

COMMITTEE REPORT

Date: 19 February 2015 **Ward:** Fulford
Team: Major and **Parish:** Fulford Parish Council
Commercial Team

Reference: 14/02167/GRG3
Application at: Fulford School Fulfordgate York YO10 4FY
For: Erection of two storey classroom block and single storey sports block including sports hall and changing rooms
By: City Of York Council
Application Type: General Regulations (Reg3)
Target Date: 5 December 2014
Recommendation: Approve

1.0 PROPOSAL

1.1 Fulford School comprises a generally low rise medium sized brick built secondary school set within a linear area of playing field to the east of Fulford village centre. Planning permission is sought for erection of a two storey brick built six classroom teaching block with a 4 badminton court size sports hall with changing rooms and ancillary facilities including car parking. The proposal has been amended subsequent to submission to allow for the layout of a potential access to the proposed Germany Beck residential development to the south with an associated re-arrangement of the internal access and circulation arrangements as and when that is developed. The development is 2188sq metres in area and therefore falls below the threshold of 0.5ha in Schedule 2 10(b) to the Environmental Impact Assessment Regulations 2011, and does not require screening.

2.0 POLICY CONTEXT

2.1 Draft Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

Schools GMS Constraints: St. Oswald's CE Primary 0228

Schools GMS Constraints: Fulford 0246

2.2: Draft Local Plan Policies (2005 4th Set of Changes):

CGP15A- Development and Flood Risk

CYGP1 - Design

3.0 CONSULTATIONS

INTERNAL

3.1 Planning and Environmental Management raise no objection to the proposal subject to any permission being conditioned to secure a programme of archaeological investigation.

3.2 Strategic Flood Risk Management raise no objection in principle to the proposal but express concern in respect of the level of information submitted relating to surface water drainage.

3.3 Highway Network Management state: - "Reference has been made to the adjacent Germany Beck consent and the requirement on that application to provide an access road to the Fulford school grounds. Whilst that is an obligation on the part of the Germany Beck consent, it must be remembered that each planning application stands on its own merits. In reality the implementation of the Germany Beck consent and the consent being sought here will be on differing timescales. The Germany Beck consent is likely to take a number of years to build out, including reaching a suitable point where the developer will construct the access road.

The school's application is a stand alone application, the internal design of which facilitates the provision of an access through the school site and connection into the future access road being provided by the Germany Beck development, once it has been constructed.

The application is for the erection of a new classroom block and sports facilities. We are therefore assessing the impact on the highway network arising from these uses.

The number of pupils at the school will increase by 200 as a result of the application. This increase will not be seen from day one as the number of pupils will increase gradually with each year intake.

Based upon modal split data this increase in pupil numbers will represent an increase of 26 and 22 vehicles in the AM and PM peaks respectively.

Community use of the sports facilities is being proposed, however this will be outside of school times. Traffic generation associated with these uses will therefore not have a material impact on the surrounding highway network as it occurs outside of the periods when the network is at it's most sensitive.

In order to provide some reassurance to local residents, highway officers have sought assurance from the education department that £5k will be held by the

Highway Authority to be used towards the promotion and implementation of Traffic Regulation Order(s) as may be deemed necessary to address any parking issues which present themselves in the locality of the site for a period of 5 years following completion of the development. The implementation of traffic orders, as may be required, is covered by separate legislation which includes consultation with local residents and Members.

The application has been supported by a Travel Plan which identifies measures which will be used to promote sustainable travel and reduce dependence on the private car. The Travel Plan will be secured through a suitably worded condition.”

3.4 Lifelong Learning and Culture; any comments received will be reported

3.5 Environmental Protection Unit raises no objection in principle to the proposal but express concern in respect of lighting for the proposed parking areas and potential noise arising from the usage of air source heat pumps.

EXTERNAL

3.6 Sport England initially objected to the proposal on the grounds of loss of existing playing field to car parking to accommodate the proposed access from the Germany Beck development. That objection has subsequently been withdrawn with the removal of a prefabricated classroom and the improvement of existing playing field by better surface water drainage as part of the wider scheme that could be secured by condition on any permission.

