

COMMITTEE REPORT

Date: 5 November 2015 **Ward:** Micklegate
Team: Major and Commercial Team **Parish:** Micklegate Planning Panel

Reference: 15/01202/FUL
Application at: Trentholme Cottage 2A Trentholme Drive York YO24 1EN
For: Erection of 1no. three storey dwelling with storage building to rear following demolition of existing dwelling
By: Mr and Mrs M Nicholas
Application Type: Full Application
Target Date: 6 November 2015
Recommendation: Approve

1.0 PROPOSAL

1.1 The application proposes the replacement of an existing 1950's two storey cottage style detached dwelling with a three storey house of contemporary design. The replacement dwelling would be sited in a similar position on site and the existing access to it would be reused, though widened. The materials of construction are: red brick for the walls of the ground and first floors with a natural grey brick for the single storey front/side projection. The upper floor would have clad tiles for the walls with a flat zinc roof to the upper floor. The dwelling would include a large open-plan living space with separate utility and office space on the ground floor, three bedrooms and bathrooms on the first floor and a master suite on the second floor.

1.2 The application has been revised since first submission with the following amendments being made:

- setting back of the house 2m into the site;
- changing the colour finish of materials of the top storey;
- removing the photovoltaic panels;
- set back of top floor adjacent to boundary with 2 Trentholme Drive;
- cut back of roof above front north-eastern corner and above rear terrace;
- inclusion of opaque glazed screen to the side of the top floor terrace;
- reducing the extent the vehicle access is widened by 2.2m (from 3.5m to 1.3m).

1.3 The application has been called in to Committee by the local Ward Member, Councillor Kramm on the following grounds:

The proposal in the current uniform area of two story pitched roof housing needs serious consideration and weighing regarding the design and visual impact of the development for the area.

There are access and traffic related questions connected with the demolition and construction in the narrow street. Parking pressure, tree conservation and historical heritage preservation need to be considered as well.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area

2.2 Policies:

CYGP1	Design
CYGP4A	Sustainability
CYGP9	Landscaping
CGP15A	Development and Flood Risk
CYHE2	Development in Historic Environments
CYHE10	Archaeology
CYHE11	Trees in Conservation Areas
CYT4	Cycle parking standards
CYH4A	Housing Windfalls

3.0 CONSULTATIONS

INTERNAL

Planning and Environmental Management

Conservation Officer

3.1 The site is not within the conservation area. The existing house is a charming detached building which shows the "sheltering" qualities of the locally distinctive architecture. The proposal is over-scaled and too high for the site and architecturally it could be anywhere so it fails to respond to existing character or respect scale and materials.

City Archaeologist

3.2 This site lies in the Area of Archaeological Importance and within the supposed extent of a Roman cemetery that was identified through excavations in the 1950's.

3.3 Consequently, an archaeological evaluation was undertaken on 31st March-2nd April 2015 at 2a Trentholme Drive, York. A trench 1m x 2m in size and three test pits roughly 0.6m² were excavated to determine whether any burials from a Roman cemetery known to exist in the area survived.

One burial was present in the garden to the rear of the property, while the remaining three trenches contained deposits interpreted as the backfill of archaeological excavation trenches dating to the 1950s.

3.4 It is clear that there will be further burials preserved on this site and that these burials may be disturbed by the proposed development. Discussions have been held with the applicant and it is clear that a foundation design can be achieved which will minimise the potential impact of the development on archaeological deposits. However, there is still the possibility that burials will be at risk. Provision must be made therefore for the archaeological excavation of these burials should they be exposed during groundworks for the development.

