

COMMITTEE REPORT

Date: 08.08.2019
Team: West Area
Ward: Micklegate
Parish: Micklegate Planning Panel

Reference: 19/00557/FUL
Application at: 2 St Aubyns Place York YO24 1EQ
For: Erection of replacement dwelling (resubmission)
By: The Handa Family
Application Type: Full Application
Target Date: 12 September 2019
Recommendation: Approve

1.0 PROPOSAL

THE SITE

1.1 The application site comprises a corner plot at the junction of St Aubyns Place and the foot of The Mount; a main route into the city centre from the south. Currently it is occupied by a 1930s dormer bungalow of period design, constructed from red/brown brick with two symmetrical projecting bays and front dormer window. The three-bedroom bungalow has been extended to provide a kitchen and garage to the side and conservatory at the rear. Off-street parking is provided from a drive accessed from St Aubyns Place and a terraced garden is to the front and side of the property. Within the application site are elements which originated from the grounds of the adjacent Grade II* listed Elmbank Hotel. These include balustraded stone steps with plinth. As they join the Hotel they are also considered to be listed.

1.2 The site is not in a Conservation Area, but directly borders both the Tadcaster Road Conservation Area and the Central Historic Core Conservation Area. It is within the City Centre Area of Archaeological Importance. It is in flood zone 1 (low risk of flooding).

1.3 The application has been called in for determination at planning sub-committee by the local councillor for Micklegate Ward.

PROPOSAL

1.4 The application is for the demolition of the existing bungalow and the erection of a replacement two storey 4-bedroom dwelling with integral garage. The building is intended to be of a subtle modernist design, whilst referencing the context of the adjoining conservation areas, setting of the Elmbank Hotel (Grade II*) and St

Aubyns Place dwellings. The building would be constructed of a red clay handmade brick generally laid in a Flemish bond with sections of vertical lain brick to add variation and detail. The roof will be a shallow dual-pitched standing seam matt grey zinc roof set partly behind a low parapet. Windows will be light grey aluminium framed. The main entrance to the property will be at first floor, via external stairs. A new shallow ramped access will also be created from The Mount. Vehicle access, will be as existing from St Aubyns Place with a secondary entrance into the ground floor of the property from the driveway. Also proposed is a small area of timber cladding on the front elevation, with timber garage and entrance doors.

1.5 Whilst there is some reforming of the site to accommodate the dwelling, the terraces and ground levels at the boundaries remain the same. The northern half of the ground floor is set into the incline, and at the rear, a new courtyard is excavated to allow daylight and outlook for the ground floor bedrooms. The greatest depth of excavation and changing of levels will be in this area, with the courtyard set 0.9m below existing with part of the ground floor set a maximum of 1.4 below existing levels. Raised planters will soften the space. The garden to the north of the site will be reformed into a set of terraces and the existing staircase and balustrade, attached to the hotel, will be retained. A small modern store will be removed.

1.6 The low brick wall boundaries will be retained as existing on the street frontages. As the existing bungalow and attached garage will be demolished, the boundary to the neighbour at No.4 is altered. It is proposed that the existing height of the brick wall will be continued at the rear.

RELEVANT PLANNING HISTORY

1.7 Planning permission was refused on 03.05.2018 for the erection of a replacement two-storey dwelling by the same applicant (reference 17/02891/FUL).

1.8 Since then, the applicant has sought pre-application planning advice and worked positively with the local planning authority prior to submission of the current planning application.

2.0 POLICY CONTEXT

2.1 Policies:

York Local Plan Publication Draft (February 2018)

D4 Conservation areas
D5 Listed buildings
DP3 Sustainable communities
D1 Placemaking

GP1 Design
GP9 Landscaping
HE2 Development in historic locations
HE4 Listed Buildings

3.0 CONSULTATIONS

INTERNAL

Planning and Environmental Management (conservation and design)

3.1 The site forms part of the setting of the Elmbank Hotel and makes an important contribution to its significance for various reasons (aesthetic, evidential and historic). To a lesser extent, the site, as part of their setting, affects the significance of the Conservation Areas.

