

COMMITTEE REPORT

Date: 5 July 2012 **Ward:** Strensall
Team: Major and **Parish:** Strensall With Towthorpe
 Commercial Team Parish Council

Reference: 12/01013/OUT
Application at: Bonneycroft 22 Princess Road Strensall York YO32 5UD
For: Residential development of 9 detached dwellings (amended scheme)
By: Bonneycroft LLP
Application Type: Outline Application
Target Date: 22 June 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks outline consent for the erection of nine houses with all matters reserved except access and layout. Density would be approximately 18 dwellings per hectare. All of the houses would be detached and have a maximum height of 5.4m to the eaves and 8m to the ridge. Five of the houses would have rear projections subservient in height to the main part of the house. All of the houses would have a garage and off-street parking. All of the dwellings would be for sale on the open market. Access would be via the existing access from Princess Road. A turning head would be provided for emergency and service vehicles. A dilapidated bungalow on the site would be demolished.

1.2 The application is a resubmission of 11/01831/OUTM for 10 houses following the committee's refusal in September 2011 and dismissal of the subsequent appeal.

PLANNING HISTORY

1.3 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 have adversely affected the amenity of adjacent residents and the character and appearance of the area. The subsequent appeal was dismissed. In March 2011 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 The application was withdrawn prior to determination.

1.4 The subsequent application for 10 houses (11/01831/OUTM) included a terrace of three 2.5-storey houses along the frontage of the site. The application was refused by the planning committee because the terrace would have: (1) resulted in an incongruous form of development out of scale and character with the

street scene and harmful to the setting of the adjacent conservation area; (2) resulted in the removal of a number of protected trees that contribute to the visual amenity of the area and the setting of the adjacent conservation area; and (3) provided inadequate private amenity space for the occupiers of the three terraced houses.

1.5 The appeal inspector did not support the first two reasons for refusal but agreed that the scheme would lack appropriate private amenity space for the occupiers of the terraced houses.

1.6 The current application addresses the reason for the appeal being dismissed by replacing the three terraced houses with two detached houses. This change provides a less-cramped layout and allows for larger, more appropriate, amenity space. The only other material changes are that (a) Unit 5 now has a rear projection and a side projection (b) Unit 6 now has a rear projection (c) Unit 7 now has a side projection (d) the turning head has been shortened and (e) the parking bays for Unit 7 have been relocated.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Strensall Village CONF

City Boundary GMS Constraints: York City Boundary 0001

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

2.2 Policies

CYGP1
Design

CYGP4A
Sustainability

CYGP10
Subdivision of gardens and infill devt

CGP15A
Development and Flood Risk

CYH4A
Housing Windfalls

CYH5A
Residential Density

CYNE1
Trees, woodlands, hedgerows

CYL1C
Provision of New Open Space in Development

CYED4
Developer contributions towards Educational facilities

CYT4
Cycle parking standards

CYNE6
Species protected by law

CYNE7
Habitat protection and creation

3.0 CONSULTATIONS

INTERNAL

3.1 Design, Conservation and Sustainable Development (Conservation) - The siting and orientation of units 1 and 9 generally respect the pattern of existing built form within the context of the site and are unlikely to detract from the character and appearance of the conservation area in Princess Road. The proposed site layout at the eastern boundary of the site is generally in keeping with the distinct suburban character of the Princess Road/Moor Lane character area.

3.2 Design, Conservation and Sustainable Development (Landscape) - No objection to the revised proposals subject to conditions requiring details of tree replacement, tree protection and landscaping proposals.

3.3 Flood Risk management - No objections. Add standard condition requiring submission of drainage details.

3.4 Adults, Children and Education - Based on current school numbers and current costs a development of nine houses, all of two or more bedrooms, would require a financial contribution of £35,953 towards primary education. The money would be used to cover the cost of three places at a local primary school. The local secondary school (Huntington) currently has enough places to accommodate the pupils expected as a result of the development.

3.5 Environmental Protection Unit - No objections. Sound insulation should be provided to protect occupiers against road and rail noise. This should be made a condition of approval.

EXTERNAL

3.6 Strensall with Towthorpe Parish Council - No objection. The grass verge along the highway boundary should be retained as it is important to the street scene.

3.7 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.

3.8 Foss Internal Drainage Board - Any approval should have a condition requiring drainage details including 30% attenuation to be submitted for approval.

3.9 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.

3.10 English Heritage - Do not wish to offer comments.

3.11 Public Consultation - The consultation period expired on 7 June 2012. Two objections have been received from local residents raising the following planning issues:

- Unit 5 is too close to No.7 Glebe Close resulting in a loss of privacy.
- Unit 1 is too close to the adjacent house 'Greystones' and would cause a loss of amenity, including overlooking.

3.12 One letter of support in principle has been received from a local resident. It is subject to safeguards regarding height, design, materials and tree protection.