Environment Protection Unit

3.5 No objections in principle to the application for the erection of a three storey dwelling. Initially requested further information with regard to the proposed air source heat pump to be installed as these can cause issues with noise that may affect the amenity of nearby residents. Following receipt of this information, it is confirmed that the information the Unit is satisfied that the pump will not adversely affect the amenity of the neighbouring buildings. BS 8233:1999 'Sound insulation and noise reduction for buildings - Code of Practice does however state that good levels of noise in residential dwellings should be 50dB or below and from the information supplied the likely noise level would be 53dB in the nearest residential dwelling at 145 The Mount, York. In order to achieve at least a 3dB reduction in noise in the neighbouring property, a condition is requested along with a condition requiring the provision of an outside socket for charging an electric vehicle in accordance with the Council's Low Emission Strategy and paragraph 35 of the NPPF.

Highway Network Management

3.6 No objections to the proposal from a highway point of view, subject to conditions.

Flood Risk Management

3.7 The development is in low risk Flood Zone 1 and should not suffer from river flooding. Having assessed the submitted information within the Drainage Statement dated 25th June 2015 by Bramhall Blenkhams, the Flood Risk Management Team has no objections to the development in principle but requests conditions relating to detailed drainage arrangements.

EXTERNAL

Micklegate Planning Panel

3.8 No objections.

Publicity and Neighbour Notification

3.9 17 objection responses received to the original submission and 4 to the revised plans (at the time of writing) raising the following points:

Initial submission:

- Overly large 3 storey flat roofed property with solar panels that sits forward of neighbouring properties would be intrusive and out of character with the surrounding predominantly 1930s two-storey semis, would not make a positive contribution and would have a detrimental impact on street scene;
- Proposal would have adverse effect on character of conservation area;
- Property makes no effort to blend into the street scene or pay respect to the style of local properties;
- Introduces a haphazard relationship and awkward transition of ridge heights between neighbouring properties and damages the existing harmonious, graduated roofscape;
- Second floor terraces would unduly affect residential living nearby;
- Widening of dropped kerb within conservation area would have a negative contribution to street with loss of feature grass verge and potential damage to Cherry tree roots and reduction in permeable ground cover;
- Roman style villa design does not relate to immediate area and is out of keeping with the street scene;
- Loss of existing attractive period cottage that could be sympathetically restored, preserved and modernised;
- Proposal would be a traffic hazard from additional vehicles and construction vehicles on narrow road;
- Limited forecourt parking and no garage for four bed house is likely to exacerbate parking congestion;
- Impact on neighbours in terms of overshadowing and privacy;
- Impact on archaeology of building works;
- Landscaping proposed to front is out of keeping;
- Potential damage to Cherry tree during construction, which is a tree in conservation area;

Revised scheme:

- Revised plans do not alter the fact that a character building that fits in to the neighbourhood would be replaced with a large flat fronted modern structure that would stick out amongst the traditional houses;
- Loss of character cottage that adds to overall appearance of the street, which would be poorer without it;
- Disregard about damage to foot paths, grass verges and general outlook from other construction work on street;
- Disruption from construction has not been sufficiently addressed and build could be extended due to archaeological excavations;
- Unnecessary to replace existing cottage that could be extended or sold/demolition should only be considered when buildings are past their sell-by-date;
- York suffers from dearth of affordable housing and should not be replaced with more expensive property.

3.10 One letter in support of the scheme from a resident of Trentholme Drive with a further letter of support following re-consultation:

- The proposed design, elevation, and mix of building materials is fresh and innovative and will compliment the mainly traditional presence of the 1930's houses;
- The floorplan is only marginally bigger than the existing 1950's cottage;
- The contribution of the build to the immediate environment, will be in scale with existing property with the exception of 145 Mount Vale;
- The new build will be of designed family living, encompassing all requirements in one well planned out frame, and not an adaptation with dormer windows;
- This contemporary build will present a better approach to Trentholme Drive and further place the area as credit to design blend and an attractive place to live;

4.0 APPRAISAL

4.1 The key issues to be considered as part of this application are:

- Principle of development;
- Impact on heritage assets
- Design considerations;
- Access and highway issues;
- Residential amenity;
- Biodiversity;
- Flood risk.