3.2 The modernist approach to the design is supported as it reflects the prevailing character of changing fashions. When considering the design approach a subservient building is now proposed that respects the dominance of the Elmbank Hotel. A simple palette of materials has been chosen, reflecting the prevailing Conservation Area character. When reviewing the topography of The Mount it appears that many buildings have been 'cut' into their sloping sites and the proposal continues this tradition. The entrance on the first floor also reflects the Conservation Area character of raised ground floors over excavated basement.

3.3 To conclude the current proposal is now supported as it has responded to previous comments in a successful way. The approach now respects the setting of the hotel and the setting of the Conservation Areas.

Planning and Environmental Management (archaeology)

3.4 St Aubyns Place lies within the Central Area of Archaeological Importance. It is situated along the line of a Roman road approaching York from the south-west from Tadcaster, Calcaria. Roman cemeteries are found along these approach roads. At Trentholme Drive opposite, a Roman inhumation and cremation cemetery is known to exist. It is possible that groundworks associated with this proposal may reveal or disturb archaeological features particularly relating to the Roman period. As a precaution it will be necessary to record any revealed features and deposits through an archaeological watching brief on all groundworks. Should it become clear that the construction of the extant building has removed any archaeological deposits that may have existed on the site the watching brief can be halted. A condition is advised.

Public Protection

3.5 Public Protection requested that a noise survey be submitted to assess the impact of noise from the road traffic and kitchen ventilation/extraction system on the future occupiers of the proposed dwelling. Following submission of the report, the officer confirmed support for the proposals subject to the minimum glazing specifications outlined in the noise report being used and that the noise levels in the bedroom and family room on the first floor would be in line with the guidance levels in the World Health Organisations community noise guidance levels. The potential for contaminated land on site is considered to be low. Conditions are advised.

Highway Network Management

3.6 Officers advise they have no objections to the proposed development from a highway point of view. The applicant is to utilise the existing access and driveway. The access, car and cycle parking are acceptable. A standard informative on protecting the grass verge is advised.

Flood risk management

3.7 Initially the officer advised that the use of soakaways should be considered and site specific infiltration testing should be undertaken. Consideration should be given to discharging to the nearest watercourse if suitable. If not, then peak run-off must be attenuated to 70% of the existing rate and accommodate a 1:30 year storm with no surface flooding and surface run off from the site in a 1:100 year storm.

3.8 The officer witnessed the soakaway testing and due to the subsoil conditions being predominantly clay with boulders to a depth 2.0m below ground level it was confirmed that soakaways as a means of surface water disposal are not suitable in this location. Therefore the proposed separate piped drainage for storm water and foul water drainage shown on the plans is considered acceptable in principle and details should be controlled by proposed conditions.

EXTERNAL

Yorkshire Water

3.9 The site shall be developed with separate systems of drainage for foul and surface water on and off-site. Separate connections should be made to existing sewers in the street.

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3.10 No response.

Publicity

3.11 Site notice expired 23.05.2019. Press notice expired 08.05.2019. Twenty-five neighbours / interested parties have objected to the proposals as follows:

- The applicant should confirm the relationship to the hotel as there are concerns the building will be used by the hotel for visitor accommodation.
- Objections to demolition of the bungalow.
- The house will block views of the Elmbank Hotel and harm its setting. The Elmbank Hotel is listed Grade II* and the significance of its architecture should not be harmed by a very modern, individual and stand-out property.
- The proposals would cause harm to the conservation area due to inappropriate design; it does not complement the street scene. It does not preserve or enhance the character and appearance of the conservation area.
- There are no public benefits of the proposals to outweigh the harm to the conservation area and listed building.
- The new house will cause visual blight for neighbours.
- The proposed dwelling will detract from a beautiful uninterrupted approach into York. It is a prominent and highly visible site.
- The design does not reflect the houses on St Aubyns Place which are traditional in character.
- Extensive excavation is required to keep the two storey building below the current ridge height.
- The proposal is overdevelopment.
- The proposed design is out of character with the area with inappropriate materials (extensive timber cladding, aluminium framed windows, zinc roof), complex modern form, small, minimal and irregularly placed windows. The linear form and horizontal emphasis is incongruous in The Mount area.
- The zinc roof will reflect sunlight and cause a traffic hazard.
- The handrail is poor design.
- The layout is unsuitable for a wheel chair user.
- The new dwelling will sit too far forward in the site.
- The excavation and construction work will be disruptive to neighbours, parking and traffic flows. The pavements should remain accessible and no vehicles should park on the deep grass verge. Construction materials will have to be stored on the public highway. Construction / delivery vehicles will cause safety issues for pedestrians and vehicles as it is a narrow cul-de-sac.
- St Aubyns Place benefits from being a resident parking zone. Builders and trades people will have to park on the verge which is not acceptable.
- Loss of privacy for No.4 St Aubyns Place during construction and once completed. The family room at first floor is of particular concern. Consideration should be given to frosted glazing or high-level windows.

