

## COMMITTEE REPORT

**Date:** 18 February 2021      **Ward:** Dringhouses and Woodthorpe

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

**Reference:** 20/00990/FUL

**Application at:** 98B Tadcaster Road Dringhouses York YO24 1LT

**For:** Erection of 1no. dwelling and associated carport/garden store following partial demolition of single storey element to front of 98B Tadcaster Road

**By:** Mr Richard Marchant

**Application Type:** Full Application

**Target Date:** 22 September 2020

**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application site relates to land at the rear of 98B Tadcaster Road which is a detached dwelling with front garden. There is an existing private tarmac vehicular access that runs down the south side of no 98, which fronts Tadcaster Road, and provides access to two further dwellings (no 98A and 98B). The area is residential and characterised by substantial two storey dwellings fronting Tadcaster Road with long strip gardens heading to the west towards the railway line. Gardens to the north and south of the site have similar backland residential development which are a mix of one and two storeys.

1.2 There are two protected trees in the front garden of no 98 adjacent to the front boundary wall by Tadcaster Road. The site lies outside of a conservation area. The application site lies primarily in flood zone 1, although the very back (west of the site) is in flood zone 3 due to the proximity of Holgate Beck.

1.3 Planning permission is sought for the erection of 1no. dwelling and associated carport/garden store following partial demolition of a single storey element to the front of 98B Tadcaster Road. The proposed dwelling will be wholly sited within flood zone 1. Outline planning permission was granted on the same site as the current application in 2019 for the erection of 1 no. new dwelling house and detached garage with means of access included. A condition was imposed for this permission

requiring the dwelling be no more than 1 storey in height to protect the backland character of the area.

1.4 The proposed dwelling will be two storey in height with a basement floor sunk 1.5 metres below existing ground level. The dwelling will have a dual pitched roof with the ridge being 6.3 metres above the existing ground level. The maximum length of the dwelling would be 24.2 metres and the width will be 14.2 metres. The house is to have brick and render walls with a flat tile roof. There will be a detached flat roof car port/store that will be 11.3 metres by 7 metres. The carport will have a green roof.

1.5 An existing single storey section of no 98B Tadcaster Road will be demolished to allow for the access to the new dwelling to be created.

1.6 The application was called in to sub-committee by Councillor Mason for members to determine the size and scale of the proposal.

### Planning history

1.7 Outline application for the erection of 1 no. new dwelling house and detached garage with means of access included (19/00165/OUT) – Approved.

## **2.0 POLICY CONTEXT**

### National Planning Policy Framework

2.1 The revised National Planning Policy Framework (NPPF) 2019 sets out the government's planning policies for England and how these are expected to be applied.

2.2 The planning system should contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives. Paragraph 11 advises that at the heart of the Framework there is a presumption in favour of sustainable development.

## Publication Draft Local Plan 2018

2.3 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

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

### 2.4 Relevant Policies

- D1 Placemaking
- D6 Archaeology
- GI4 Trees and Hedgerows
- ENV2 Managing Environmental Quality
- ENV4 Flood Risk
- ENV5 Sustainable Drainage
- T1 Sustainable Access

## 2005 Development Control Local Plan

2.5 The Development Control Local Plan (DCLP) was approved for development management purposes in April 2005. Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF albeit with very limited weight.

### 2.6 Relevant Policies

- GP1 Design
- GP10 Subdivision of gardens and infill development

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## 3.0 CONSULTATIONS

### INTERNAL

#### Design, Conservation and Sustainable Development (Archaeology)

3.1 Written scheme of investigation condition required.

#### Design, Conservation and Sustainable Development (Landscape)

3.2 As with most development proposals, the aim should be to retain all category A and B trees, and wherever possible, category C trees, unless they are a hindrance to an otherwise acceptable development, in which case the loss of tree cover should be compensated for with appropriate new planting wherever possible. Similarly, development proposals should respectfully consider the wellbeing of neighbouring trees within influencing distance of the site.

