

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Holgate
Date: 14 February 2008 **Parish:** No Parish

Reference: 07/02511/FUL
Application at: 28 Severus Avenue York YO24 4LY
For: Erection of 2no. two storey dwellings after demolition of existing dwelling (resubmission)
By: V V Partnership
Application Type: Full Application
Target Date: 18 December 2007

1.0 PROPOSAL

1.0.1 Planning permission is sought for the erection of 2 no. semi-detached 4 bedroomed dwellings and the alteration extension of the existing bungalow. The application also includes the formation of 2 new accesses to serve the proposed semi-detached dwellings.

1.0.2 The proposed dwellings are semi-detached, 2-storey dwellings with pitched roofs. The principal windows are to the front elevation (east) and rear (west) elevation. The length of the proposed dwellings is approximately 15.70 m at their longest point and 10.00 m at their shortest point, the cumulative width of the pair of semi-detached dwellings is 13.40 m and each dwelling is 6.70 m in width. The height to eaves level is 4.70 m and height to ridge level is 7.20 m.

1.0.3 The layout of each of the proposed semi-detached includes the formation of a single integral garage, entrance hall with W.C., utility, sitting room, kitchen and breakfast room at ground floor level. At first floor level, it is proposed to create 4 bedrooms (2 with en-suites) and a communal bathroom.

1.0.4 It is also proposed to extend and alter the existing bungalow. At present the bungalow provides ground floor accommodation with 1 bedroom located in the roofspace. It is proposed to create 2 larger bedrooms in the roof space (one with an en-suite) and also a separate bathroom. These alterations also include the formation of 2 no. dormer windows which look out onto the rear of the site and the alteration of an existing dormer looking onto 28a Severus Avenue. The applicants do not propose to increase the height of the bungalow.

1.0.5 At ground floor level, it is proposed to reduce the length of the south side of the bungalow and add a single storey extension at the rear. At present the bungalow is T-shaped, the offshoot measuring 11.50 m. The off-shoot extends towards the southern boundary of the site and no.24 Severus Avenue. It is proposed to reduce the length to 7.70 m to allow adequate space for erection of the 2 semi-detached dwellings. The remaining accommodation at ground floor level will consist of 2 attached single garage (also existing) hall, cloakroom, kitchen/dining room, utility room, 2 bedrooms (one with en-suite).

1.1 SITE

1.1.1 28 Severus Avenue is located in-between 24 and 28a Severus Avenue. This irregular shaped plot measures approximately 0.134 ha. The site is located close to Acomb centre. Severus Avenue is a long cul-de-sac with various house types, ranging from detached and semi-detached houses and bungalows. 28 Severus Avenue is, at present, a bungalow situated between 2 detached bungalows to either side. The materials used in the construction of the existing properties in the Severus Avenue are varied.

1.1.2 The site has a frontage of approximately 37.00 m however the width decreases to approximately 18.00m at the rear. The plot is bounded by dwellings to all boundaries. However neighbouring dwellings sited to the front (east) are separated by Severus Avenue.

1.1.3 A existing bungalow is sited to the northern side of the site. This bungalow appears to have been built in the 1920's and appears to be typical design of that era. The building is not nationally or locally listed. The property has an existing drive and attached single garage.

1.1.4 The bungalow accommodates the smaller northern section of the plot. The southern section (where the dwellings are proposed to be erected) is at present, garden area. The site is bounded by high laurel hedging to east and west boundaries (adjacent 24 Severus Avenue and 31-39 Carr Lane respectively).

1.2 HISTORY

06/02443/FUL - Erection of 5 no. two-storey dwellings and 5 garages after demolition of existing dwelling - Application withdrawn - 15.12.2006

1.3 Councillor Request

This application has been called in by Councillor Bowgett as objections have been received from local residents.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYGP1
Design

CYGP4A
Sustainability

CYGP10
Subdivision of gardens and infill devt

CYGP9
Landscaping

CYH4A
Housing Windfalls

CYH5A
Residential Density

CYT4
Cycle parking standards

CYL1C
Provision of New Open Space in Development

3.0 CONSULTATIONS

INTERNAL

3.0.1 ENVIRONMENTAL PROTECTION UNIT advise the imposition of conditions relating to recommended hours for carrying out construction work, contaminated material and an informative relating to the carrying out of works on site.