- The shared boundary with No.4 should remain intact and have a maximum height of 2.5m to ground level for No.4. The raised planters and planting should be restricted to 2.5m in height to avoid loss of light for the neighbours.

4.0 APPRAISAL

KEY ISSUES

- 4.1 - Principle of development, any
- Impact on designated heritage assets,
 - Neighbour amenity
 - Impact of noise from traffic and commercial premises on future occupiers.

Legislative context

4.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of conservation areas. Sections 16 (2) and Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The National Planning Policy Framework (February 2019) (NPPF)

4.3 The revised National Planning Policy Framework was updated and republished in February 2019 (NPPF) and its planning policies are material to the determination of planning applications. It is against the NPPF (as revised) that this proposal should principally be assessed.

4.4 The NPPF sets out the Government's overarching planning policies. Paragraphs 7-11 explain that the purpose of planning is to contribute to achieving sustainable development through three overarching objectives; economic, social and environmental. Development proposals that accord with an up-to-date development plan should be approved without delay. Where there are no relevant development plan policies or where they are out of date, planning permission should be granted unless policies in this framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. Permission should not be granted where any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

4.5 Section 16 states that the significance of heritage assets should be sustained and enhanced. New development should make a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. New development should make a positive contribution to local character and distinctiveness.

4.6 Section 12 underlines how the creation of high quality buildings and places is fundamental to planning and key to sustainable development. Developments should function well and add to the overall quality of the area, be visually attractive, sympathetic to local character and history whilst not preventing or discouraging appropriate innovation and change. A strong sense of place should be maintained or supported, using the arrangement of streets, spaces, building types and materials to create attractive and distinctive places, optimising the potential of the site to accommodate an appropriate amount and mix of development, and creating places that are safe, with a high standard of amenity for existing and future users (paragraph 127). Permission should be refused for development of poor design that fails to improve the character and quality of an area. Where the design accords with clear expectations in plan policies, design should not be a valid reason to object to development (paragraph 130). In determining applications, great weight should be given to outstanding or innovative designs which promote sustainability or help raise the standard of design, providing they fit with the overall form and layout of their surroundings (paragraph 131).

York Local Plan Publication Draft (February 2018)

4.7 The Publication Draft Local Plan 2018 was submitted for examination on 25th May 2018. The emerging Draft Local Plan policies can be afforded limited weight at this stage of preparation, and subject to their conformity with the NPPF. The evidence base underpinning the emerging Local Plan is capable of being a material consideration in the determination of planning applications.

4.8 Policy D4 explains that development proposals within or affecting the setting of conservation areas will be supported where they are designed to conserve and enhance the special character and appearance of the conservation area, leave qualities intrinsic to the wider context unchanged, and respect important views. Policy D5 states that proposals affecting the setting of a listed building will be supported where they protect its setting, including key views, approaches and aspects of the immediate and wider environment that are intrinsic to its value and significance.

4.9 Policy DP3 'Sustainable communities' sets development principles including respecting and enhancing the historic character of York, delivering high quality design, layout and scale, ensuring appropriate building materials are used. Development should create a high quality, locally distinctive place which relates well

to the surrounding area and its historic character, promoting sustainable modes of travel and for development not to contribute to flooding.

4.10 Policy D1 'Placemaking' (read with May 2018 minor modifications) requires development to enhance, respect and complement the historic arrangement of street blocks, plots and buildings, demonstrate that it is of an appropriate density and does not dominate other buildings particular those of historic interest. Development should not be a pale imitation of past architectural styles, use appropriate materials and demonstrate best practice in contemporary urban design and placemaking, creating active frontages to streets. Design should consider residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing.

