

## COMMITTEE REPORT

**Date:** 10 November 2022      **Ward:** Dringhouses And Woodthorpe

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

**Reference:** 22/01278/FULM  
**Application at:** York College Sim Balk Lane York YO23 2BB  
**For:** Two storey side extension to the construction centre  
**By:** Mr Geoff Wroe  
**Application Type:** Major Full Application  
**Target Date:** 7 October 2022  
**Recommendation:** Approve

### PROPOSAL

1.1 The application site relates to The Construction Education Centre at York College located on Tadcaster Road. Planning permission is sought to extend the building at two storey height for the provision of creating workshops to practice practical manual trade skills at ground floor with academic studying and office space on the first-floor level. The extension will be situated within the defined settlement limit on an existing brownfield site, which has been allocated for educational purposes in the draft 2018 local plan.

1.2 The proposal has been advanced as a solution to replace the 2no. marquees used as additional workshops for the practice manual skills which have temporary planning approval until September 2023. The accompanying Design and Access Statement has explained a permanent solution is required to accommodate the large capacity of students enrolled in the construction faculty.

### Relevant Planning History

- Erection of two storey building to accommodate construction skills centre (class D1) following demolition of existing meeting centre (ref: 14/00899/FULM) approved 04.07.2014
- Siting of marquee for temporary period until July 2022 (retrospective) (ref: 21/00604/FUL) approved 06.05.2021
- Siting of additional marquee for temporary period until July 2022 (retrospective) (ref: 21/01231/FUL) approved 14.07.2021
- Retention of additional marquee (as approved 21/01231/FUL) for temporary period until September 2023 approved (ref: 22/00984/FUL)

## **2.0 POLICY CONTEXT**

### 2.1 The Publication Draft Local Plan (2018)

ED7 York College and Askham Bryan College

D1 Placemaking

CC1 Renewable and Low Carbon Energy

CC2 Sustainable Design and Construction of New Development

ENV3 Land Contamination

ENV5 Sustainable Drainage

T1 Sustainable Access

D2 Landscape and Setting

GI2 Biodiversity and Access to Nature

### 2.2 Development Control Local Plan 2005

GP1 Design

GP6 Contaminated Land

NE7 Habitat protection

## **3.0 CONSULTATIONS**

### EXTERNAL

#### Woodthorpe and Dringhouses Planning Panel

3.1 The Planning Panel support the development

#### Ainsty Internal Drainage Board (IDB)

3.2 The Board have no objections to the application.

### INTERNAL

#### Highways Network Management

3.3 Objections on the grounds that there is insufficient information provided to address the loss of 26no. parking spaces within the designated multi-storey car park. Officers have advised that further information is required explaining the impact the reduced parking numbers will have to any additional numbers of staff, students and visitors expected at the College because of the proposed development. Seeks planning conditions/obligations to secure a Travel Plan, car parking surveys in The Square and a TRO to secure parking restrictions dependent on the result of the surveys.

## Design, Conservation and Sustainable Development (Ecology)

3.4 The application is subject to further information supplied regarding potential ecological constraints requested by The Ecology Officer. Based on the information supplied Officers have no objection subject to conditions to support protected and notable habitats and species during building works or vegetation clearance

## Public Protection

3.5 Public Protection have no objections subject to relevant conditions to be submitted for approval and informatives for the attention of developers during construction.

## **4.0 REPRESENTATIONS**

4.1 The application was advertised by neighbour consultation letters and site notice. No comments have been received.

## **5.0 APPRAISAL**

### 5.1 Key Issues

- Design and Scale
- Sustainability
- Visual Appearance of the wider street scene
- Amenity/ Public Protection
- Highway Implications
- Ecology Issues