3.0.2 HIGHWAY NETWORK MANAGEMENT (HNM) made the following comments:-

- The proposed lay-by cannot be supported;
- The proposed entrance is not wide enough;
- Kerbs should be tapered and not radius;
- Poor layout and lack of visibility would create need for excessive manoeuvring within the site; and
- On-site parking should be reduced.

The scheme was amended and Highway Network Management were re-consulted on 12/11/2007. The HNM officer raised no objection to the development but advised that the proposed dwellings should be set back 6.00m from the patio instead of 4.00m to allow adequate off street parking.

3.0.3 LIFE LONG LEARNING AND LEISURE (LLL) advise that, should the application be approved, a condition should be added requiring the applicant to forward funds for the provision of open space within the York area.

3.0.4 THE COUNCIL'S LANDSCAPE ARCHITECT commented that the trees are not worthy of protection, as they have limited useful life expectancy and are also relatively short lived species. The officer recommends the imposition of a condition requiring replacement planting.

3.0.5 THE COUNCIL'S COUNTRYSIDE OFFICER recommends a bat survey should be carried out prior to development commencing. The officer further adds that a bat box could be attached to the garage to enhance the habitat in the area.

3.0.6 THE COUNCIL'S EDUCATION DEPARTMENT seek no contribution towards school places as the net gain of dwellings falls below the threshold for contributions.

EXTERNAL

3.1.1 DRINGHOUSES/WOODTHORPE PLANNING PANEL – Raised no objections

3.1.2 NEIGHBOURS - A site notice was posted on the 02/11/2007. Objections were received from 36 interested neighbours. A petition was also received with 101 signatures. The issues raised in the neighbour objections letter and petition raised the following points:-

Traffic nuisance

- (i) An increase in vehicular traffic would cause an increased danger to pedestrians and road traffic and complicate manoeuvring for the existing residents of Severus Avenue and also complicate access for emergency vehicles;
- (ii) Additional dwellings would also create undue noise pollution and parking congestion;
- (iii) Additional bin storage and collection of waste may cause undue congestion within the avenue;
- (iv) The proposed lay-by is unacceptable, the traditional verge cannot be allowed to be destroyed;
- (v) People use Severus Avenue to park their vehicles in when shopping in Acomb. The avenue effectively becomes single carriage due to parked cars. The avenue is therefore already overly congested and this scheme would further add to existing congestion;
- (vi) The drive between the proposed dwellings is not wide enough to safely accommodate traffic, pedestrians and vehicular movements;
- (vii) Emergency vehicles would struggle to gain access to the site and existing houses;
- (viii) Severus Avenue is a cul-de-sac; and
- (ix) The rear car-park is too small to accommodate the proposed cars.

Out of character

- (i) The proposed scheme is a cramped over-development of the site and would detract from the appearance and character of the area. It is also not in proportion with neighbouring properties or the density of the area;
- (ii) Yet another style of house will be introduced into the street which is unsympathetic to the character of the street;
- (iii) The loss of the existing bungalow and the space would impact upon the character of the street; and

(iv) Parking at the rear of the site is uncharacteristic to the area.

Amenity

- (i) The proposed new dwellings adjacent 28a Severus Avenue would overshadow their property and block out natural light;
- (ii) 28a Severus Avenue is orientated in such a manner that effectively the principal elevation to the dwelling faces no.28a and not Severus Avenue;
- (iii) The new dwelling (plot 4) would be 0.40 m closer to no.28a and not further away as the developer states within the application; and
- (iv) The design of the proposed dwelling is such that it would impact upon the amenity of neighbouring dwellings.

Loss of natural screening and impact upon wildlife and trees:-

- (i) The proposal would have a detrimental impact upon wildlife, trees and plants;
- (ii) Established hedging would also be lost.