3.3 The introduction of the dwelling onto the land at the rear would result in the loss of the majority of trees along the northern boundary of the site, and within the body of the site, including Laurel, early-mature Sycamore, Goat willow, and lines of Leyland cypress. The general tree cover and open space on which they stand, contributes to the green environment supported by the historically long rear gardens of properties on Tadcaster Road. This has been eroded as a result of increased housing density. However none of the trees are particularly worthy of retention on arboricultural merit alone, with the exception of Silver Birch (category B). Efforts should be made to retain the Birch, which appears to be just outside of the site boundary within the remaining grounds of 98B. This would involve the slight relocation of the garage and store.

3.4 Conditions proposed regarding tree protection and landscaping.

#### Public Protection

3.5 Conditions required for electric vehicle charging and unexpected land contamination.

## Highways Network Management

3.6 The access road, although very narrow, meets the minimum requires stated in our highway design guide and was approved, with the passing places, under 19/00165/OUT. Please condition the passing places to be kept clear of obstructions. Assume cycle parking is provided as part of the garden store

## Local Lead Flood Authority

3.7 It is essential the public sewers crossing the site are protected and the necessary investigation to locate in terms of their line and their level are carried out which they are content can be dealt with via condition if planning permission is to be granted.

3.8 The Drainage Strategy Plan prepared by Topping Engineers (Drawing No.19210-DR-C-0100 Revision P11 original dated May 2020, P11 undated) is generally acceptable.

3.9 In summary, the Plan states that foul water will discharge to public combined sewer crossing the site. In terms of surface water disposal, sub-soil conditions do not support the use of soakaways and the applicant has not been able to prove title of the watercourse adjacent to the site. As stated on the Plan the existing property has no positive connection to sewer therefore in accordance with our SuDS Guidance for Developers our lowest allowable Greenfield rate shall be used, therefore surface water will discharge to public combined sewer crossing the site via storage with restricted discharge of 0.5 (nought point five) litres/second. This will include the new dwelling, associated garage and driveways.

3.10 There is a 150mm public sewer crossing the site which it appears to clash with the building foundation therefore it is important this infrastructure is protected.

EXTERNAL

## Dringhouses Planning Panel

3.11 No response received.

## Ainsty Internal Drainage Board

3.12 Notes that the applicant is proposing to use the mains combined sewer for both the disposal of surface water and foul sewage. If Yorkshire Water is content with the proposed arrangement and is satisfied that the asset has the capacity to accommodate the flow, then the Board would have no objection to the new proposed arrangement.

## Yorkshire Water

3.13 Conditions recommended.

## **4.0 REPRESENTATIONS**

4.1 The application has been advertised by neighbour notification. One neighbour objection was received. The issues raised are summarised below.

- Proposal is for a substantial two storey house
- Officer report for previous permission notes only a single storey is acceptable in this location
- Larger than the plan area for no 98
- Significantly larger than no 98B
- Will dominate surrounding area and not integrate
- Should be similar to 100C Tadcaster Road, last dwelling constructed in neighbourhood
- There should be no permitted development rights and no alterations allowed to the roof or height at a later date.
- Extensive glazing faces towards our property, significant overlooking
- Impact on drainage, basement will have adverse impact on water flows and surface drainage in area
- Measures should be put in place to limit disturbance during construction

4.2 Following the submission of a revised drainage strategy, a further consultation was undertaken. A further objection was received from no 100B Tadcaster Road.

- Previous comments still stand.
- Large amount of spoil increased by drainage attenuation tank. Spoil should be removed from site

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- If spoil is not removed, back garden will be raised resulting in increased flood risk and overlooking

## **5.0 APPRAISAL**

### **5.1 Main Issues**

- principle of development
- impact on the character of the area
- impact on amenity and living conditions of adjacent occupiers
- highways and parking
- flood risk
- drainage
- trees
- archaeology

### **PRINCIPLE OF DEVELOPMENT**

5.2 The principle for residential development is already established by way of the 2019 outline planning permission in this location.