3.13 One letter (neither of support nor objection) has been received from a local resident: The amended application is much improved. The garage between units 4 and 5 is close to the boundary with No.3 Orchard Way and would affect protected trees. The ridge height of the houses should be no more than 7.5m. Permitted development rights should be removed in order to protect the surrounding bungalows and the adjacent conservation area.

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 The National Planning Policy Framework (NPPF) states that there is a presumption in favour of sustainable development which, for decision-taking, means approving without delay development proposals that accord with the development plan (paragraph 14). Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless: (1) any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or (2) specific policies in the Framework indicate development should be restricted.

4.3 Plan-making and decision taking should be underpinned by the following 12 planning principles: (1) Be plan-led, empowering local people to shape their surroundings (2) Be creative in finding ways to improve the places where people live (3) Drive and support sustainable economic development (4) Seek to secure high quality design and a good standard of amenity (5) Take account of the different roles and character of different areas (6) Support the transition to a low carbon future (7) Contribute to conserving and enhancing the natural environment (8) Encourage the re-use of land (9) Promote mixed developments (10) Conserve heritage assets (11) Actively manage sustainable patterns of growth and (12) Support local strategies to improve health, social and cultural well being for all and deliver community and cultural facilities to meet local needs (paragraph 17).

4.4 Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development (paragraph 186). Local planning authorities should look for solutions rather than problems and seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area (paragraph 187).

4.5 The City of York Development Control Local Plan was approved for development control purposes in April 2005. Its policies are material considerations although it is considered that their weight is limited except where in accordance with the NPPF. The following local plan policies are still applicable:

4.6 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.

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

4.8 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.

4.9 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.

4.10 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.

4.11 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.

4.12 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.

4.13 NE6 - Where a proposal may have a significant effect on protected species or habitats applicants will be expected to undertake an appropriate assessment demonstrating their proposed mitigation measures. Planning permission will only be granted that would not cause demonstrable harm to protected species.

4.14 NE7 - Development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement them. New developments should include measures to encourage new habitats.

4.15 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.

4.16 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.

4.17 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.

4.18 KEY ISSUES

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

APPRAISAL

4.19 In most respects the Committee found the previous (refused) scheme for 10 houses to be acceptable, subject to conditions. Issues found to be acceptable include the principle of development for housing, access, highway safety, density of development, neighbour amenity, flood risk, drainage, bio-diversity, sustainability, archaeology, provision of public open space, provision of education and secure design. None of these issues were of concern to the appeal inspector. The Committee's main concerns were the impact of the three 2.5-storey terraced houses on protected trees, the street scene and the conservation area.

Whilst the appeal inspector did not support these concerns the replacement of the terrace with a pair of 2-storey detached houses addresses the Committee's reasons for refusal. The houses would be lower than the terrace and appear less dominant in the street scene and the conservation area. Each house would have a private, south-facing rear garden.

4.20 Since submission the houses nearest to the highway frontage have been moved further from the mature Oak trees located along the site frontage. The intervening distance would now be 12m, which now avoids the root protection area and is sufficient to protect the trees from pressure by future occupiers to remove them.

RESPONSE TO REPRESENTATIONS FROM RESIDENTS

4.21 The main part of the house at Unit 5 is unchanged from the previous application. The inspector did not include it in his reasons for dismissing the appeal. In the current application a side projection and rear projection have been added. The submitted layout plan appears to show them as being subservient to the main house. The rear projection would be approximately 6m from the boundary with No.7 Glebe Close but the angle would be oblique. Officers are recommending that a condition be attached preventing windows being inserted in the boundary elevation. The impact on the occupiers of No.7 Glebe Close of the height and design of the rear projection would be carefully considered if the application is approved and reserved matters are submitted. Replacement tree planting or other landscaping would further mitigate any impact.

4.22 The house at Unit 1 is unchanged from the previous application. The inspector did not include it in his reasons for dismissing the appeal. The end elevation of the house would be approximately 6m from the side boundary with the existing house 'Greystones', which abuts Princess Road. Any impact of Unit 1 on the occupiers of Greystones would be mitigated by Greystones' side garage and trees along the boundary. Officers are recommending that a condition be attached preventing windows being inserted in the boundary.

4.23 The houses would be no higher than 5.4m to the eaves and 8m to the ridge. These dimensions are unchanged from the 2-storey houses proposed in the previous application and would be made a condition of approval. The height is not uncommon for 2-storey houses and is acceptable in this location. Design and materials would be submitted as reserved matters. Officers are recommending that a condition be attached to the current application to protect the retained trees. The applicant would be required to replace any trees that have to be felled and to supplement them with additional specimens.

4.24 The garage between units 4 and 5 is unchanged from the previous application. The inspector did not include it in his reasons for dismissing the appeal. The Council's landscape architect is satisfied that it would not materially affect nearby trees.