Sustainability

- (i) It not sustainable to demolish a perfectly good bungalow and erect a replacement dwelling. The original dwelling should be developed;
- (ii) It is proposed to heat the houses using oil. Gas is a more sustainable source of fuel; and
- (iii) Delivery of oil is unsustainable and would cause traffic congestion;

Other

- (i) Devalue existing properties in the avenue;
- (ii) Water pressure not sufficient for fire brigade;
- (iii) No details of the oil tanks or solar panels indicated on plans;
- (iv) Development of the site would create noise, disturbance and associated mess for neighbouring properties;
- (v) The maintenance of the hedge is issue;
- (vi) Criminal and anti-social behaviour could be encouraged due to the design of the proposed rear parking area;
- (vii) The development will encourage spread of fire; and
- (viii) There is not enough garden space provided for future residents of the proposed houses.

3.4.3 The scheme was amended and interested neighbours were re-consulted on 12/11/2007. 7 letters of objection were received from interested neighbours. These related to:-

- Only 1 house should be built on the adjacent plot to no.28;
- The proposal will still cause traffic congestion in the avenue;
- There is inadequate space to provide car-parking at the front of the site;
- The original bungalow should be altered carefully;
- Where will the oil tankers for the boilers be sited?
- Dimensions of the plans are inaccurate and should be checked;
- The extension to the rear of the bungalow will block out sunlight to 28a;
- Condition the height of the bungalow should not be increased;
- Condition the size of the dormer window overlooking 28a;

- The creation of space at the front of the proposed dwellings would allow for deliveries to be dropped off.

4.0 APPRAISAL

4.1 The main considerations are:

- Principle of development;
- Design and scale;
- Impact on residential amenity;
- Impact on visual amenity of area; and
- Open space and education.

4.2 POLICY

4.2.1 Planning Policy Statement 1 - 'Planning for Sustainable Development' (PPS1) aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2.2 Planning Policy Statement 3 - 'Housing' (PPS3) sets out Government policy on housing development and encourages more sustainable patterns of development through the reuse of previously developed land, more efficient use of land, reducing dependency on the private car and provision of affordable housing. PPS3 also advises that car parking standards that require more than 1.5 spaces per dwelling are unlikely to secure sustainable development

4.2.3 Policy GP1 'Design' of the City of York Local Plan (Deposit Draft) includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.2.4 Policy GP10 'Subdivision of Gardens and Infill Development' of the City of York Local Plan (Deposit Draft) encourages the protection of wildlife and setting, suggesting that existing landscape features are incorporated into the scheme or compensated for elsewhere should their removal be required.

4.2.5 Policy GP9 'Landscaping' of the City of York Local Plan (Deposit Draft) states that where appropriate development proposals will be required to incorporate a suitable landscaping scheme, and this must: a) be planned as an integral part of the proposals; and b) include an appropriate range of indigenous species; and c) reflect the character of the locality and surrounding development; and d) form a long term edge to developments adjoining or in open countryside.

4.2.6 Policy H4a 'Housing Windfalls ' of the City of York Local Plan (Deposit Draft) suggests that a proposals for residential development on land within the urban area would be a acceptable, where "the site is within the urban area and is vacant, derelict or underused or it involves infilling, redevelopment or conversion of existing buildings." However, any development must be of an appropriate design and must be sustainable e.g. good links to jobs, shops and services.

4.2.7 Policy L1c 'Provision of New Open Space in Development' of the City of York Local Plan (Deposit Draft) requires proposals for less than 10 dwellings to contribute towards the provision of open space (including sport, amenity and children's play provision) by way of a commuted sum.

4.2.8 Policy T4 'Cycle Parking Standards' of the City of York Local Plan (Deposit Draft) requires that all new developments provide adequate cycle parking provision. In the case of affordable housing or dwellings without a garage this should be 1 covered space per ½ bedroom dwelling. For dwellings with garages the requirement is the same but cycle parking provision could be accommodated within the garage depending upon the garage size.

4.3 PRINCIPLE OF DEVELOPMENT

4.3.1 The site lies within the defined settlement boundary of York. There are no other relevant statutory constraints i.e. Conservation Area, etc. Central Government guidance regarding new housing is contained within Planning Policy Statement 3 (Housing), policies H4a and H5a of the Draft Local Plan are also relevant. The key aim of local and national policy is to locate new housing on brownfield land in sustainable locations. PPS3 sets out a sequential test which favours the re-use of previously developed land within urban areas, then urban extensions and finally new development around nodes in good public transport corridors. Policy H4a deals with housing developments within existing settlements and says that permission will be granted within defined settlement limits for new housing developments on land not already allocated on the proposals map, where the site is vacant, derelict or underused land where it involves infilling, redevelopment or conversion of existing buildings. The scheme must be of an appropriate scale and density to surrounding development and should not have a detrimental impact on landscape features. Policy H5a says a density of 30 dwellings per hectare should be achieved on this site subject to the scale and design of the development being compatible with the character of the surrounding area and that there is no harm to local amenity.