Other material considerations

Tadcaster Road Conservation Area - Appendix B, DCLP (2005)

4.14 The Tadcaster Road Conservation Area follows the main York to London Road from the Mount, past the former gallows through the settlement of Dringhouses. For much of its passage it is lined by mature trees with views across the Knavesmire. In the 1840's the terrace of townhouses on Mount Vale were completed and later the suburban villas and semi-detached properties. The main elements of the character and appearance of the area are the linear form of the original village, the mature trees, long views out across the Knavesmire, and the large villas in their own grounds along Tadcaster Road.

Central Historic Core Conservation Area Appraisal (2011)

4.15 The Conservation Area Appraisal (adopted by Planning Committee 2011) identifies The Mount as character area 24, which borders the site. It is defined as a Victorian suburb, comprising large 19th century villas and interwar suburban semi-detached housing. The Elmbank Hotel is identified as a landmark. There are no detracting buildings in the area. This area largely comprises 19th century development with little modern intrusion. In general, most houses are two or three storey and would have been occupied by the middle-classes. Brick is the dominant material, usually red or buff, although cream stucco appears occasionally as does white brick. Each street is stylistically different from one another on account of the varied ages and changing fashions throughout the century.

CONSIDERATION

Principle of development

4.16 The site borders two conservation areas but these boundaries have been specifically drawn to exclude the 1930s housing on St Aubyns Place, including the application site. As such, planning permission is not required for demolition of the bungalow, but is required for any replacement structure. It is noted that many neighbours have objected to the loss of the bungalow but this cannot be prevented. Therefore in terms of the principle of development, the replacement dwelling can be supported as it re-provides a single residential dwelling on a brownfield site, in a sustainable location within walking and cycling distance of the city centre and other local facilities. As a four bedroom dwelling with attached garden, it will provide family accommodation; the Strategic Housing Market Assessment 2016 identifies a need for 55.7% of new market housing between 2012 and 2032 to be for three- plus bedroom dwellings (ie family accommodation).

Heritage assets and design

4.17 The application site borders both Tadcaster Road Conservation Area and the Central Historic Core Conservation Area as well as being in the setting of a Grade II* listed building. The site is in a prominent location, being set on a corner, following the building line around from the two-storey semi- and detached residential properties of St Aubyns Place. Its primary relationship is to The Mount rather than the side street; a key route into and out of the city. This position is defined further by being at the foot of the incline up to Blossom Street and by being set in front of the Elmbank Hotel, which as the Conservation Area appraisal confirms, is a landmark in the area. It immediately draws the eye in the street scene by virtue of its architecture, scale, distinctive tower, position on the incline and white brick. However, the building's interior is of the most interest being represents the only extensive example of Art Nouveau decor in York and is one of the finest and most complete surviving in England. The hotel was originally a house and St Aubyns Place was built in the grounds. The garden to the application site is bounded to the north by the staircase and balustrade which once related to these gardens; being attached they form part of the listing. No changes are proposed to these structures other than the removal of a modern timber shed at the bottom of the stairs and this is supported.

4.18 The previous scheme was refused planning permission as it was assessed as being an unduly prominent and incongruous element in the streetscene, causing harm to the character and appearance of the Conservation Area and the setting of the Grade II* listed Elmbank Hotel. A second reason was the lack of noise assessment to assess noise from the traffic and hotel ventilation/extraction equipment. (One has been prepared and submitted for the current application). Since this time the application has entered into pre-application discussions with the Local Planning Authority before submitting the current application.

4.19 The proposed dwelling is part single and part two storey, set into the incline with a partially sunken landscaped courtyard at the rear. The terraced garden is

reformed into more angular sets of terraces. A new entrance through the front boundary is proposed from The Mount with vehicle access maintained in the same position as is, to an integral garage. The house will be constructed from a handmade red clay brick (similar in colour to St Aubyns Place dwellings) mainly laid in Flemish bond with bands of vertical brick in soldier bond at first floor and at the roof, one inlaid section at the front and two at the rear of the property. The roof will be a hipped and pitched standing seam zinc roof in grey colour. Windows will be light grey aluminium framed with an embossed panel between the double height bay window to the front and in line panel at the rear. The main entrance into the property is at first floor from both a ramped shallow incline and up a flight of stairs. The entrance is generous and defined by a canopy. The principal entrance to the property and secondary door at ground level will be timber, as will the garage doors and recessed panels to the integral bin storage area to the main elevation.