POLICY CONTEXT

4.2 Central Government guidance is contained in the National Planning Policy Framework (NPPF, March 2012). Paragraph 7 of the National Planning Policy Framework says planning should contribute to the achievement of sustainable development by balancing its economic, social and environmental roles. Paragraph 17 lists twelve core planning principles that the Government consider should underpin plan-making and decision-taking, such as seeking high quality design and a good standard of amenity for all existing and future occupants of land and buildings, encouraging the effective use of land by reusing previously developed land not of high environmental value and conserving heritage assets.

4.3 Section 6 of the NPPF 'Delivering a wide choice of high quality homes' seeks to boost the supply of housing. Paragraph 49 states that housing applications should be considered in the context of a presumption in favour of sustainable development. Section 7 of the NPPF requires good design. At paragraph 56, it says that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Section 10 'Meeting the challenge of climate change, flooding and coastal change offers advice on locating new development to avoid increased flood risk. Section 11 'Conserving and enhancing the natural environment' says that the planning system should contribute to and enhance the natural environment by, amongst other things, minimising impacts on biodiversity and providing net gains in biodiversity where possible as well as preventing adverse affects on pollution and land instability. Section 12 'Conserving and enhancing the historic environment' requires local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness. It advises consent to be refused where there is substantial harm unless it can be demonstrated that this is necessary to achieve substantial public benefits or where there is less than substantial harm, this be weighed against the public benefits of the proposal.

4.4 The City of York Draft Local Plan (DLP) was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications, although it is considered that their weight is limited except when they are in accordance with the NPPF.

SITE AND HISTORY

4.5 The site is located to the south of the city centre, on the southern side of Trentholme Drive. Trentholme Drive is a residential cul de sac, running at right angles to Mount Vale and comprises largely 1930s semi-detached properties. The site accommodates a detached dwellinghouse with side garage dating from the 1950s, which has accommodation over two floors with the upper floor being within the roof space. It is accessed from an existing vehicle entrance from the street

leading to a hard surfaced forecourt. The property has a private enclosed garden to the rear. The application site lies within low risk flood zone 1.

The site lies adjacent to but outside of the Tadcaster Road Conservation Area and within the City Centre Area of Archaeological Importance.

PRINCIPLE OF DEVELOPMENT

4.6 The application site falls within the main urban area of the City and within a predominantly residential area. It is in a sustainable and accessible location, within walking distance of local facilities and public transport routes. The proposal involves the replacement of one dwelling with another, albeit different in scale and design, and as such is compatible with the surrounding land use. The NPPF promotes the approval, without delay, of proposals that accord with the development plan or where the plan is absent, silent or out of date, planning permission should be granted unless the adverse impacts of doing so demonstrably outweigh the benefits when assessed as a whole. One of the core planning principles set out in the NPPF is the effective use of land through the reuse of land which has been previously developed providing it is not of high environmental value. Policy H4a of the Draft Local Plan accords with the NPPF in that it allows the redevelopment of land providing it is of an appropriate scale and density and would not impact on existing landscape features. Therefore, subject to further consideration being given of the impacts of the development on its environment, the proposal is considered to be acceptable in principle.

IMPACT ON HERITAGE ASSETS

4.7 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when determining planning applications. The Courts have held that when a local planning authority finds that a proposed development would harm a heritage asset the authority must give considerable importance and weight to the desirability of avoiding such harm to give effect to its statutory duties under section 72 of the Act. The finding of harm to a heritage asset gives rise to a strong presumption against planning permission being granted.

HERITAGE ASSETS

4.8 Section 12 of the NPPF advises that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Paragraph 131, in particular, states that local planning authorities should take account of the desirability of sustaining and enhancing an asset's significance, the positive contribution it can make to sustainable communities and the positive contribution new development can make to local character and distinctiveness.

Paragraph 132 establishes the great weight that should be given to a designated heritage asset's conservation with a clear and convincing justification being provided to justify any harm or loss. Draft Local Plan policies HE2 and HE10 reflect legislation and national planning guidance. In particular, the supporting text to Policy HE2 states that 'high quality contemporary designs, which respect the historic context, will be encouraged.