## Policy Context

### National Planning Policy Framework July 2021

5.2 Central Government guidance is contained in the National Planning Policy Framework ("NPPF"). The revised National Planning Policy Framework was published July 2021 (NPPF) and its planning policies are a material consideration in the determination of planning applications. The advice provided in Paragraph 11 establishes the presumption in favour of sustainable development, which runs through both plan-making and decision-taking. In decision-taking this means approving development proposals without delay that accord with an up-to-date development plan. In the absence of relevant development plan policies or where they are out-of-date, permission should be granted unless policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the proposed development, or any adverse impacts of doing so would significantly

or demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

### Development Plan

5.3 Section 38(6) of the Planning and Compensation Act 2004 requires determinations be made in accordance with the development plan unless material considerations indicate otherwise. The retained policies in the Yorkshire and Humber Regional Spatial Strategy ("RSS") illustrates the general extent of the Green Belt around York with an outer boundary about 6 miles from the City Centre. The site lies within the built-up area of the City and the land is not considered to serve any Green Belt purpose, it is therefore considered not to be within the general extent of the Green Belt.

### Publication Draft Local Plan 2018

5.4 The DLP was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. Phase 2 of the hearings concluded in May 2022. Phase 3 of the hearings took place in July 2022 and Phase 4 took place in September 2022. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

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

### Development Control Local Plan 2005

5.5 The Development Control Local Plan (DCLP) was approved for development control purposes in April 2005. Whilst it does not form part of the statutory development plan for the purposes of S38, its policies are capable of being material considerations in the determination of planning applications, where policies relevant to the application are in accordance with the NPPF. However, such policies can be afforded very limited weight. The site is included in the main built-up area of the city on the Proposals Map that accompanies the plan.

### Assessment of Development

5.6 Policy ED7 (York College and Askham Bryan College) of the emerging DLP supports development for future expansion of teaching, administration, research

operations and student accommodation the college. Sufficient land has been identified on the DLP proposals map to facilitate anticipated growth of York College and continued delivery of its facilities in one location.

### Scale and Design

5.7 The Construction Centre is located at the southern edge of the York College complex. The Centre is a part two and single storey building constructed in blue brick and white render with a central glazed atrium on the northern elevation (main entrance) and timber panelling surrounding the upper floor windows. The two-storey extension will be situated on the southern elevation of the centre. The building is triangular and will be set at approximately 9.72 metres in height to match the height of the host building. The ground floor will be laid out with a bricklaying workshop and a joinery workshop for students to practice manual skills. The first floor will be designated to academic study and will include additional office space. The external elevations to the southeast and west will feature glazing matching the heights of the existing facility. The elevation facing towards Sim Balk Lane will be a feature brickwork tower extending 2.35 metres above the parapet wall height which will allow access onto the roof for maintenance. The outside areas around the building will be made good with landscaping and paving.

### Sustainability

5.8 Paragraph 158 of the NPPF states that the planning system should support the transition to a low carbon future and, among other things, support renewable and low carbon energy. Policy CC2 'Sustainable Design and Construction of New Development' states that developments which demonstrate high standards of sustainable design and construction will be encouraged. Development proposals will be required to demonstrate energy and carbon dioxide savings in accordance with the energy hierarchy and water efficiency. The policy as modified requires that all new non-residential buildings with a total internal floor area of 1000m<sup>2</sup> or greater should achieve BREEAM 'Excellent' (or equivalent).

5.9 The accompanying Sustainability Statement explains the quality of materials have been selected because of their life cycle impact and low embodied energy to create a well-insulated building. The finishes and windows will be selected that are durable, safe and help noise control emitting from and into the new facility. The consumption of energy will be controlled by maximising solar gain as previously stated and through high levels of thermal design. This will be supported by the efficient use of artificial light both inside and outside. These light fittings will be carefully selected and controlled by presence detectors/solar cells and will utilise high efficiency LED bulbs to reduce energy consumption.

## Visual Appearance of the wider street scene

5.10 Chapter 12 of the NPPF gives advice on design, placing great importance to that design of the built environment. Paragraph 130 states that planning decisions should ensure that development will add to the overall quality of the area, be visually attractive, be sympathetic to local character and history, and have a high standard of amenity for existing and future users. Policy D1 of the Publication Draft City of York Local Plan indicates that development proposals will be supported where they demonstrate that the combined effect of new development does not dominate other buildings and spaces paying particular attention to adjacent buildings.