4.20 The modernist approach to the design is supported here as it reflects the prevailing character of changing fashions. Neither Conservation Area is homogenous but contains a variety of different buildings of different periods, styles and materials. The existing roof and its ridge of the bungalow are higher than the proposed and obscure views of the listed building. The lowering of the overall height of the building was encouraged and, therefore, the removal of the roof terrace and reduction of the parapet height has achieved this. This is an enhancement to the setting of the Listed Building.

4.21 The proposals now respect the topography and respond to the changes in level and increasing incline towards the Hotel and up the slope; a defining character of this part of the street. When reviewing the topography of The Mount it appears that many buildings have been 'cut' into their sloping sites and the proposal continues this tradition. The entrance on the first floor also reflects the prevailing Conservation Area character of raised ground floors over excavated basement.

4.22 The proposed dwelling will be viewed as a correctly subservient building, respects the dominance of the Elmbank Hotel. A simple palette of materials has been chosen, reflecting, the prevailing Conservation Area character and St Aubyns Place. The choice of brick colour will reflect and be similar to those on St Aubyns Place which will aid in keeping the differentiation between the domestic scale residential dwellings on the suburban street and the white brick of the Hotel. Windows are predominantly vertically proportioned and the window to wall ratios is generous. It is important with any modernist design, however, that the quality of materials and of the detailing is of the highest quality and additional detail has been provided by the applicant in the supplementary document to the Design and Access Statement which can be referenced in any approval. The detail in this document is supported by officers as it continues the high quality of the design.

4.23 The elegant silhouette and the introduction of a shallow roof pitch reflects not only the Elmbank Hotel but St Aubyns Place too. Modern design cues, from an

assessment of the surrounding building styles, have been applied including strong parapets, bay windows, chimneys, canopies over doors, and window proportions. The 'stepping down' character from the hotel to St Aubyns Place, which is currently distinctive, is retained and enhanced by the proposed stairs approach to the new dwelling at first floor.

4.24 The proposals now positively reflect key aspects of the local vernacular including this raised primary entrance, double height bay windows, brick detailing, shallow pitched hipped roofs set behind a low parapet wall and chimneys. Officers believe that the scheme is very well considered, proposing a building that successfully responds to many defining characteristics of the area whilst not being pastiche but a clear contemporary interpretation. No harm is identified to designated heritage assets.

4.25 It is noted that Roman remains have been found nearby, and the site is in an area of archaeological importance. Advice from the city archaeologist is that a watching brief is appropriate on groundworks and this can be secured by condition.

Neighbour amenity

4.26 The proposed new dwelling is set in a similar position to the bungalow with the primary relationship and orientation to The Mount, whilst following the corner round into the side street. However as the proposed ground floor plan shows, the new dwelling is brought forward within the site to meet the line of the immediate neighbour, No.4 St Aubyns Place. This is appropriate and the benefit is that this allows a greater separation between the rear boundary shared with this same neighbour and the rear elevation of the new dwelling. This is important as the accommodation is laid out with the main habitable space at first floor. As initially proposed, the window above the kitchen units was just 5.5m from the boundary at the closest point. At the request of officers, this window has been moved to the side (west) elevation thus still maintaining natural light into this part of the room without affording any opportunities of overlooking /loss of privacy for neighbours. The window now looks out over the single storey garage of the new dwelling towards the side elevation of the neighbour which has two small obscure glazed windows to a bathroom and over the front driveway from height. The separation and outlook will not harm neighbour amenity.