4.9 The application site is adjacent to a Grade II listed building, Newington Hotel, which fronts onto Mount Vale, though falls outside its curtilage and would be sufficiently divorced from it so as not to detract from its setting.

4.10 The site falls outside, though is bounded on three sides, by the boundary of the Tadcaster Road Conservation Area. The Conservation Area description in the Draft Local Plan highlights the main elements of the character and appearance of the area as, amongst other things, the large villas in their own grounds along Tadcaster Road.

4.11 The existing building is of limited architectural or historic significance or merit being an unlisted building outside the conservation area and built circa mid to late 1950s. Its omission from the conservation area boundary, which it adjoins on three sides, reflects this lack of interest as a heritage asset. Whilst pleasant in its appearance, its loss would not harm the character and appearance of the adjacent Conservation Area, subject to a suitable replacement.

4.12 The site lies immediately adjacent to the conservation area and therefore is visible in views into and out of this designated heritage asset. The replacement building would be set within the centre of the plot retaining the characteristic private spaces at the front and rear. The Design and Access Statement refers to the intention to replace the existing building with a 'new building designed as a villa, to reflect similar detached dwellings in the immediate vicinity'. Materials would be predominantly brickwork to reflect the area, with areas of terracotta and grey cladding. The intention is to retain the highway tree within the grassed verge, which is within the conservation area. In light of the above, it is considered that the building would not result in harm to the character and appearance of the adjacent conservation area, which would be preserved.

4.13 The site lies within the City Centre Area of Archaeological Importance (AAI) and within the supposed extent of a Roman cemetery that was identified through excavations in the 1950s. An evaluation report on archaeological investigations at the site (dated April 2014) and an interim statement on archaeological evaluation (dated March 2015) have been submitted in support of the application. The Archaeological investigations found one burial present and the City Archaeologist considers that there will be further burials preserved at the site, which may be

disturbed and potentially be put at risk by construction works on site.

As such, and in line with advice in the paragraph 40 of the Planning Policy Guidance document that accompanies the NPPF, conditions relating to archaeological investigation, a watching brief and foundation design have been requested by the City Archaeologist.

4.14 In light of the above, no harm has been identified from the proposed development on the setting of the adjacent Grade II listed building and the adjacent Tadcaster Road Conservation Area. Any harm to archaeological deposits and features in the non-designated City Centre Area of Archaeological Importance can be adequately addressed and mitigated through the imposition of conditions.

DESIGN CONSIDERATIONS

4.15 Chapter 7 of the NPPF gives advice on design, placing great importance to the design of the built environment. At paragraph 58 it states that planning decisions should aim to ensure that, amongst other things, developments will function well and add to the overall quality of an area, establish a strong sense of place, incorporate green and other public space as part of them, respond to local character whilst not stifling innovation, create safe and accessible environments and include appropriate landscaping. It goes on to say that great weight should be given to outstanding or innovative designs which help raise the standard of design in the area (para.63). At paragraph 64, it advises against poor quality design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. This advice is reflected in Draft Local Plan Policy GP1, which requires new development to respect or enhance its local environment and be of an appropriate density, layout, scale, mass and design compatible with neighbouring buildings and using appropriate materials.

4.16 The Design and Access Statement accompanying the application refers to the poor thermal performance of the existing building and the inflexible layout making it economically unviable to extend as the reasons for the development. The intention is to construct the replacement dwelling to Code Level 4 and an air source heat pump is proposed to be used. The dwelling has been designed to utilise the south-west orientation of the plot so that it gains maximum benefits from natural light and heating.

4.17 The proposal would result in the replacement of a modest post-war dwelling of vernacular design with a significantly larger property of contemporary architecture that has accommodation over three floors and includes as part of its detailing a flat roof glazed structure above a parapet brick facade and asymmetrical windows of modern appearance. Its primary building material is red brick with areas of terracotta and grey cladding panels for the ground floor entrance and roof feature. Landscaping is in-keeping with the design of the property.