5.11 The extension will be situated to the southern elevation of the Construction Centre in proximity to the main vehicular entrance from Sim Balk Lane. The extension will be set back from the east elevation of the construction centre by approximately 20 metres and situated back from the tree lined boundary separating the College complex from Sim Balk Lane. The public views of the extension will be generally oblique because of the gradients of the land and mature landscaping to the site boundaries. In longer distance views approaching from Bishopthorpe along Sim Balk Lane, it is considered with the use of matching materials and scale its appearance will read as part of the construction centre. Therefore, the proposal will appear subservient to the site surrounds and would not detract from the adjacent open countryside of which contributes to the character and appearance of the local environment.

## Amenity/ Public Protection

5.12 Paragraph 130(f) of the NPPF seeks to achieve a good standard of amenity for all existing and future occupants. Policy GP1 of the 2005 Development Control Draft Local Plan and policies D1 and D11 of the 2018 Draft Local Plan seek to ensure that development proposals do not unduly affect the amenity of nearby residents in terms of noise disturbance, overlooking, overshadowing or from overbearing structures. The main College complex lies directly adjacent to residential housing located on Chessingham Gardens and The Grove. The Construction Centre is set substantially back from the housing estates and screened by the substantially higher buildings of the main College building.

5.13 Paragraph 185 of the NPPF states that planning polices, and decisions should aim to avoid giving rise to significant adverse impacts on health and quality of life. Policy ENV2 of the 2018 Draft Plan require that there should be no undue adverse impact from noise disturbance. The Council's Public Protection Unit have requested further information to be secured through several conditions for details for assessment to protect the amenity of nearby properties and the environmental qualities of the area.

## Highway Implications

5.14 The NPPF encourages development that is sustainably located and accessible. Paragraph 110(b) requires that all development achieves safe and suitable access for all users. It advises at paragraph 111 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Further, paragraph 112 requires development to, inter alia, give priority first to pedestrians and cycle movements and create places that are safe, secure, and attractive thereby minimising the scope for conflicts between pedestrians, cyclists, and vehicles. Policy T1 of the 2018 Draft Local Plan supports the approach of the NPPF in that it seeks the safe and appropriate access to the adjacent adopted highway, giving priority to pedestrians and cyclists.

5.15 The multi storey car park has a total of no.611 car spaces, inclusive of no.14 disabled spaces and no.84 motorcycle spaces. The proposed extension will result in the loss of no. 26. parking spaces. The College have provided some figures of a noticeable decline in car park users through calculations of parking permits. These figures are only estimated because most students have occasional permits because they do not attend the college five days a week. The estimated changes documented between Covid pandemic during the years 2019- 2020/21 indicated there was a total of 1633 permits provided, which breaks down to 666 permits for staff, and 967 permits for students. In the subsequent years of 2022 up to 2023 these numbers have reduced to 678 permits which breaks down as 327 staff permits, and 351 students permits. Further, the College have concluded that because of the positioning of the marquees for over 21 months there are surplus parking spaces daily. Also, the College have increased the daily number for college bus routes from 12 routes to 15 routes therefore moving students away from car travel to our subsidised buses.

5.16 The Council's Highway Network Management team has no objections to the scheme in principle, subject to several highway conditions. Concerns have been raised over the lack of information provided for expected additional number of staff, students, and visitors to the site because of the additional accommodation required to facilitate additional students. Officers have proposed a condition for an up to date Travel Plan, to include on street parking surveys to be completed around the College complex and have sought s106 obligations to secure support for the Travel Plan and to provide for parking restrictions in The Square (a residential development to the north of the site) dependent on the result of recommended parking surveys. Members will be updated on these matters at the meeting.

## Ecology Issues

5.17 Paragraph 174 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by, inter alia, minimising impacts on and

providing net gains for biodiversity. The NPPF advises that if significant harm to biodiversity from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Draft Local Plan policies reflect this advice in relation to trees, protected species, and habitats.

