

COMMITTEE REPORT

Committee: East Area **Ward:** Fishergate
Date: 15 October 2009 **Parish:** Fishergate Planning Panel

Reference: 09/00966/FUL
Application at: Hollycroft 20 Wenlock Terrace York YO10 4DU
For: Change of use of existing building from offices to 8 no self contained apartments
By: CYC Property Services
Application Type: Full Application
Target Date: 23 July 2009

1.0 PROPOSAL

1.1 **SITE:** The site is located on the north side of Wenlock Terrace, behind the buildings that front on to Fulford Road. It comprises a large detached 2-3 storey property, circa mid 19 century, with hardsurfaced parking areas on three sides. Access is from Wenlock Terrace, via a gap in the high brick wall along the front boundary of the site. The building is not listed, but the site lies within the Fulford Road Conservation Area. It is currently used as offices by CYC. Wenlock Terrace is predominantly a residential street, with the exception of the application site, children's centre and surgery to the west. There is a row of terraced houses to the north. The properties to the east, fronting Fulford Road, are in use as a hotel (listed) and surgery.

1.2 **PROPOSAL:** To convert the entire building into eight self-contained apartments consisting of four one-bedroom and four two-bedroom units. The existing access would be retained. The area to the front and eastern side of the building would be turfed and landscaped (following removal of an existing outbuilding). A new cycle and bin store is proposed adjacent to the entrance within the grassed area (no details submitted of store). The remainder of the site would provide ten car parking spaces. An existing tree in the parking area, adjacent to the entrance, would be retained.

1.3 Access to the building would be mainly from the existing front entrance door, which has stepped and ramped accesses. One ground floor flat would be accessed from an existing side door. No external alterations are proposed other than the alteration to the front garden area. The internal alterations do not require planning permission.

1.4 A supporting statement has been submitted with the application, which gives an overview of the scheme and an appraisal of the main issues of consideration. It concludes that the proposal represents a conversion within the built up area of York and in a highly sustainable location, with a scheme that represents an appropriate form of development at an acceptable density and layout.

1.5 At the request of Officers, a further supporting document has been submitted that seeks to address the requirements of Local Plan Policy E3b. This policy aims to protect and retain existing employment sites in their current use. The document includes qualitative and quantitative assessments of employment land supply in the City, following consultation with the Council's Economic Development Unit and york-england.com. It concludes that the site is no longer appropriate for employment uses in qualitative terms as it is outdated and not suitable for modern office requirements, and have provided quantitative information which demonstrates that there is not a need for employment units of this scale and type in the area and that others are available in the 'within ring road' area. It confirms that york-england.com have no objection to the application and that removing the property from the employment stock would not adversely affect availability for employment use.

1.6 HISTORY: Change of use to community day centre approved in 1975 and 1990. Approval of pre-fabricated cycle store in 2002.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Fulford Road 0039

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYGP4A
Sustainability

CYGP3
Planning against crime

CYGP9
Landscaping

CYH3C
Mix of Dwellings on Housing Site

CYH4A
Housing Windfalls

CYH5A
Residential Density

CYHE2
Development in historic locations

CYHE3
Conservation Areas

CYHE11
Trees and landscape

CYE3B
Existing and Proposed Employment Sites

CYNE1
Trees, woodlands, hedgerows

CYL1C
Provision of New Open Space in Development

CYT4
Cycle parking standards

CYGP11
Accessibility

CYGP13
Planning Obligations

3.0 CONSULTATIONS

3.1 The application was advertised in the local paper and by the posting of a site notice. Letters were sent to the Fulford Planning Panel and neighbouring occupiers as well as to internal consultees. Consultation period expired 14.7.09.

INTERNAL

3.2 Highway Network Management: No objection in principle. Note that cycle store is not of sufficient size to accommodate 8 bicycles. Conditions HWAY18 (cycle parking details to be agreed) and HWAY19 (car and cycle parking laid out).

3.3 Lifelong Learning and Leisure: No on site open space, contribution to off site provision for amenity open space, play space and sports pitches.

3.4 Education: No education contribution required.

3.5 Environmental Protection Unit: No objection in principle. However, complaints have been received about noise from late night deliveries to Sainsbury's store on Fulford Road. Furthermore, due to proximity of Fulford Road, concerned about the potential loss of amenity due to traffic noise. Request conditions for noise impact assessment and for scheme of works to address identified noise.