3.7 Yorkshire Water Services Limited raises no objection to the proposal, subject to the imposition of conditions.

3.8 The Environment Agency raises no objection to the proposal.

3.9 The Ouse and Derwent Internal Drainage Board raise no objection to the proposal.

3.10 The North Yorkshire Police Force Architectural Liaison Officer raises no objection to the proposal.

3.11 Councillor Aspden objects to the proposal on the grounds that it would give rise to a clear adverse impact upon the residential amenity of neighbouring properties through noise pollution light pollution, loss of privacy and over-looking, it would lead to a significant increase in traffic flows and on-street parking in unsuitable local side roads and it is unclear how it relates to the proposed nearby Germany Beck residential development.

3.12 Councillor Barton supports the proposal as enhancing the capacity of the school to serve the needs of its catchment area.

3.13 Fulford Parish Council object to the proposal on the following grounds:-

- Concern that the proposal is intimately related to the adjacent residential development at Germany Beck and should be the subject of the same regime of Environmental Impact Assessment both in its own right and allowing for cumulative impacts associated with the approved residential development;
- Concern in respect of the adverse impact of the proposal upon the visual amenity of the wider street scene;
- Concern that the proposal would give rise to a serious adverse impact upon the residential amenity of neighbouring properties by virtue of noise and light pollution, loss of privacy and over-bearing impact;
- Concern that the proposal would lead to an unacceptable increase in vehicle movements and on-street parking on unsuitable residential side road;
- Concern that the proposal would set a precedent for further undesirable development within the school and the wider surrounding area;
- Concern that lighting of the southern edge of the site would lead to an unacceptable erosion of the pleasant rural ambience of the surrounding area;
- Concern that the proposal would give rise to a significant adverse impact upon important local trees and wildlife habitat.

3.14 109 Letters of representation have been received in respect of the proposal. 44 objecting and 65 supporting the proposal. The following is a summary of the letters of objection:-

- Concern in respect of the impact of the proposal upon the residential amenity of neighbouring properties by virtue of noise, light pollution, over-looking and over bearing impact;
- Concern in respect of light pollution upon the pleasant rural ambience of open countryside to the south;
- Concern in respect of the impact of the proposal upon on-street parking and traffic flows in adjacent residential side streets;
- Concern that the proposal would give rise to a precedent for further undesirable development within the school site;
- Concern at the need potential need to impose a residents' parking scheme to cover streets to the north of the site.

3.15 The following is a summary of the letters of support:-

- Support for the expansion of the capacity of the school within its wider catchment area;
- Support for the provision of a needed community facility.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the visual amenity of the wider street scene;
- Impact upon the residential amenity of neighbouring properties;
- Impact upon the safe and free flow of traffic within the local area;
- Impact upon the local pattern of surface water drainage;
- Impact upon the usability of playing field at the school and in the wider area;

STATUS OF THE YORK DEVELOPMENT CONTROL LOCAL PLAN:-

4.2 The York Development Control Local Plan was approved for Development Control purposes in April 2005; its policies remain material considerations in arriving at Development Management decisions although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework. Policies ED6 and ED8 of the (Emerging) City of York Local Plan (Publication Draft) are also relevant in the current context.

PLANNING POLICY CONTEXT

EDUCATIONAL PROVISION

4.3 Central Government Planning Policy as outlined in paragraph 72 of the National Planning Policy Framework urges Local Planning Authorities to give significant weight to the need to ensure that sufficient school places are available to meet the needs of existing and new communities whilst ensuring the development of a sufficient range of choice in Education. As such significant weight should be attached to the need to expand, create and alter schools

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

4.4 Central Government Planning Policy as outlined in paragraph 17 of the National Planning Policy Framework "Core Planning Principles" urges Local Planning Authorities to give significant weight to the need to secure a good standard of amenity for all new and existing occupants of land and buildings.

4.5 Central Government Planning Policy as outlined in paragraph 61 of the National Planning Policy Framework urges Local Planning Authorities to give significant weight to the need to address the need to secure connections between people and places and the integration of new development in to the natural, built and historic environment.

IMPACT UPON THE VISUAL AMENITY OF THE WIDER STREET SCENE

4.6 Policy ED1 of the York Development Control Local Plan sets out criteria that new and extended secondary education facilities need to comply with, including that it would meet a recognised need and the proposed development would be of a scale and design appropriate to the character and appearance of the locality. At the same time Central Government Planning Policy as outlined in paragraph 72 of the National Planning Policy Framework urges Local Planning Authorities to ensuring a widening of choice in education.