There has been considerable objection from local residents on Trentholme Drive to the loss of the existing 'character' dwelling and its replacement with a building that is not considered in its design or scale to be in-keeping with the rest of the street, as well as the uncharacteristic landscaping proposed.

4.18 The modern detailing and flat roof form would make the building stand out in a street scene of traditional pitched roofs, but this does not in itself form a basis for resisting the development. The building is well designed and has integrity in its own right. The form and architectural detailing of the building, particularly its roof and fenestration, are not intended to fit in with or replicate the surrounding properties. It seeks to represent the villas that are characteristic of The Mount and the Roman heritage of the site. This approach is supported by the NPPF in that it states "Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles" (paragraph 60). It goes on to state that, 'It is, however, proper to seek to promote or reinforce local distinctiveness'. The visual link to the surrounding properties is through the use of similar materials, notably red bricks for the walling and grey framing and cladding to the roof structure.

4.19 However, whilst there is no objection to the design of the building itself, the issue is how the proposed dwelling, due to its design, scale and massing fits in to the local context, in to the street scene and how it relates to neighbouring properties. Concern has been expressed by officers during consideration of the application on this point, particularly in relation to the more modest semi-detached properties to the east, including 2 Trentholme Drive. The brick walling would project above the eaves of no.2 and the flat roof structure would sit higher than its ridge. The relationship to the extended property on the corner of Mount Vale and Trentholme Drive, 145 Mount Vale, is of lesser concern due to its large mass and the elevated position of the main dwelling on a raised area of ground and with accommodation over three floors. The eaves and roof ridge of the side/rear extension of no.145, however, are reflective of the properties on Trentholme Drive. The Design and Access Statement describes the scale of the proposed dwelling as being determined by the height of the ridge of the extension at no.145.

4.20 The application has been revised in an attempt to address officers' concerns. These changes have included the setting back of the property 2m into the site and the reduction in the size of the top structure adjacent to the boundary with no.2 along with a colour change to its external cladding to grey. The main bulk of the building is now set back nearly in line with the front elevation of no.2 and behind that of the extension at no.145. This helps to improve the relationship of the proposed building to those either side of it and to lessen the visual impact when approaching along the road.

In addition, it is noted that the properties opposite the site and facing onto Trentholme Drive, though addressed as 137 and 139 Mount Vale, are on elevated ground and are, therefore, higher in comparison to the adjacent semi-detached property 1 Trentholme Drive. The proposed dwelling would have a similar height overall as these properties, which face it. The building, therefore, could be seen as representing a transition point between the larger villa style properties on Mount Vale, including no.145 to the west, and the more modest suburban semi-detached dwellings on Trentholme Drive.

4.21 Therefore, whilst acknowledging its differences, it is considered that, on balance and given the presumption in favour of sustainable development, the building would not cause significant demonstrable harm to the overall character and appearance of the area.

ACCESS AND HIGHWAY ISSUES

4.22 The NPPF encourages sustainable travel and the location of development in sustainable and accessible locations. The site is within walking distance of a public transport route into and out of the City Centre and close to local facilities and services. The proposal uses an existing access to the public highway, which serves one residential property. Within the site there is adequate space for two vehicles to park clear of the public highway, as existing. As such, the site is considered to be in a sustainable and accessible location and there are no objections on highway safety grounds. The provision of car and cycle parking prior to occupation can be secured by condition.

RESIDENTIAL AMENITY

4.23 One of the core principles of planning outlined in the NPPF is to seek a good standard of amenity for all existing and future occupants. Paragraph 120 of the NPPF also states that new development should be appropriate for its location to prevent unacceptable risks from pollution and land instability, with the responsibility for securing a safe development resting with the developer. Policy GP1(i) of the Draft Local Plan seeks 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.

4.24 The main properties that would be affected by the development are those residential dwellings either side of it. The orientation of the plots is NE-SW, with the rear elevations facing in a south-westerly direction.