### **IMPACT ON THE CHARACTER OF THE AREA**

5.3 Paragraph 127 of the NPPF supports good design for new development that fits into the character of an area. Policies D1 of the 2018 Draft Plan holds moderate weight and Policies GP1 and GP10 of the 2005 DCLP. The previous approval at the site in 2019 was subject to a condition restricting the height of the dwelling to no more than 1 storey to take into account the character of the area and that this is a backland, garden plot. The applicant has sought to introduce a second storey by including a sunken section of the ground floor that will be 1.5 metres below the existing ground level. The proposed height of the dwelling will be no higher than the existing adjacent dwelling to the south and is of a similar volume. The materials proposed or brick, render and tiles are generally in keeping with the surrounding area and can be controlled by condition requiring samples of the materials and also for boundary treatment. The dual pitched roof is typical of a building that will appear as a bungalow from exterior views and the flat roof outbuilding is also typical within the curtilage of a dwelling. As such the design of the proposal is considered to be acceptable. The proposal will not appear out of character with the existing backland character and the scale will not dominate the remaining garden.

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5.4 The proposal also involves some demolition work to an existing single storey part of 98B Tadcaster Road to allow for the access to be created. To ensure the infill brick work is acceptable following the demolition, a condition is proposed requesting detailed drawings of the work and of the proposed external materials.

## IMPACT ON NEIGHBOUR AMENITY

5.5 The NPPF states that developments should create places with a high standard of amenity for all existing and future users. It goes on to state that decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Policies D1 and ENV2 of the 2018 Draft Plan consider amenity and hold moderate weight in the planning balance

5.6 The proposed residential use is in keeping with the surrounding area. The design and siting of the house, in relation to neighbouring dwellings, will protect daylight and sunlight. While concerns have been expressed over privacy, the closest section of the dwelling to no 100B is a blank gable end. There is glazing to the midsection of the roof, however the proposed elevations show that the glazing will be too high to allow overlooking from inside the house to neighbouring properties. To protect neighbour amenity a condition is proposed restricting permitted development rights for alterations to the roof.

5.7 The building is a similar height to the neighbouring dwelling to the south, 100B and as such will not result in an unacceptable loss of daylight or sunlight. Due to the design being primarily set back from the boundary and with a pitched roof, the building will not be overbearing to neighbours. Due to the height and location of the windows, there will be no loss of privacy. Objections have been received with regard to the front facing windows, overlooking the front garden and drive of the neighbouring dwelling, however front gardens and drives are often partially or totally overlooked and due to the height this would be no different to someone standing in the existing garden. As such the proposal is acceptable with regard to amenity.

5.8 Given the proximity of the proposal to other dwellings, an informative will be included to remind the developer of noise legislation that covers working hours and other possible disruptions during the construction process.

## HIGHWAYS AND PARKING

5.9 Para 109 goes onto say development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy T1 of the 2018 Draft Plan is also relevant.

5.10 The existing access off Tadcaster Road is to be maintained with a passing place as existing in front of no 98 at the front of the site. The Council's Highways Officer had no objection to the previous approval at the site and does not object to the current proposal. It is assumed cycle parking will be in the proposed store and this will be secured by condition.

## TREES

5.11 Emerging Policy GI4 seeks to ensure that proposals do not create conflict between existing trees to be retained and new buildings, their uses and occupants, whether the trees or buildings be within or adjacent to the site. The Council's Landscape Architect was consulted on the previous outline application. They confirmed that the proposed access would not result in an adverse impact on the protected tree and there would be no ground works or works to the boundary wall.

5.12 The proposal will result in the loss of trees in the existing rear garden, however the submitted tree survey which has been assessed by the Council's Landscape Architect only one of these a Grade B, i.e normally worthy of retention. The applicant was requested to move the outbuilding to allow for the retention of this tree, however they have requested that alternatively a tree be replanted. While ideally, the tree would be retained, the proposed tree is located in a rear garden of limited public visibility and outside of a conservation area. A condition is proposed for replacement planting and landscaping.