4.7 Concern has been expressed in respect of the impact of the proposed development upon the visual amenity of the wider street scene, specifically the scale, massing and palette of materials of the proposed sports hall. The proposed sports hall would be located at the south western edge of the school site directly to the south of the main school building complex. It is envisaged that it would be some 11 metres high and constructed in a mix of glass and curtain wall cladding. The remainder of the school complex is largely constructed in brick and of a medium scale. The height of the proposed hall is largely dictated by the requirement of the sporting usage. It would have a low pitch standing seam metal roof. Whilst it would be somewhat higher than the remainder of the school complex the proposed hall would lie in a discrete area to the south which would have the effect of minimising any visual impact over longer distance views. At the same time a significant belt of mature trees along the site boundary to the south would soften any impact in views from outside of the site. Providing the detail of the cladding colour is reserved for further approval as part of any permission to ensure that it is sympathetic to the remainder of the complex then the Hall is felt to be acceptable.

4.8 The proposed teaching extension at the northern edge of the site would be two storeys with a mix of glass and curtain wall cladding with a low pitch standing seam metal roof. The cladding panels and pattern of fenestration have been designed to punctuate the rhythm of the facade and to create a degree of interest. Its pattern of scale and massing closely matches that of the existing school complex to the south and it is felt that the proposal would be acceptable in terms of its impact upon the visual amenity of the wider street scene.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

4.9 Policy GP1 of the York Development Control Local Plan sets out a firm policy presumption in favour of new development which respect or enhance the local environment, are of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area and ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.10 Concern has been expressed in relation to the association of the proposed two storey teaching block with car parking area to residential property directly to the north. The proposed teaching block would be two stories in height and of a traditional form of construction. A staff parking area would lie directly to the north with a substantial mature landscape boundary separating the site from residential property to the north. The proposed parking area would be some 7.5 metres from the boundary of adjacent gardens at its closest point and some 29 metres from the rear of adjacent houses at the closest point. The teaching block itself would be some 20 metres from the site boundary at its closest point and some 44 metres from the rear of nearby houses. Such separation distances are substantially in excess of any that would generally give rise to an issue of loss of privacy or overlooking. Notwithstanding that, the School have agreed to reinforce the level of landscaping at the site boundary and control access to the new parking area outside of normal operating hours so that it may not be used by those attending evening classes. They have also indicated that they would be willing to consider obscure glazing the upper floor windows of the proposed teaching extension where they would face residential properties to the north. In view of the very great distances involved it is not however considered to be reasonable to condition such a requirement as part of any planning permission.

4.11 Concern has been expressed in respect of the impact of external lighting in association with the scheme on the residential amenity of neighbouring properties. No external or security lighting is specified as part of the application although as the two elements of the proposal incorporate areas of ancillary car parking and the proposed Sport Hall is envisaged will have a low level of local community use consistent with the School's community use policy, then a requirement for a low level of security lighting is likely. In view of the relationship of the application site to neighbouring residential property there is no specific evidence of likely harm and providing any permission is conditioned to secure the prior approval of a lighting scheme then the proposal is felt to be acceptable in terms of any impact upon the residential amenity of neighbouring properties.

IMPACT UPON THE SAFE AND FREE FLOW OF TRAFFIC WITHIN THE LOCAL AREA

4.12 Fulford School was originally constructed in the 1960s with a significantly smaller capacity and lower traffic levels than today. There has been evidence over several years of difficulties arising in terms of traffic flows into and out of the School at peak times. It was in that context that the potential provision of an access route to the south of the site was considered as part of the approved Germany Beck residential development and the present application has been amended to incorporate a potential route for an access from the south within the site. The submitted application has been accompanied by a robust Transport Statement which indicates an increased peak vehicle flow of 26 movements in the morning peak and 22 movements in the evening peak with an overall increase in capacity at

the School of 200 pupils over a period of five years. The impact of the increase in capacity over five years would be gradual and it is not felt that it would materially worsen the existing situation. The Transport Statement indicates that this level of increase can be accommodated within the existing site without material harm. The proposed Sports Hall would include a degree of community use but that would not take place in tandem with school use but would be out of hours and at weekends, any cumulative impact would therefore be negligible. The Highway Authority further confirms that the proposals can sit on their own and be considered on their own merits irrespective of the construction or otherwise of the road link with the Germany Beck residential development. It is felt that any impact arising from the proposal can be effectively secured by identifying monies to cover the costs of a residents' parking scheme should one be requested and the submission of an up-to date Travel Plan. The proposal is therefore felt to be acceptable.