3.6 Conservation: Conversion back to residential use is in principle acceptable, and should be achievable without detriment to positive contribution the building makes to character of conservation area. However, application is lacking in detail, especially of flues, fans and extractors. Siting of cycle store in front of the principal elevation would detract from its setting. Structure should be moved to a less intrusive position. Suggests conditions. Disappointing that an insensitive approach has been adopted with regard to more impressive rooms to the front of building.

3.7 City Strategy:

(i) Loss of employment: Application needs to satisfy City of York Local Plan Policy E3b. In order to do this, applicants need to provide robust evidence that the loss of the site would not compromise the employment supply in the city, both in terms of quantity and quality, and meet at least one other criterion of the policy. To evaluate need, evidence required either to show property marketed for 6 months or submission of other relevant and up to date evidence to robustly demonstrate that not required for employment purposes.

(ii) Principle of housing on the site: Proposal needs to comply with policies H4a and H3c of Local Plan. Additionally, outcomes of the Strategic Housing Market Assessment should be taken into account.

Conclusion: In order to evaluate demand, the applicant should provide evidence to show that the site is not needed for employment purposes in both quantitative and qualitative terms, or provide other robust and acceptable evidence that the loss of employment on the site would not compromise supply in the City. Without this evidence, the application cannot be supported in policy terms.

Conclusion: As long as the above criteria are met, there would be no policy objection.

EXTERNAL

3.8 No responses received to date.

4.0 APPRAISAL

4.1 Key issues:

- Loss of employment premises
- Principle of conversion
- Sustainability
- Type, tenure and density
- Affect on residential amenity
- Impact on Fulford Road Conservation Area
- Trees and landscaping
- Parking, access and highway safety
- Flood risk

- Affect on local facilities

4.2 POLICY CONTEXT

4.2.1 Central Government guidance is contained in Planning Policy Statement 1 (PPS1): Delivering Sustainable Development, Planning Policy Statement 3 (PPS3): Housing, Planning Policy Guidance Note 15 (PPG15): Planning and the Historic Environment and Planning Policy Statement 25 (PPS25): Development and Flood Risk. PPS1 encourages good design and sustainable development. PPS3 encourages the efficient use of land with densities of 30-50 dwellings per hectare and a mix of type and tenure of housing to facilitate social inclusion. PPG15 sets out the special duty of the Local Planning Authority to preserve or enhance the character and appearance of conservation areas. PPS25 outlines the approach to be taken in new developments to reduce flood risk.

4.2.2 The City of York Development Control Local Plan policies outlined in section 2.2 are material to the consideration of this application. In particular, policies E3b and H4a.

4.3 LOSS OF EMPLOYMENT PREMISES

4.3.1 Local Plan Policy E3b seeks to protect land currently in use for employment from other forms of development. The agent has confirmed that no marketing of the site for employment purposes has been carried out. This is as a result of information provided by the Council's City Development Team, referred to in the supporting statement for the application, which is taken from an unpublished planning statement for the site, dated September 2007. The statement outlines the Council's strategic review of its administrative accommodation and confirms that "in quantitative terms, the release of existing Council sites for other appropriate uses will not compromise the overall employment land supply", nor in qualitative terms, as the building fails to meet modern office and Disability Discrimination Act requirements. Conversion of this building, following disposal by CYC, is considered by the applicant to offer the opportunity for the Council to save on maintenance and general running costs as well as the expense of bringing to building up to standards in terms of energy efficiency and access, whilst preserving the future of a historic building. This would be beneficial to the City as a whole.

4.3.2 In the absence of the open marketing of the building and the time period that has passed since the unpublished planning statement was written, the applicant was asked to undertake a further assessment of the qualitative and quantitative supply of employment space in the City and consult with the Council's Economic Development Unit and york-england.com. A report was submitted in late September. It concludes that the site is no longer appropriate for employment use in qualitative terms as it is outdated and not suitable for modern office requirements and conversion would affect the historical character and integrity of the building. It includes information from york-england.com, that in qualitative terms, there is not a need for employment units of this scale and type in the area and that others are available in the 'within ring road' area. A letter is attached to the report from the chief executive of york-england.com confirming that the removal of this property from employment stock

would not adversely affect availability for employment use and as such the organisation has no objection to the application.