4.27 The second window from this main habitable space is set at first floor at a distance of 8m from the boundary. No.4 is already overlooked at the rear (north) by the imposing Elmbank Hotel with bedroom accommodation overlooking the garden from height. The existing terraced garden to the bungalow also permits views from within the north part of the garden into the neighbours (and vice versa). For residents living in an urban area, it cannot be expected that there is no overlooking of properties. With already reduced levels of privacy, and with a large imposing structure on the boundary of the garden, the addition of a window to a dining area at

a distance of 10m to the central part of the garden is considered acceptable. Moreover, already the neighbours have dense planting on the boundary, including a mature apple tree and other shrubs. The proposed courtyard for the new house also proposes landscaping in raised planters on the boundary. Proposed landscaping and existing mature planting will reduce any impact further. The neighbours have asked that a restriction on the height is put on the vegetation on the boundary for the dwelling; this is not considered reasonable or necessary.

4.28 Currently the single storey garage attached to the bungalow forms a high boundary for the neighbours at the immediate rear of their property. Here the land is at its lowest point before it rises up towards the hotel. The boundary will necessarily be rebuilt, to a lower level to follow the height of the boundary wall from the middle of the garden. This maintains a sense of enclosure for the neighbours, although reduced from 4.2m to 3.0m in height. However at 3.0m this height still prevents opportunity for overlooking from the neighbouring new sunken courtyard. It is not considered therefore that there is any unacceptable loss of light or privacy as a result of the proposals. The scheme does not impact on any other neighbours in terms of amenity.

Noise

4.29 The Mount/Mount Vale is a heavily trafficked road and Public Protection requested a noise assessment to be undertaken to ensure residents of the new property would not be unduly disturbed and any design implications for reducing potential noise could be addressed prior to determination. The assessment also included monitoring of an extraction unit on the kitchen of the hotel. The Environmental Health Officer was satisfied with the results of the report, but requested a condition to ensure the building envelope would be constructed to meet noise insulation requirements and that double glazing was used.

Drainage

4.30 The site is at low risk of flooding (flood zone 1). The plans show separate systems of foul and surface water drainage. The Council's flood risk engineer has witnessed the percolation test on site and confirms the site is not suitable for soakaways being heavy boulder clay. The drainage details can be agreed by condition but the principle of piped discharge of surface and foul water as shown on the plans is acceptable in principle.

Highways and Access

4.31 The existing vehicle access from St Aubyns Place is maintained thus providing space for the parking of one vehicle off street and / or a vehicle within the garage. Plans also show two spaces for the parking of bicycles which is considered

acceptable. A condition is advised to ensure that the energy distribution board can accommodate charging of an electric vehicle.

Other

4.32 Neighbours have raised concerns that the new dwelling would be used by the hotel as visitor accommodation. The application is for a replacement dwelling, ie use class C3 (residential) and planning permission would be required to change the use to a hotel.

5.0 CONCLUSION

5.1 The application is for the demolition of the bungalow at No.2 St Aubyns Place and replacement with a two storey four bedroom dwelling. The site is in a prominent position at the foot of The Mount, and adjacent to two Conservation Areas and within the setting of the Elmbank Hotel; a Grade II* Listed Building. The new dwelling is of a modernist design, but elegant and having a simple palate of materials with appropriate detailing. It is seen as a positive addition to the area, successfully responding to key elements in the conservation areas and local streets, whilst reinterpreting it to an appropriate, contemporary design, but also subservient and muted in the street scene. There is no harm to the setting of designated heritage assets and no harm to neighbour amenity. The scheme is acceptable in all other respects.

5.2 The proposals are therefore found to be in complete accordance with planning policies in the National Planning Policy Framework 2019, particularly at Section 16: Conserving and enhancing the historic environment, section 5 on housing and 12 on good design. It is also found to be in accordance with relevant emerging policies in the York Local Plan Publication Draft (February 2018) D4 Conservation areas, D5 Listed buildings, DP3 Sustainable communities and D1 Placemaking. The application is therefore recommended for approval subject to the attachment of the following 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 and other submitted details:-

Site location plan, 15036-EDA-A-XX-XX-DR-A-1000 revision P00, received 20.03.2019;

Ground floor plan as proposed, 15036-EDA-XX-GF-DR-A-2000 revision P02,

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received 08.07.2019;

First floor plan as proposed, 15036-EDA-XX-01-DR-A-2001 revision P02, received 26.07.2019;

Roof plan as proposed, 15036-EDA-XX-XX-DR-A-2002 revision P00, received 20.03.2019;