IMPACT UPON THE LOCAL PATTERN OF SURFACE WATER DRAINAGE

4.13 Policy GP15a) of the York Development Control Local Plan requires that developers must satisfy the Local Planning Authority that any flood risk will be successfully managed with the minimum environmental effect whilst ensuring that the site can be developed , serviced and occupied safely. Central Government Planning Policy as set out in paragraph 103 of the National Planning Policy Framework urges Local Planning Authorities to give significant weight to the need to ensure that in giving permission for development flood risk is not thereby increased elsewhere.

4.14 The application site is in Flood Zone 1 and therefore deemed as being at a low risk of flooding. At the same time as part of the formal consent process for the construction of the Sport Hall from the Secretary of State for Education and Skills the School has agreed to significantly improve the drainage of its playing fields and adjoining land to ensure that the area can be used for the playing of sport on an all weather basis. Providing any permission is conditioned in order to ensure that the proposed drainage attenuation works are carried out according to a scheme that has been given prior approval then the scheme is felt to be acceptable.

IMPACT UPON THE USABILITY OF LOCAL PLAYING FIELDS

4.15 Sport England initially objected to the ancillary parking area to the proposed Sports Hall on the basis that it would result in the material loss of existing playing field land and associated margin. That objection has however now been withdrawn on the basis that the drainage of the wider playing field area and associated margins at the school would be improved through the introduction of an all embracing system of attenuation which would enable the playing fields to be used on an all weather basis which is not always possible currently. At the same time an existing prefabricated classroom unit would be removed which would facilitate the physical expansion of the playing field area.

IMPLICATION OF GERMANY BECK DEVELOPMENT AND PROPOSED ACCESS

4.16 The Highway Authority has clearly indicated that the proposal, when considered as a stand alone application, meets the relevant criteria in terms of traffic considerations and highway safety. Use of the link road to Germany Beck is not necessary to make the current proposal acceptable. Nevertheless, in light of the intention that the Germany Beck development would include a link to the school site, provision has been made within the layout of the current application to enable a link to the Germany Beck site as and when the new access road in that development has been created. The submitted application includes a reserved line for the proposed link road as and when it is provided and as an engineering development that portion within the School site with associated infrastructure would require a separate grant of planning permission during which process the issues surrounding the relationship with the Germany Beck residential development may be fully considered. The need to provide a route for the suggested access has been fully considered in respect of the current proposal and the current proposal would not prevent its construction or use when fully built out.

FINANCING OF THE PROPOSAL

4.17 Concern has been raised in respect of the prospective sources of finance for the current proposal. This is however not a material planning consideration in respect of the current planning application and is a separate matter for the Council in the exercise of its functions as Local Education Authority.

5.0 CONCLUSION

5.1 Although Fulford Parish Council considers that the proposal should have been screened under the 2011 Town and Country Planning (Environmental Impact Assessment) Regulations, as in their view the development falls within Schedule 2, as the development is less than 0.5 hectares, it falls below the minimum threshold and the development is not within a defined sensitive area, therefore screening under the 2011 Regulations is not required.

5.2 Both the teaching block and the sports hall elements of the proposal are modest in scale and would not give rise to any material harm to residential amenity. At the same time they reflect the existing pattern of scale and massing adopted at the School and would not give rise to any issue of harm to the visual amenity of the wider street scene. Concern has been expressed in respect of the prospect of increased harm from on-street parking and traffic generation in adjoining side roads. A detailed Transport Statement has however been submitted with the proposal which clearly demonstrates that there would not be a material increase in traffic and on-street parking over and above the existing situation, a view supported by the Highway Authority. A link road to the Germany Beck residential development to the

south has previously been discussed but does not form part of the present application although a potential route has been reserved. The application is considered to be acceptable.