5.18 The Council's Ecologist is satisfied with the additional submitted ecology information subject to conditions to support protected and notable habitats and species.

## **6.0 CONCLUSION**

6.1 The proposal is for a two- storey extension to The Construction Education Centre at York College. Policy ED7 of the emerging DLP supports development for future expansion to the site and sufficient land has been identified on the DLP proposals map to facilitate anticipated growth of York College and continued delivery of its facilities in one location. The extension will provide additional workshops to practice practical manual trade skills and additional classrooms for academic studying and more office space. The proposal has been advanced as a permanent solution to the existing temporary marquee to accommodate students enrolled with the construction faculty. The extension is of an appropriate scale and design and would not harm the character of the area. Therefore, approval is recommended subject to detailed conditions on the grounds that the scheme is compliant with the National Planning Policy Framework (NPPF) and the Emerging Draft Local Plan 2018, with particular reference to policy ED7.

## **7.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

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

### Approved Plans

Location Plan dated 5th September 2022 (drawing number 8681-BOW-XX-XX-DR-A-0012 revision P1)

Proposed Site Plan dated 5th June 2022 (drawing number 8681-BOW-XX-OO-DR-A-0007 revision P1)

Proposed Level 01 Plan dated 18th February 2022 (drawing number 8681-BOW-XX-XX-DR-A-0012 revision P2)



Proposed Roof Plan dated 25th February 2022 (drawing number 8681-BOW-XX-XX-DR-A-0005 revision P3)

Proposed Block Plan dated 5th February 2022 (drawing number 8681-BOW-XX-XX-DR-A-0014 revision P1)

Existing and Proposed Sections dated 5th September 2022 (drawing number 8681-BOW-XX-ZZ-DR-A-0013 revision P2)

Proposed Elevations dated 25th February 2022 (drawing number 8681-BOW-XX-ZZ-DR-A-0004 revision P3)

Existing and Proposed 3D Views dated 25th February 2022 (drawing number 8681-BOW-XX-ZZ-DR-A-0006 revision P2)

Proposed Views dated 5th June 2022 (drawing number 8681-BOW-XX-ZZ-DR-A-0008 revision P2)

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

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices sample materials should be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

4 Prior to the commencement of the development hereby authorised full details of a scheme of mitigation for surface water discharges from the building hereby authorised shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include areas of compensation for loss of existing landscaped areas and permeable surfaces and shall comprise either a proportionate increase in the capacity of the existing system of attenuation or a replacement on a like for like basis of existing impermeable surfaces with a landscaped or other permeable surface. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To minimise flood risk and to secure compliance

5 All ecological enhancements as detailed in the Preliminary Ecological Appraisal with Preliminary Bat Roost Assessment provided by ECUS (September 2022) shall be included within the development. As this information has already been submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 174 d) of the NPPF (2021) to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

6 Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control, and removal of Wall cotoneaster (*Cotoneaster horizontalis*) on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure that an adequate means of eradicating or containing the spread of an invasive non-native species listed on Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) and to prevent further spread of the plant which would have a negative impact on biodiversity and existing or proposed landscape features.

Informative - invasive non-native species: The applicant is reminded that Wall cotoneaster, which is present on site, is listed on Schedule 9 of The Wildlife and Countryside Act (1981 as amended) making it an offence to "introduce plant or cause to grow wild" these species. Steps should be taken to prevent further spread of the plant which would have a negative impact on biodiversity and existing or proposed landscape features.

7 No building works or vegetation clearance shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful and detailed check of suitable habitat for active birds' nests immediately before the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

Informative - nesting birds: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Suitable habitat is likely to contain nesting birds between 1st March and 31st August inclusive. Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present.

8 Details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014+ A1 2019, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

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

9 All piling operations shall be carried out using the method likely to produce the least vibration and disturbance. Full details of the dates, times and duration of operations shall be submitted to and approved in writing by the Local Planning Authority before any piling operations are begun and piling operations shall take place in accordance with the approved details.

10 All external lighting, other than that required for emergency or security purposes, shall be turned off by 23:00 on any day.