Elevation 01 as proposed, 15036-EDA-XX-XX-DR-A-2020 revision P02, received 26.07.2019;

Elevation 02 as proposed, 15036-EDA-XX-XX-DR-A-2021 revision P01, received 18.04.2019;

Elevation 03 as proposed, 15036-EDA-XX-XX-DR-A-2022 revision P01, received 18.04.2019;

Elevation 04 as proposed, 15036-EDA-XX-XX-DR-A-2023 revision P02, received 26.07.2019;

Elevation 01 as proposed (line drawing), 15036-EDA-XX-XX-DR-A-2024 revision P01, received 26.07.2019;

Elevation 02 as proposed (line drawing), 15036-EDA-XX-XX-DR-a-2025 revision P00, received 18.04.2019;

Elevation 03 as proposed (line drawing), 15036-EDA-XX-XX-DR-A-2026 revision P00, received 18.04.2019;

Elevation 04 as proposed (line drawing), 15036-EDA-XX-XX-DR-A-2027 revision P01, received 26.07.2019;

Section AA as proposed, 15036-EDA-XX-XX-DR-A-20130 revision P02, received 26.07.2019;

Landscaping plan as proposed, 15036-EDA-XX-XX-DR-A-2090 revision P00, received 20.03.2019;

Levels sections, as existing and proposed, 15036-EDA-XX-XX-DR-A-2700 revision P00, received 20.03.2019;

Levels sections, as existing and proposed, 15036-EDA-XX-XX-DR-A-2701 revision P00, received 20.03.2019;

Levels sections as existing and proposed, 15036-EDA-XX-XX-DR-A-2702 revision P00, received 20.03.2019;

Levels sections as existing and proposed, 15036-EDA-XX-XX-DR-A-2703 revision P00, received 20.03.2019;

Boundary treatment 01 as proposed, 15036-EDA-XX-XX-DR-A-2700 revision P00, received 20.03.2019;

Boundary treatment 02 as proposed, 15036-EDA-XX-XX-DR-A-2701 revision P00, received 20.03.2019; and

Boundary treatment 03 as proposed, 15036-EDA-XX-XX-DR-A-2702 revision P00, received 26.07.2019.

Design, Access and Heritage Statement, dated 19.03.2019;

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Design, Access and Heritage Statement - additional information including materials, brick course, larger scale details of the double height bay window; and Blue Sky Acoustics, Noise Impact Assessment; dated 31.05.2019

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

3 No groundwork shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification approved by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before any below ground work commences (but can be agreed following demolition of above ground elements of the bungalow). Thereafter the works shall be implemented in accordance with these approved details.

Reason: The site lies within an Area of Archaeological Importance and the development may affect important archaeological deposits which must be recorded during the construction programme.

4 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to erection on site. Thereafter, they shall be fabricated and installed in accordance with these approved details.

Windows 1:20

Doors 1:20

Railings 1:10

Reason: So that the Local Planning Authority may be satisfied with these details to ensure they remain consistent with the approved drawings and design intent.

5 The materials shall be as generally specified in the Design, Access and Heritage Assessment - additional information dated 08.07.2019 and as on the approved drawings. Prior to any above ground construction, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials. Samples shall include but not be limited to: bricks, external roofing materials, aluminium framed windows, external doors and hard landscaping.

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 in accordance with the approved scheme.

6 The development shall not be occupied 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 and shrubs, retaining walls and levels. The details shall be in accordance with the approved landscape plan.

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 in the interests of the character and appearance of the area.

7 The building envelope of the dwelling shall be constructed so as to achieve internal noise levels of 30 dB LAeq 1 hour (23:00 - 07:00) in bedrooms and 35 dB LAeq 1 hour (07:00 - 23:00) in all other habitable rooms. These noise levels shall be with the implementation of the mitigation work including the use of the glazing specifications as outlined in the noise report by Blue Sky Acoustics reference: 189/V01/2019 and with the windows shut and other means of acoustic ventilation provided. The detailed scheme shall be approved in writing by the local planning authority and fully implemented before first occupation of the development.

Reason: To protect the amenity of future residents from externally generated noise.

8 The development should incorporate sufficient capacity within the electricity distribution board for one dedicated radial AC single phase connection to allow the future addition of an Electric Vehicle Recharge Point (minimum 32A) within the garage space (or parking area) if desired.