5.3 In terms of any impact on the Germany Beck residential development, the school development proposal does not prevent a link road in the future, and meets highway standards on its own merits. It is therefore is considered to be acceptable. Overall any impacts on the school proposal arising from the residential development on Germany Beck, and vice versa have been examined and found to be within acceptable levels. The proposal is felt to be acceptable in planning terms and approval is therefore recommended.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Drawing Refs:- 140003/P102 Rev C; 140003/P107 Rev A; 140003/P108 Rev A; 14/0003/P106; 14/0003/P103 ; 140003/P104.

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

3 VISQ8 Samples of exterior materials to be app -

4 VISQ7 Sample panel ext materials to be approv -

5 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees ,shrubs and hard landscaping. 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 site, 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.

6 Trees shown as being retained on the approved plans shall be protected in accordance with BS: 5837 Trees in relation to construction.

Before the commencement of development, including demolition, building operations or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing; phasing of works; site access for demolition/construction and methodology; type of construction machinery/vehicles to be used (including delivery and collection Lorries and arrangements for loading/off-loading); parking arrangements for site vehicles; locations for storage of materials; locations of utilities. Details of existing and proposed levels and surfaces shall also be included.

The protective fencing line shall be adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil, lighting of fires, mechanical cultivation or deep-digging, parking or manoeuvring of vehicles; there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches, or pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process including the implementation of landscape works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

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.

7 Prior to the commencement of the development hereby authorised, full details of a scheme of surface water drainage including detailed design and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. Such details shall allow for flows to be attenuated to a maximum of 70% of the existing rate of discharge making due allowance for severe rainfall events and the impact of climate change and shall incorporate the outfall to the adjacent playing field land. The scheme shall be implemented in strict accordance with the approved details prior to the development being first brought into use."

Reason:- To ensure the application site and adjacent playing land can drain effectively and fully function as playing field.

8 The land covered by the prefabricated classroom unit to be removed shall be restored in strict accordance with the design standards outlined in Sport England Technical Guidance "Natural Turf for Sport" prior to being first brought into use.

Reason:- To ensure that the land is suitable for continuing playing field use.

9 Prior to the commencement of the development hereby authorised a light impact plan shall be submitted to the Local Planning Authority for approval. This

impact plan shall include the following information:

- a) A contour map showing illumination spill beyond the site boundary measured in lux in the horizontal plane, and location of nearest residential properties
- b) The main beam angle of each light source.
- c) The uniformity ratio in respect of the lighting.
- d) The level of illuminance measured in lux, in the vertical plane at the windows of the nearest residential properties facing the site.
- e) The height of the lighting stanchions.

All such approved lighting shall not be used on the site except in accordance with the prior written approval of the Local Planning Authority. The lighting and any approved mitigation measures shall be fully implemented and operational before the lights are in use and shall be appropriately maintained thereafter.

Reason: To protect amenity of nearby residential dwellings

10 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the LPA. Such a statement shall include at least the following information;

- The routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- Where contractors will park
- Where materials will be stored within the site
- Measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

11 Within 6 months of first occupation of the classroom block and Sports Hall hereby approved a full travel plan shall have been submitted and approved in writing

by the LPA. The travel plan should be developed and implemented in line with local, national guidelines and the draft travel plan submitted with application 14/02167/GRG3.

Within 12 months of occupation of the classroom block and Sport Hall hereby approved a first year travel survey shall have been submitted and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure the development complies with advice contained in local and national policy, and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with provision of parking on site for these users.

12 HWAY18 Cycle parking details to be agreed -

13 HWAY19 Car and cycle parking laid out -

14 HWAY40 Dilapidation survey -

15 LC4 Land contamination - unexpected contam -

16 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (a scheme of archaeological excavation and subsequent programme of analysis and publication involving community archaeology groups and school students wherever possible at all stages and archive deposition) agreed in writing with the Local Planning Authority. This programme of archaeological work shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies in an area where important archaeological deposits have been identified. The development will affect these important archaeological deposits and they must be recorded during the construction programme.

17 Prior to the commencement of the development hereby authorised the proposed cladding colour shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the visual amenity of the wider street scene and to secure compliance with Policies ED6 and ED8 of the (Emerging) City of York Local Plan(Publication Draft).

7.0 INFORMATIVES: Notes to Applicant

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

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

- i) Submission of details of the alignment of the possible access route to the Germany Beck development.
- ii) Agreement to the reinstatement of land to the east of the proposed Sports Hall as playing field.

2. CONTROL OF POLLUTION ACT 1974:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

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

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

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