4.3.2 Due to the location of the site and its proximity to local facilities and accessibility it is considered to be a sustainable location and therefore acceptable in principle.

4.4 DESIGN AND SCALE

4.4.1 This proposal involves the erection of a pair of semi-detached 2-storey dwellings and the extension and alteration of the existing bungalow. The setting of Severus Avenue is that of a suburban residential area. At present, the street comprises of various types of dwelling ranging from detached bungalows, 2-storey

semi-detached dwellings and detached dwellings. This existing bungalow appears to be the earliest dated property within the avenue. It is considered that it contributes to the architectural quality of the street. However, as mentioned previously the building is not nationally or locally listed.

4.3.2 A previous application (on this site) was withdrawn in 2007 (06/02443/FUL). Previously the applicant sought to demolish the bungalow and erect 5 dwellings. The applicant was advised that such a scheme was not acceptable due to impact upon adjacent neighbours, impact upon the street scene (loss of the bungalow) and highways matters (principally relating to access and egress to parking at the rear of the site).

4.3.3 The applicant subsequently submitted a revised scheme in October 2007 which sought permission for the erection of 4 dwellings. This application still included the demolition of the bungalow. After further negotiations the applicant revised the scheme a final time. This is the scheme which is being presented and includes the retention and minor alteration and extension of the existing bungalow and the erection of a pair of semi-detached dwellings with integral garages.

4.3.4 The emphasis of both PPS3 and relevant local plan policies is that development should maximise use of existing sites but that development should respect the character of the site and its surroundings. It is considered that this amended proposal satisfies all relevant policy requirements and is therefore acceptable in terms of visual appearance.

4.3.5 The scheme has been significantly amended since the initial proposal for 5 dwellings, which included the demolition of the existing bungalow. It is considered that the design and scale of the development proposed is acceptable and would not have a detrimental effect upon the character of this well established suburban avenue.

4.4 IMPACT ON RESIDENTIAL AMENITY

4.4.1 Previously objections were received from the immediate adjacent neighbours to the north (28a Severus Avenue). Their objections concerned loss of light, shading and loss of privacy.

4.4.2 This amended scheme attempts to address their previous concerns. Due to the orientation and layout of 28a, the principal aspect of their dwelling is south (towards 28 Severus Avenue) and not east (fronting the Severus Avenue) like the majority of dwellings in the avenue. As a consequence any raising of the ridge height or height of development adjacent to this joint boundary would have a significant impact upon their amenity in terms of loss of light and shading to their living room and a bedroom.

4.4.3 As previously mentioned, the applicants now propose to retain the bungalow and create additional living accommodation in the roof space including minor alterations. The residents of no. 28a were consulted upon the amended scheme. They welcomed the retention of the bungalow but objected to the rear extension. They consider it would reduce light to their rear garden and living room.

4.4.4 The proposed rear extension measures approximately 2.80 m in length x 5.60 m (existing width of the bungalow) x 6.00 m in height (existing height of the bungalow). The extension will be approximately 5.50 m from the nearest point of no.28a.

4.4.5 There is an existing single storey garage attached to no. 28. The garage is approximately 3.50 m away from the nearest point of no. 28a and is 3.70 m in height. The difference in height between the proposed rear extension and the garage (taking into account a slight raise in land levels) is 1.90 m. It should also be noted that no.28's lounge is served by 2 large picture windows. One which faces the proposed extension and another which faces west into the garden. As a consequence, whilst it is acknowledged that the proposed single storey rear extension would have some impact upon no.28a, due to the comparatively modest size of the rear extension, distance from no.28a and the axis of the sun in relation to these rooms, it is considered that the proportion of development which would have an impact upon the amenity of no.28a is not sufficient to warrant refusal on the grounds of loss of light to no.28's garden or lounge.

