be erected around all trees shown to be retained so as to create exclusion zones. The exclusion zone shall be adhered to at all times during site clearance, site preparation, installation of utilities, and all development operations. None of the following activities shall take place within the exclusion zone: excavation, raising of levels, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles, mechanical cultivation. Within the exclusion zones there shall be no site huts, no marketing offices, no mixing of cement, no disposing of washings, no stored fuel, no new trenches or pipe runs for services or drains et al. The fencing shall remain secured in position throughout the development process including the implementation of landscape works. In support of this, any reserved matters application shall include a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings. This statement shall include details and a plan of protective fencing, phasing of works, type of construction machinery/vehicles to be used, arrangements for loading/off-loading, parking arrangements for site vehicles and storage of materials, location of site compound/offices and marketing cabin where applicable.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

5 The development hereby permitted shall be carried out in accordance with the approved site layout drawing 1011-02C received on 24 August 2011

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

6 The 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, in consultation with the internal drainage board, and carried out in accordance with these approved details. In accordance with PPS25 and in agreement with the Environment Agency / City of York Council, peak run-off from Brownfield developments shall be attenuated to 70% of the existing rate (based on 140 l/s/ha of proven connected impermeable areas). Storage volume calculations, using computer modelling, shall 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 shall also include an additional 20% 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.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site to comply with guidance contained within Planning Policy Statement 25 (Development and Flood Risk)

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

Reason : In the interest of satisfactory and sustainable drainage.

8 Prior to the commencement of the development, the developer shall submit for the written approval of the Local Planning Authority an initial Code for Sustainable Homes (CSH) Design Stage assessment for the development. Unless otherwise agreed in writing with the Local Planning Authority, this shall indicate that at least the minimum code level 3-star rating will be achieved. This shall be followed by the submission of a CSH Post Construction Stage assessment, and a CSH Final Certificate (issued at post construction stage). These documents shall be submitted to the Local Planning Authority after completion and before first occupation of the building. Both documents submitted shall confirm that the code rating agreed in the initial CSH Design Stage assessment has been achieved.

Reason: In the interests of sustainable development.

9 No building work shall take place until details have been submitted and approved in writing by the Local Planning Authority to demonstrate how the

development will provide 10% of its predicted energy requirements from on-site renewable sources. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the local planning authority. The approved scheme shall be implemented before first occupation of the development. The site shall thereafter be maintained to the required level of generation.

Reason: To ensure that the proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

10 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the local planning authority. The open space shall thereafter be provided in accordance with the approved scheme or the alternative arrangements agreed in writing by the local planning authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1 of the City of York Draft Local Plan.

INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space in accordance with the council's advice note Commuted Sums for Open Space in New Developments - A Guide for Developers. The obligation should provide for a financial contribution, the size of which would depend on the number of bedrooms of the dwelling approved under the reserved matters. As a guide, the financial contribution for a development comprising seven 3-bedroom houses and three 4-bedroom houses would be £22,536. No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed. You are reminded of the local planning authority's enforcement powers in this regard.

11 No development shall commence unless and until a scheme to ensure the provision of adequate additional secondary school places within the local catchment area has been submitted to and approved by the local planning authority.

Reason: The education provision within the catchment area of the development has insufficient capacity to take more pupils, such that additional places are required in the interests of the sustainable development of the city in accordance with Policy C6 of the City of York Draft Local Plan and the Council's Supplementary Planning

Guidance "Developer Contributions to Education Facilities" dated January 2005.

INFORMATIVE:

The provisions of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, The obligation should provide for a financial contribution calculated at £35,117. The basis for this calculation is contained within the Council's Supplementary Planning Guidance "Developer Contributions to Education Facilities" dated January 2005. No development can take place on this site until the condition has been discharged and you are reminded of the Local Planning Authority's enforcement powers in this regard.

12 The development hereby permitted shall not commence until full details of the proposed vehicular access, adoptable road layout, parking arrangements, manoeuvring and turning space and cycle storage facilities have been submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority. These facilities shall be constructed in accordance with the specification so approved prior to the development being first brought into use and thereafter shall be maintained clear of any obstruction which would preclude their intended use.

Reason: To ensure appropriate on-site vehicle parking facilities, access and manoeuvring areas are provided in the interest of highway safety and general amenity of the development

13 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development may affect important archaeological deposits which must be recorded during the construction programme.

14 Notwithstanding the information contained on the approved plans, the heights above ordnance datum of the approved development shall not exceed the following:

Plots 1-7: 5.4m to the eaves and 8m to the ridge
Plots 8-10: 6.5m to the eaves and 9.2m to the ridge
Garages: 3m to the eaves and 5.8m to the ridge

Before any works commence on the site, a means of identifying ordnance datum on the site shall be agreed in writing, and any works required on site to identify that level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no door, window or other opening shall at any time be inserted in the northern elevation of the property at Unit 1 hereby approved.

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

16 No building work shall take place until details of boundary treatment have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the submitted details.

Reason: To eliminate doubt as to the extent of the site and in the interests of public safety and visual amenity.

17 NOISE7 Restricted hours of construction -

18 No development shall take place until details (including location, dimensions and materials) of refuse/recycling enclosure(s) for the proposed development on the site have been submitted to and approved in writing by the local planning authority. The enclosure(s) shall be provided in accordance with the approved details before the development is occupied, retained and used for no other purpose except with the written consent of the local planning authority.

Reason: In the interests of sustainability and visual amenity.

19 No clearance of vegetation shall be carried out on site between the 1st of March and 31st of August inclusive in any year.

Reason: To protect nesting birds.

20 No development shall take place until details have been submitted to and approved by the Council as to how habitats and species known to use the site are to be taken into account within the proposed new building and associated landscaping, and should include measures to offset the loss of habitat. The work shall be completed in accordance with the approved details.

Reason - To take account of and enhance the habitat for declining species (for example bats and birds such as swifts, swallows etc.).

21 A scheme of sound insulation must be submitted and approved in writing by the local planning authority before construction commences. This should show that external noise can be controlled to the following:

- less than 35dB(A) 16 hour Leq in living rooms during the day time (07:00-23:00).
- less than 30dB(A) 8 hour leq in bedrooms during the night time (23:00 to 07:00)

Reason; To protect the amenity of the occupiers of the proposed dwellings.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

It is considered that the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- The Principle of Development for Housing
- Impact on Protected Trees
- Access and Highway Safety
- Density of Development
- Design and Street Scene
- Neighbour Amenity
- Flood Risk and Drainage
- Bio-Diversity
- Sustainability
- Public Open Space

As such the proposal complies with policies GP1, GP4a, GP15a, H4a, H5a, NE1 and L1c of the City of York Local Plan Deposit Draft.

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