4.25 Whilst the proposed development has officer support, any further development of the site could affect protected trees, the character of the conservation area or the amenities of adjacent occupiers. Officers therefore recommend that, if planning permission is granted, householder permitted development rights be removed.

5.0 CONCLUSION

5.1 The revised proposal would be in keeping with the character of the area and would not have a significant impact on the street scene, protected trees, the conservation area and adjacent residents. The scheme overcomes the planning committee's concerns about the previous scheme and the inspector's reason for dismissing the subsequent appeal. The application accords with the national Planning Policy Framework and relevant policies of the local plan. The application is therefore acceptable subject to conditions and a s.106 undertaking to cover financial contributions towards open space and education. The applicant has agreed to such an undertaking, which is currently being drafted. Members will be updated at the meeting.

6.0 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 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 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: 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 (Development Management Procedure) (England) Order 2010 as amended.

3 The development hereby permitted shall be carried out in accordance with the approved site layout drawing 1011-03B received 22 June 2012.

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 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. Peak run-off 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.

The details shall include a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The details shall also include proposals for the future management/maintenance of the drainage scheme.

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

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

Reason: In the interest of satisfactory and sustainable drainage.

6 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 nine 3-bedroom houses would be £18,036. 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.

7 No development shall commence unless and until a scheme to ensure the provision of adequate additional 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 currently calculated at £35,953. 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.

8 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

9 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.

10 Any reserved matters application shall include a survey, schedule and plan of all trees on the site in accordance with the recommendations of the current BS 5837. A qualified arboriculturist or other suitably qualified professional shall carry out the survey of all trees with a stem diameter greater than 75mm at 1.5m above ground level. It shall identify those trees to be retained and those to be felled. Where it is proposed to remove a tree, the reason shall be given. The corresponding plan shall show the accurate location of the trunk (with reference number); the canopy spread of each tree in a north, east, south and west direction; the recommended root protection areas; and an arboricultural implications assessment.

The plans shall also include details of the following where they occur near existing trees: existing and proposed levels; existing and proposed surfacing; locations of existing and proposed underground and overhead utilities, including lighting.

The reserved matters application shall ensure that the recommended root protection areas (RPA) of the trees shown to be retained can be adhered to/respected in consideration of the design and construction operations as follows. Protective fencing to current BS5837 shall be erected around all existing trees shown to be retained (and neighbouring trees where they may also be affected) to include the recommended RPA. The fencing shall be adhered to at all times during development to create exclusion zones. No development or change in level shall take place within the RPA of the trees to be retained. None of the following activities shall take place within the protective fencing: excavation, raising of levels, storage of any materials or top soil, parking or manoeuvring of vehicles, mechanical cultivation. There shall be no site huts, no sales cabin, no mixing of cement, no disposing of washings, no stored fuel, no new service runs. The fencing shall remain secured in position throughout the construction process including the implementation of landscape works.

Reason: To ensure the retention and protection of existing trees that are the subject of a tree preservation order (TPO) and/or make a significant contribution to the amenity of the area and/or development and are desirable and/or suitable for retention before, during and after development and to allow an accurate assessment of the compatibility of the detailed development proposals with those trees.

11 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.

12 Notwithstanding the information contained on the approved plans, the heights above ordnance datum of all dwellings shall not exceed 5.4 metres to the eaves and 8 metres to the ridge. The heights above ordnance datum of all garages (unless integral to dwellings) shall not exceed 3 metres to the eaves and 5.8 metres 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 or the amenities of neighbouring occupiers.

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

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

14 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 western elevation of the western projection of the house at Unit 5 hereby approved.

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

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 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.

Reason: To protect the amenity of adjoining occupiers.

17 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 the character and appearance of the conservation area and visual amenity.

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).

21 Before construction commences a scheme of sound insulation shall be submitted and approved in writing by the Local Planning Authority. The scheme shall 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)

Prior to occupation the sound insulation shall be provided in accordance with the approved scheme.

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

22 Before construction commences a scheme of ventilation to the dwellings adjacent to the railway line and Princess Road shall be submitted to and approved in writing by the local planning authority. The scheme shall show how it performs acoustically and complies with condition 21 above. Prior to occupation the ventilation shall be provided in accordance with the approved scheme.

Reason: To protect the amenity of the occupants of the proposed dwellings.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

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

- Cycle Parking
- Density of Development
- Design and Street Scene
- Neighbour Amenity
- Flood Risk and Drainage
- Bio-Diversity
- Sustainability
- Public Open Space
- Education

As such the proposal complies with the National Planning Policy Framework and policies GP1, GP4a, GP10, GP15a, H4a, H5a, NE1, NE6, NE7, L1c, T4 and ED4 of the City of York Local Plan.

2. INFORMATIVE:

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. CONTAMINATION

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

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