4.4.6 The residents of no. 28a also expressed concern regarding the height of the bungalow. The developer have also confirmed that the height of the bungalow will not be increased. It is suggested that a condition is added, should the application be approved, which ensures that height of the roof is not increased.

4.4.7 The residents of no. 28a also expressed concern regarding the scale of the dormer window adjacent their dwelling. They request that this is not be increased in scale. At present the dormer window has a flat roof. The developer proposes to replace the flat roof with a small pitched tile roof. Apart from this alteration, the overall dimensions are similar, if not moderately smaller than the existing dormer window. The existing dormer window also serves an existing bedroom. If development is approved, the dormer opening would serve a stairwell/landing. Taking these matters into consideration, it is considered unreasonable to impose any conditions or restrictions upon this dormer window.

4.4.8 With regard to the boundary detail between the proposed 2-storey semi-detached dwellings and no.24 Severus Avenue, it is considered appropriate to add a condition controlling the retention and height of the laurel hedge. A 2.00m high hedge would allow each dwelling adequate privacy whilst retaining/enhancing the character of the scheme. If this boundary detail is not conditioned, the hedge could be removed altogether or reduced below 2.00m. It is also considered appropriate to seek the retention of the hedge to the rear of the side of the site for similar reasons.

4.4.9 Finally it is considered that the pair of semi-detached 2-storey dwellings would not have a detrimental impact upon the amenity of the no.24, in terms of being overbearing or overshadowing the property and/or their rear garden. This is due to:-

- The orientation of the buildings and the axis of the sun – the proposed buildings do not bisect the 45° line of acceptance if determining whether they would create loss of light or shadowing for no.24;

- The position of windows (on the no.24 and the proposed dwellings) – No windows are proposed (at first floor level) in the elevation adjacent no.24 apart from a small window serving a bathroom. Whilst such windows are usually obscurely glazed, it is recommended a condition is attached to secure this; and
- The existing hedge – the hedge provides adequate screening at ground floor level between each property.

4.4.10 Due to the aforementioned reasons and taking into account that the alterations to the scheme, it is considered that the proposal is acceptable and would not have such a detrimental impact upon adjacent neighbours as to refuse planning permission.

4.5 VISUAL AMENITY

4.5.1 It is considered that the proposed dwellings would have a neutral impact on the street scene and on the visual amenity in the locality due to their design and siting. They certainly would not have a detrimental impact upon the avenue. The alterations to the bungalow are also considered to be acceptable.

4.6 HIGHWAYS ISSUES

4.6.1 Previously the applicant proposed to create an access between each pair of semi-detached dwellings to allow access to the rear of the site for car-parking. This element has been removed from the scheme. It was considered that such an arrangement was awkward, would create nuisance at the rear of the site and reduce the private garden space for the new dwellings.

4.6.2 Comments from both the Council's Highway Engineer and neighbours highlight the inadequate length of the proposed drives for the semi-detached dwellings. It is considered that each driveway should be increased by 2.00m. Such an amendment would satisfy highway concerns and allow a car to be parked off road, whilst another could be garaged.

4.6.3 The impact of the these buildings, being moved an additional 2.00 m into the site, upon no.24 Severus Avenue has been assessed previously on site. It is considered that no.24 wouldn't suffer any additional loss of amenity by this amendment.

4.6.4 Other concerns were raised by residents regarding parking congestion being worsened within the avenue if permission is granted for this development. The Council's Highway Engineer however raised no objection on these grounds. As a consequence this particular element of the scheme is considered acceptable.

4.7 OTHER MATTERS

4.7.1 A number of residents have raised concerns regarding the lack of information provided concerning the oil tanks proposed for the dwellings. It is considered acceptable to seek details of the tanks by the imposition of a suitable condition.

However, it is recommended that the applicant investigates connecting services to existing gas and electrical utilities instead of using oil.

4.8 OPEN SPACE:

4.8.1 Under Policy L1c there is an open space provision requirement for this site. The provision of open space has been addressed by condition.