A full Lighting Impact Assessment undertaken by an independent assessor detailing predicted light levels at neighbouring residential properties including a description of the proposed lighting, a plan showing vertical illuminance levels (Ev) and all buildings within 100 metres of the edge of the site boundary.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for the appropriate Environmental Zone contained within the following table taken from the Institute of Light Professionals Guidance Notes for the Reduction of Obtrusive Lighting.

Environmental Zone Ev [lux]	Sky Glow ULR [Max %]					Light Intrusion (into windows)	
	Luminaire Intensity I [candelas]		Pre-curfew			Building Luminance Pre-curfew	
[cd/m2]	Pre-curfew	Post-curfew	Pre-curfew	Post-curfew	Average L	Pre-curfew	Post-curfew
E0	0	0	0	0	0	0	0
E1	0	2	0	2,5000	0		
E2	2.5	5	1	7,500500	5		
E3	5.0	10	2	10,000	1,00010		
E4	15	25	5	25,000	2,50025		

Notes:

ULR = Upward Light Ratio of the Installation is the maximum permitted percentage of luminaire flux that goes directly to the sky

Ev = Vertical Illuminance in Lux- measure flat on the glazing at the centre of the window

I = Light intensity in Candelas (cd)

L = Luminance in Candelas per Square metre (cd/m2)

Curfew = the time after which stricter requirements for the control of obtrusive light apply, this is generally taken as 23:00

Reason: To protect the amenity of the surrounding environment.

11 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

12 The development hereby permitted shall achieve a BREEAM rating of at least Excellent. A Post Construction Assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate submitted to the Local Planning Authority within 12 months of first use (unless otherwise agreed). Should the development fail to achieve a 'Excellent' BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority within 3 months of the submission of the above mentioned certificate demonstrating what remedial measures shall be undertaken to achieve a 'Excellent' rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: To fulfil the environmental objectives of the NPPF and support the

transition to a low carbon future, and in accordance with policies CC1 and CC2 of the Publication Draft Local Plan 2018

13 HWAY40 Dilapidation survey

14 The extension shall not be occupied until a Full Travel Plan has been submitted and approved in writing by the LPA. The Travel Plan should be developed and implemented in line with local and national guidelines taking into account the existing Updated Travel Plan and supplementary travel surveys, as required by the LPA. In addition to providing an update to the general content of the Travel Plan, The Updated Travel Plan should specifically include details of current staff / student nos. and projected staff / student nos. arising from the proposed development.

The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

Within 9 months of occupation of the site a first year travel survey shall have been submitted to and approved in writing by the LPA. Results of yearly annual travel surveys carried out over period of 4 years from the first survey shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure that traffic flows from the site can be safely accommodated and to promote the usage of sustainable means of transport.

## **8.0 INFORMATIVES: Notes to Applicant**

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

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

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### **2. Informative - Hedgehogs:**

The applicant is advised to consider using permeable fencing or leaving occasional gaps suitable to allow passage of hedgehogs. Any potential hibernation sites including log piles should be removed outside the hibernation period (which is between November and March inclusive) to avoid killing or injuring hedgehog.

Hedgehogs are of priority conservation concern and are a Species of Principal Importance under section 41 of the NERC Act (2006). An important factor in their recent population decline is that fencing, and walls are becoming more secure, reducing their movements and the amount of land available to them. Small gaps of approximately 13x13cm can be left at the base of fencing to allow hedgehogs to pass through. Habitat enhancement for hedgehogs can easily be incorporated into developments, for example through provision of purpose-built hedgehog shelters or log piles. <https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf>

3. Informative - wildlife and lighting: When designing external lighting its potential impacts on light sensitive species should be considered. Direct lighting and light spill should be avoided where new roosting and nesting features are installed, on trees and 'green' linear features, such as hedgerows. Advice on lighting design for light sensitive species is available from the Bat Conservation Trust (2018) Bats and artificial lighting in the UK guidance: <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229&focal=none>

#### 4. 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

**Contact details:**

**Case Officer:** Sharon Jackson

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