4.25 The proposal would be a larger, more dominant structure of considerable bulk in comparison to the modest dual-pitched building that currently occupies the site.

A single storey element has been incorporated adjacent to the boundary, with the main bulk of the proposed building set away from the boundary with no.2 by approximately 2.5m and from the side wall of the house by approximately 5.2m. The detached garage of no.2 sits next to the boundary with the application site to the rear of the host property. The only windows proposed that would face towards no.2 are a bathroom and two small secondary openings to the third and fourth bedrooms on the first floor and a WC on the second floor. Given the orientation of the properties and the separation distances between them, there would be minimal impact on no.2 from overshadowing and overlooking.

4.26 The property to the west, 145 Mount Vale, has been extended itself and so has two elevations at right angles to themselves that face over its rear garden. The elevation on the original property is at a distance of approximately 8.4m away from the shared boundary with the application site. The proposed building would be set back approximately 1.6m beyond the rear wall of the extension at no.145. This may result in some casting of shadows of the rear of no.145, but would be restricted to the early morning. A terrace, measuring 3m x 2.5m, is proposed behind the parapet at second floor level adjacent to the boundary with no.145. In order to minimise the potential impact from overlooking into the rooms of no.145, an opaque white glass screen has been included in the scheme along the western side of the terrace. There are no other windows on the west facing elevation other than an en-suite (usually obscure glazed) and dressing room in the roof structure that would be set in from the side wall of the proposed house and would be above the height of the side windows in the gable elevation of no.145.

4.27 The Environmental Protection Unit has requested a condition be attached on any approval to address concerns over noise disturbance from the proposed air source heat pump to neighbours, particularly those at 145 Mount Vale.

4.28 The proposed dwelling would have a front parking forecourt and a reasonable sized landscaped private rear garden along with a semi-enclosed roof terrace to serve it. The landscaping of the front area is intended to be in-keeping of the design of the dwelling. Provision is made in a rear detached timber-clad garden store for bin and recycling storage. The design of the dwelling incorporates generous floor to ceiling heights for the main living room at ground floor level and circulation spaces throughout the internal layout. The accommodation makes optimum use of its south facing aspect with large areas of glazing on the rear elevation serving the main habitable rooms. A condition would need to be attached to any approval to prevent the front roof area becoming a terrace.

BIODIVERSITY

4.29 Paragraph 118 of the NPPF aims to conserve and enhance biodiversity, including the refusal of planning applications where significant harm cannot be avoided or adequately mitigated and where development would adversely affect Sites of Special Scientific Interest, ancient woodland and European protected sites.

4.30 No such areas would be adversely affected by the proposal. A small tree is proposed to be removed from the rear garden, though an existing mature tree adjacent to the southern boundary of the site is to be retained. There is some concern about the proposal to increasing the width of the access and the impact that this could have on the highway tree in the grassed verge at the front of the site. No tree survey has been submitted with the application to demonstrate that there would be no damage to the health and longevity of this tree. The applicant has been advised to omit from the scheme the proposal to widen the access in order to avoid any potential harm, but has chosen to reduce the width of the opening. Further comment is awaited from the Council's Landscape Architect on this point and Members will be updated at Committee.

4.31 A preliminary roost assessment was undertaken at the site in May 2015 to search for live bats, evidence of bat activity and structural features/physical conditions that might support roosting bats. The assessment identified the habitat value for bats as negligible with a low probability of harm to bat and roosts from the proposed development.

FLOOD RISK

4.32 Paragraph 103 of the NPPF states that development should be directed to the areas of low flood risk and that development should not result in an increase of flood risk within the site or elsewhere. Policy GP15a of the Draft Local Plan supports this approach to flood risk.