5.0 CONCLUSION

5.0.1 It is the opinion of the Local Planning Authority that the proposed detached dwellings and alterations to the existing bungalow are acceptable in terms of design, scale and appearance and would not detrimentally impact on the amenity of the neighbouring residents or the character of Severus Avenue. As a consequence the proposed works are considered acceptable and are recommended for approval, in accordance with policies GP1, H4a and L1c of the City of York Development Control Draft Local Plan and National Planning Guidance PPG1 and PPG3.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

- (1) Existing site layout - Revised Plan;
- (2) Proposed site plan – Revised Plan;
- (3) Proposed plans and elevations (semi-detached dwellings) - Revised Plan;
- (4) Proposed plans and elevations (bungalow) - Revised Plan.

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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 Any suspect contaminated materials detected during site works shall be reported to the Local Planning Authority. Any remediation for this contamination shall be agreed with the Local Planning Authority and fully implemented prior to any further development of the site.

Reason: To protect the health of the occupants.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no doors, windows or other opening additional to those shown on the

approved plans shall at any time be inserted into the external elevations of the dwelling hereby approved.

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

6 PD1 IN Rem of specific Perm Dev rights

7 The existing rear boundary hedge, which bounds 24 Severus Avenue and 31-37 Carr Lane, shall not be removed, wilfully damaged or reduced in height below 2.00 m in height, without prior written consent of the Local Planning Authority. Should the hedge be damaged, die back or be removed, details of its replacement should be submitted to the Local Planning Department within 3 months of the date of its failure/removal and thereafter be so retained.

Reason: In order to preserve the amenity of adjacent neighbours.

8 Notwithstanding the information contained on the approved plans, the height of the bungalow shall not exceed 6.10 m and the pair of semi-detached dwellings should not exceed 7.20m, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

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

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

INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £6,012.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of

the local planning authority's enforcement powers in this regard

- 10 HWAY10 Vehicular areas surfaced, details reqd
- 11 HWAY19 Car and cycle parking laid out
- 12 HWAY29 IN No gate etc to open in highway
- 13 HWAY31 No mud on highway during construction

14 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 to replace the trees to be removed adjacent the front boundary;. 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 die, 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.

- 15 TREE8 Wildlife and Countryside Act 1981

16 No works shall take place on site until a survey has been carried out of the existing bungalow to be altered to ascertain if there are any bats or bat roosts on site. Provision shall be made to amend the nature of the works to accommodate any bats or roosts found on site. Any variations to approved works required shall be submitted to the local planning authority for approval in writing.

Reason: to safeguard the area's bat population

17 Prior to commencement of commencing on site, written details regarding the proposed solar panel system shall be submitted to the Local Planning Department for approval. Work shall then be carried out in strict accordance with the details of approved in writing by the Local Planning Department.

Reason: In the interest of visual amenity.

18 Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

Reason: to prevent pollution of the surrounding environment.

19 Prior to development commencing, written details shall be submitted and approved in writing by the Local Planning Authority concerning the position, scale and appearance of the oil tanks required to service the proposed new dwellings. Development shall then be carried out in strict accordance with the approved details and thereafter so retained.

Reason: To ensure the oil tanks are sited in a suitable position to safeguard neighbour amenity and the visual appearance of the avenue.

20 The first floor bathroom window indicated in the south elevation of plot 1, shall be obscurely glazed and permanently fixed prior to the development hereby permitted being occupied and shall thereafter be so retained.

Reason: To protect the residential amenity of surrounding residents.

21 The design of the hereby approved scheme shall be in accordance with the contents of the design and access statement dated 8th June 2007 submitted by the applicants' agent and date stamped 22nd October 2007, which will satisfy the requirements of policy GP4a.

Reason: In the interests of sustainable development

22 DRAIN1 Drainage details to be agreed

7.0 INFORMATIVES:

Notes to Applicant

1. Reason for approval

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the locality, highway safety. As such, the proposal complies with Policies H3c, H4a, H5a, T4 and GP1 of the City of York Local Plan Deposit Draft; national planning guidance contained in Planning Policy Statement 1 " Delivering Sustainable Development " and Planning Policy Statement 3 " Housing.

2. The developer's attention should also be 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 attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

i. 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.

ii. 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".

iii. 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.

iv. 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.

v. 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.

vi. There shall be no bonfires on the site

3. The Council's Countryside Officer recommends a bat box could be attached to the garage to enhance the habitat for bats in the area.

4. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

Cafe Licence - Section 115 - Heather Hunter or Anne-Marie Howarth (01904) 551418

Contact details:

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