## DRAINAGE AND FLOOD RISK

5.13 An objection has been received from a neighbour to the south with regard to drainage from a new dwelling. The proposed building will be sited in flood zone 1 and in flood risk terms is appropriate development. A soakaway test has been undertaken and failed. In line with the sustainable drainage guidance, surface water would normally be directed to the nearest watercourse, in this case Holgate Beck to

the west. However, the applicant has noted that there is a strip of land between the development site and the Beck which is outside of their control and is unregistered land. To run drainage pipes under this land would run the risk of the land owner coming forward in the future to prevent this. As such it is not considered reasonable to require the applicant to discharge surface water in this manner. The next stage down the surface water drainage hierarchy is to discharge to the existing drainage systems via the main combined sewer. This has been agreed with the Council's Flood Risk Engineer, the Ainsty Drainage Board and Yorkshire Water subject to the imposition of appropriate conditions. Subject to these conditions, the proposal will comply with national and local planning policies and guidance with regard to flood risk and drainage.

## SUSTAINABILITY

5.14 Policy CC1 of the 2018 Draft Plan states that new buildings must achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that this is not viable. This should be achieved through the provision of renewable and low carbon technologies in the locality of the development or through energy efficiency measures. Emerging Policy CC2 states that proposals for new residential buildings will be supported where they achieve the following at least a 19% reduction in Dwelling Emission Rate compared to the Target Emission Rate and a water consumption rate of 110 litres per person per day.

5.15 Details of the proposed targets can be secured via pre-commencement condition setting out the details of measures that will achieve the required emissions reductions.

## ARCHAEOLOGY

5.16 98B Tadcaster Road is situated just off the line of the Roman SW approach road into York from Tadcaster. There are several instances of Roman burials and cemeteries alongside this road in the Dringhouses area. Recent archaeological monitoring for the erection of a garage at 125 Tadcaster Road revealed extensive Roman deposits at shallow depths – possible evidence of a building, metal-working or corn drying site.

5.17 Although the proposed development site is set back from the line of Tadcaster road, given the potential that Roman burials may exist anywhere throughout this

area, the Council's Archaeologist has recommended that a watching brief should take place to record any archaeological features which may be revealed during groundworks for drainage, foundations and any new areas of disturbance for creation of access. This can be secured via condition.

## **6.0 CONCLUSION**

6.1 The proposed dwelling is acceptable in principle with an outline permission already in place for a dwelling on site. By sinking the level of the dwelling in part, the proposal will allow for a second internal level to be created. It is also noted that there are other two storey backland dwelling in the immediate area. The design of the dwelling is acceptable in terms of its backland location, its form and the use of materials. The impact on amenity has been considered and due to the height and location of openings there are not considered to be any unacceptable adverse impacts. The loss of a Grade B tree weighs against the proposal, however this harm is limited by the location of the tree in a rear garden and the use of a condition ensuring replacement tree planting. The use of conditions will ensure the proposal is acceptable with regard to drainage, highways and archaeology. Overall, subject to the following conditions the proposal is considered to be acceptable.

## **7.0 RECOMMENDATION: Approve**

1 TIME2 Development start within three years

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

151 P00 received 13 January 2021;19210-DR-C-0100-P11 received 16 December 2020; 18011\_130 P02 received 24 September 2020; 18011\_105\_P03 received 9 June 2020; 18011\_106\_P02 received 9 June 2020; 18011\_107\_P01 received 9 June 2020; 18011\_110\_P01 received 9 June 2020; 18011\_111\_P01 received 9 June 2020; 18011\_115\_P01 received 9 June 2020; 18011\_131\_P01 received 9 June 2020; 18011\_135\_P01 received 9 June 2020; 18011\_001\_P02 received 9 June 2020; 18011\_005\_P01 received 9 June 2020

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

3 A) No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing.

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For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by the

Chartered Institute for Archaeologists.

B) The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report (or evidence of publication if required) shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 3 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site is considered to be an area of archaeological interest. Therefore, the development may affect important archaeological deposits which must be recorded prior to destruction to ensure compliance with Section 16 of the National Planning Policy Framework.