4.32 The application site is located within low risk Flood Zone 1 and should not, therefore, suffer from river flooding. It is intended to utilise the existing foul and surface water connections serving the existing dwelling to discharge from the proposed building to the combined sewer along Trentholme Drive. Further information was requested by the Council's Flood Risk Management Team as the initial submission contained insufficient information and, as such, no objections are raised on drainage and flood risk grounds subject to conditions.

5.0 CONCLUSION

5.1 In light of the above, it is considered that this application for a replacement dwelling of contemporary design in a sustainable and accessible location that would be compatible with the surrounding residential land use and would not result in demonstrable harm to acknowledged interests. As such, the proposal accords with Central Government advice contained in the National Planning Policy Framework and with Development Control Local Plan policies outlined in section 2.2, in particular GP1 (Design), GP4A (Sustainability), HE2 (Development in Historic Locations), HE10 (Archaeology) and H4a (Housing windfalls). The application is recommended for approval, subject to the imposition of conditions.

COMMITTEE TO VISIT

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 no. 1197_AR50_01_E 'Proposals', dated 16/10/15;
- Drawing no. 1197_AR40_01_D 'Proposed Site Section', dated 16/10/15;
- Drawing no. 1197_AR20_01_B 'Roof Plan', dated 16/10/15.

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

3 ARCH1 Archaeological programme required

4 ARCH2 Watching brief required

5 ARCH3 Foundation design required

6 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 building works. The development shall be carried out using the approved materials.

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

Reason: So as to achieve a visually cohesive appearance.

7 A sample panel of the brickwork to be used on this building shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location.

8 HWAY18 Cycle parking details to be agreed

9 HWAY19 Car and cycle parking laid out

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

No construction shall take place until details of the proposed means of foul and surface water drainage, including details of any balancing works and off site works, have been submitted to and approved by the Local Planning Authority. The details shall take into account the following design considerations.

a) The developer's attention is drawn to Requirement H3 of the Building Regulations 2000 with regards to hierarchy for surface water dispersal and the use of Sustainable Drainage Systems (SuD's). Consideration should be given to discharge to soakaway, infiltration system and watercourse in that priority order. Surface water discharge to the existing public sewer network must only be as a last resort therefore sufficient evidence should be provided to discount the use of SuD's.

b) If SuD's methods can be proven to be unsuitable then In accordance with City of York Councils Strategic Flood Risk Assessment and in agreement with the Environment Agency and the York Consortium of Internal Drainage Boards, peak run-off from Brownfield developments must 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, must 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 must 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.

Please note that if existing connected impermeable areas not proven then a Greenfield run-off rate based on 1.4 l/sec/ha shall be used for the above.

c) The applicant should provide a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

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

11 Prior to the condenser units coming into use, a suitable and sufficient noise barrier shall be designed by a qualified acoustician and fully erected and implemented in accordance with a report that shall be submitted to and approved in writing by the Local Planning Authority beforehand. The approved barrier shall be appropriately maintained thereafter in accordance with details included in the report.

Reason: To protect the amenities of adjacent residential gardens.

12 The applicant shall install a three pin 13 amp external electrical socket which is suitable for outdoor use. The socket shall be located in a suitable position to enable the charging of an electric vehicle on the driveway using a 3m length cable.

Note: Any socket provided must comply with BS1363, or an equivalent standard, Building Regulations and be suitable for charging electric vehicles. It should also have a weatherproof cover and an internal switch should be also provided in the property to enable the socket to be turned off.

Reason: To promote sustainable transport through the provision of recharging facilities for electric vehicles

13 LAND1 Landscaping scheme

14 The flat roof area at the front of the building shall not be used as a roof terrace or an external amenity area.

Reason: In the interests of the character and appearance of the street and residential amenity of neighbouring properties.

15 NOISE7 - Restricted hours of construction

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:

- Submission of revised drawings to address concerns about visual impact, residential amenity and impact on highway tree;
- Further information sought regarding noise disturbance from air source heat pump;
- Imposition of conditions to mitigate archaeology, materials, noise, drainage and parking provision.

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 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

3. INFORMATIVE:

The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal.

Contact details:

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