4.3.3 Taking the above into account, it is considered an appropriate assessment has been undertaken to address the requirements of Local Plan Policy E3b and that there is no objection to the loss of this office building and its reuse for another purpose.

4.4 PRINCIPLE OF CONVERSION

4.4.1 The site constitutes previously development land within the urban area in a sustainable location, with good accessibility to the City Centre, and in a predominantly residential area. The conversion of this office building to residential apartments would be an appropriate and compatible use, that would accord with Policy H4a.

4.5 SUSTAINABILITY

4.5.1 One of the main themes of Central Government planning policy relates to the need to deliver sustainable development, as set out in Planning Policy Statement 1. The proposal involves conversion of an existing building in a sustainable location, close to the City Centre, local facilities and services, bus routes and the City's cycle network. The supporting statement submitted with the planning application considers the proposal against the criteria listed in Local Plan Policy GP4a (Sustainability), confirming the sustainable location of the site. In addition, the Council's Interim Planning Statement on Sustainable Design and Construction (IPS) states that 'reuse of existing buildings can be the most sustainable development option' and that 'their reuse and renovation saves resources and carbon emissions'. For conversions to dwelling units of over 5 dwellings, the IPS requires a minimum Eco-homes standard of 'Very Good', with the assessment undertaken by a BREEAM assessor. If approved, a condition should be attached to any approval to require the conversion to meet this minimum standard or confirm why it cannot be met.

4.6 TYPE, SIZE, TENURE AND DENSITY

4.6.1 Policy H3c of the Draft Local Plan requires a mix of new house types, sizes and tenures on all new residential development sites where appropriate to the location and nature of development. The proposal would provide eight apartments, including four one bedroom and four two bedroom units of varying sizes and layouts. Four would be on the ground floor, three on the second floor with the upper level of one of the ground floor units also on this floor and one on the second floor.

4.6.2 As the proposal relates to the conversion of a large building in a built up area on the edge of the City Centre with limited external space, the conversion to apartments is considered to be appropriate and indeed the only solution available for residential re-use. Whilst the Council's 2007 Strategic Housing Market Assessment (SHMA) identified that two-thirds of the demand in the City was for houses, 36% of demand was for flats with 50% being for 1 and 2 bedroom units. Therefore, the proposal would fulfil a need for smaller accommodation units in the City. The SHMA found that the split in demand for 1 and 2 bedroom apartments was 21% and 29%

respectively and therefore the proposal would provide an appropriate mix of unit size. In addition, there are constraints to the layout of the units due to the size and layout of rooms in the existing building and position of openings and features such as windows and chimney breasts. All apartments would be for private sale, though as the scheme is for less than 15 dwellings, there is no requirement for affordable housing provision.

4.6.3 The number of units proposed would result in a density of 80 units per hectare, which exceeds the 40 dwellings per hectare for urban areas and indeed the 60 dwellings per hectare for city centre locations set out in Policy H5a. However, it represents an efficient use of previously developed land. As the proposal is for the conversion of an existing building rather than new building, the scale and design of the development would remain compatible with the character of the surrounding area. However, the number of units does put pressure on the provision of sufficient amenity space and parking/refuse collection within the limited external curtilage area.

4.7 RESIDENTIAL AMENITY

4.7.1 The residential use of the building would be compatible with the predominant land use in this urban area and there is unlikely to be any harm on the amenity that surrounding occupants could reasonably expect to enjoy.

4.7.2 The size and layout of the proposed apartments is restricted by the existing plan and physical features of this historic building, such as staircases, window openings and fireplaces/chimney breasts and the limited size of the site and location of the building within it. It results in some unusual arrangements of units - in particular, apartment 2, which is split over two floors and has one north facing window serving the living area. Also, apartment 4 has one of its bedroom windows next to the main entrance to the building, with the existing disabled ramp in front of the window and the pathway to the cycle store passes by the windows for its living area/kitchen. Whilst these situations are not ideal, it is not considered that the conversion would result in any sub-standard dwellings, in terms of space, outlook, light, ventilation and privacy and the only way to address the layout of units would be to reduce the number of apartments proposed.