Reason: To ensure future electric vehicle charge points can be easily added to the property in line with the NPPF and CYC's Low Emission Strategy.

Notes: Any future Electric Vehicle Charging Points need to be professionally installed. The installation process routinely involves wall mounting a charge point on an exterior wall or garage and connecting it safely to the mains electricity supply. All electrical circuits/installations shall comply with the electrical requirements in force at the time of installation.

In the UK, there is a government-grant scheme available to help reduce the cost of installing a home EV charge point. For more information on the scheme see the OLEV website <https://www.gov.uk/government/collections/government-grants-for-low-emission-vehicles>

The above requirement does not preclude the installation of an Electric Vehicle Charge Point from the outset, if desired.

9 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 where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is also subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

11 Prior to first occupation of the development, the site boundaries shall have been erected in complete accordance with the approved plans.

Reason: To protect neighbouring residential amenity.

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

Reason: In the interest of satisfactory and sustainable drainage.

13 Prior to, or following demolition of the bungalow, but before any below ground work commences, details of the proposed means of foul and surface water drainage, including details of any balancing works and off site works, shall be submitted to for approval in writing by the Local Planning Authority.

Design considerations: As infiltration methods have been proven to be unsuitable then in accordance with City of York Council's Sustainable Drainage Systems Guidance for Developers (August 2018) 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 by way of CCTV drainage survey 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 30% 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.

If existing connected impermeable areas not proven then greenfield sites are to limit the discharge rate to the pre-developed run off rate. The pre-development run off rate should be calculated using either IOH 124 or FEH methods (depending on catchment size).

Where calculated runoff rates are not available, the widely used 1.4l/s/ha rate can be used as a proxy, however, if the developer can demonstrate that the existing site discharges more than 1.4l/s/ha a higher existing runoff rate may be agreed and used as the discharge limit for the proposed development. If discharge to public sewer is required, and all alternatives have been discounted, the receiving public sewer may not have adequate capacity and it is recommend discussing discharge rate with Yorkshire Water Services Ltd at an early stage.

In some instances design flows from minor developments may be so small that the restriction of flows may be difficult to achieve. However, through careful selection of source control or SuDS techniques it should be possible to manage or restrict flows from the site to a minimum 0.5 l/sec for individual residential properties, please discuss any design issues with the City of York Council Flood Risk Management Team.

Surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available.

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.

Details of the future management and maintenance of the proposed drainage scheme shall be provided.

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

14 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: So that the Local Planning Authority may be satisfied that no foul and surface water discharges take place until proper provision has been made for their disposal.

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.

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 (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:

Requested line drawings of the proposals for clarify, requested further information in a format that could be referred to in any decision on proposed materials and other detailing, requested the kitchen window be moved from the rear to side elevation, advised that a soakaway test was required before the proposed piped drainage scheme could be supported, and requested a noise assessment be submitted to assess the impact of noise from traffic and hotel ventilation systems.

2. INFORMATIVE: CONSTRUCTION

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. AVOIDING DAMAGE TO THE HIGHWAY GRASS VERGE

Applicants/Developers are reminded that great care should be taken to ensure that no damage to the surface or structure of the public highway is caused, by activities relating directly to the approved development (e.g. delivery of building materials via HGV's). The Council is particularly concerned at the increasing impacts and damage occurring to grass verges. This is detrimental to residential amenity, can present safety issues and places an unreasonable financial burden on the Council, if repairs are subsequently deemed necessary. Therefore, applicants/developers are strongly advised to work proactively with their appointed contractors and delivery companies to ensure that their vehicles avoid both parking and manoeuvring on areas of the public highway (grass verges) which are susceptible to damage. The council wishes to remind applicants that legislation (Highways Act 1980) is available to the authority to recover any costs (incurred in making good damage) from persons who can be shown to have damaged the highway, including verges. If the development is likely to require the temporary storage of building materials on the highway, then it is necessary to apply for a licence to do so. In the first instance please email highway.regulation@york.gov.uk, with details of the site location, planning application reference, anticipated materials, timelines and volume. Please refer to

the Council website for further details, associated fees and the application form.

Contact details:

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