4 Before the commencement of development a complete and detailed Arboricultural Method Statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. Amongst others, this statement shall include details and locations of protective fencing, ground protection, a schedule of tree works if applicable, site rules and prohibitions, phasing of works, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials and means of moving materials around the site, locations and means of installing utilities, location of site compound. The document shall also include methodology and construction details where a change in surface material and boundary treatments is proposed within the root protection area of existing trees. A copy of the document will be available for reference and inspection on site at all times.

Reason: To protect existing trees which are considered to make a significant contribution to the amenity of this area and/or development.

5 Within three months of commencement of development a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the species, stock size, density (spacing), and position of trees, shrubs and hedging plants. The proposed tree planting shall be compatible with existing and proposed utilities. This scheme shall be implemented within a

period of six months of the practical completion of the development. Any trees or plants which within a period of five years from the substantial completion of the planting and 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 the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species across the site, in order to partly replace the loss of trees which contribute to the general tree cover across the city.

6 No development 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 information shall include site specific details of:

- i) the means by which the surface water discharge rate shall be restricted to a maximum rate of 0.5 (nought point five) litres per second, and
- ii) the means by which the surface water attenuation up to the 1 in 100 year event with a 30% climate change allowance shall be achieved

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

7 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.

8 No construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the infrastructure for the purposes of repair and maintenance by the statutory undertaker and the means of ensuring that the public sewer will be protected at all times. If the required protection measures are to be achieved via diversion or closure of any sewerage, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been

undertaken.

Reason: In the interest of public health and maintaining the public sewer network.

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

Reason: In the interest of satisfactory and sustainable drainage.

10 Development shall not commence until details have been submitted to and approved in writing by the local planning authority showing the proposed design for the part demolition and making good of the existing side projection of the dwelling currently known as 98B Tadcaster Road.

These details shall include:

- Proposed elevations
- Proposed floorplans
- Proposed materials

The approved works shall be completed prior to the occupation of the new dwelling.

Reason: To ensure a satisfactory final appearance.

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

Reason: So as to achieve a visually cohesive appearance.

12 VISQ4 Boundary details to be supplied

13 Details of the reduction in carbon emissions the development hereby approved would achieve when compared against Part L of the Building Regulations (the notional building) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the buildings and the development shall be carried out in accordance with the approved details.

The details shall demonstrate a reduction in carbon emissions of at least 28% through the provision of renewable or low carbon technologies or through energy efficiency measures and at least a 19% reduction in dwelling emission rate compared to the Target Emission Rate (calculated using Standard Assessment

Procedure methodology as per Part L1A of the Building Regulations).

Details shall also be submitted that demonstrate that the development shall also achieve a water consumption rate of no more than 110 litres per person per day (calculated as per Part G of the Building Regulations).

Reason: In the interests of sustainable design and in accordance with Policies CC1 and CC2 of the Publication Draft Local Plan 2018.

14 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 car port / parking area if desired. The applicant should identify the proposed location for a future Electric Vehicle Recharge Point within the development curtilage and ensure that any necessary trunking/ducting is in place to enable cables to be run to the specified location.

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.

15 Prior to above ground construction commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

16 LC4 Land contamination - unexpected contam

17 A strip of land 9 metres wide adjacent to the top of the bank of all watercourse (Holgate Beck) adjacent to the site shall be kept clear of all new buildings and structures (including gates, walls, fences and trees) unless agreed otherwise in writing with the Local Planning Authority in consultation with the Internal Drainage Board. Ground levels must not be raised within this area. Access arrangements should be agreed with the Internal Drainage Board.

Reason: To maintain access to the watercourse for maintenance or improvements.

18 No part of the site shall come into use until the passing places have been provided in accordance with the approved plans. Thereafter the passing places shall

be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site safely thereby ensuring the safe and free passage of traffic on the public highway.

19 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), development of the type described in Classes B and C of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015.

## **8.0 INFORMATIVES:**

### **Notes to Applicant**

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

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

Revised drainage strategy

#### **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 manufacturers instructions.

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

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

(f) There shall be no bonfires on the site.

**Contact details:**

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