4.7.3 The building has limited land around it, though the scheme proposes a front garden area for use as an outdoor amenity space by occupants of the apartments, albeit small. The relocation of the cycle store to the eastern side of the building would increase the size and improve the quality of this amenity area. The Environmental Protection Unit has highlighted potential noise issues for future occupants of the apartments from Sainsbury's on the corner of Fulford Road and Wenlock Terrace and from Fulford Road itself. A condition is requested to carry out a noise assessment and undertake any necessary mitigation measures.

4.8 CONSERVATION AREA

4.8.1 The conversion of the building and the provision of an open grassed area at the front would preserve and potentially enhance the setting of this historic building and consequently the character and appearance of the conservation area. The cycle store has been relocated from the front of the building to its eastern side to address

the concerns of the Council's Conservation Officer about harm to the setting of this historic building and the conservation area.

4.9 TREES AND LANDSCAPING

4.9.1 There is a mature tree in the grounds, to the west of the entrance, which adds to the amenity of the conservation area. This is to be retained as the area around the tree is not proposed to be altered and should be protected by condition during conversion works on site.

4.9.2 A landscaping condition is recommended to ensure that the front private amenity space is made available to future residents prior to occupation and is of a suitable layout.

4.10 PARKING, ACCESS AND HIGHWAY SAFETY

4.10.1 The existing vehicular access to the site is to be retained. Visibility when entering and exiting is restricted by the high walls and on-street parking. However, potential traffic generation is unlikely to be greater than the current use of the building and the number of parking space available on site is being reduced. As such, Highway Network Management raises no objection on access grounds.

4.10.2 Parking provision is proposed for ten vehicles, which represents 1:1 provision with 2 visitor spaces. At least two of the spaces would be difficult to manoeuvre in and out of and may prove unusable. However, these are existing spaces. Furthermore, given the location of the site in close proximity to the city centre and local services and to public transport and cycle routes, a lower parking ratio would be acceptable, providing there are sufficient cycle parking facilities. As mentioned above in 4.8, the cycle store proposed is not shown in an appropriate location and is considered by Highway Network Management not to be of sufficient size. The agent has confirmed that a store could be provided at the side of the property, replacing an existing outbuilding that is proposed to be removed. As an alternative location could be provided, it is considered that this matter can be resolved by condition.

4.10.3 There is an existing access ramp at the main entrance door into the building, which is to be retained. This would allow access by disabled persons into apartments 3 and 4. There is level access into apartment 1, which has its own entrance door at the side of the building. However, due to the layout of the building and level changes within it, apartment 2 and those of the upper floors would not be accessible.

4.11 FLOOD RISK

4.11.1 The site lies in Flood Zone 1 (Low Probability of Flooding). There is no increase in the size of the building nor its surrounding hardstanding. Therefore, there is unlikely to be an increase in surface water run-off. Surface-water is proposed to be disposed of to the main sewer. However, efforts should be made to investigate alternative means of disposal in the interests of reducing flood risk in the City.

4.12 AFFECT ON LOCAL FACILITIES

4.12.1 The site is well served by local shops and is easily accessible to the City Centre. Education has confirmed that there is no requirement for a financial contribution towards the provision of additional education facilities in the area to cater for any potential child occupants. There is a requirement for a commuted sum payment of £6,408 towards off site provision in lieu of public open space being incorporated in the scheme (separate to the private amenity site). The agent has confirmed the applicants agreement to the imposition of a condition to require payment of this money.

5.0 CONCLUSION

5.1 The application relates to an existing historic building currently in use as offices by CYC. The proposal involves the conversion of this existing building in the main built-up area of the City for a use that would be compatible with surrounding uses and the location of the site in the Fulford Road Conservation Area. Sufficient information has been submitted to demonstrate that the loss of the building would not, in qualitative and quantitative terms, compromise the overall employment land supply in the City.

5.2 The scheme for eight units has been designed to take account of the physical constraints of the building. A lesser number of units would potentially allow a increased amount of amenity space to be provided on site as there would be a lower vehicle and cycle parking requirement, and could improve the arrangement and layout of apartments internally. However, the impact of this number of units would be unlikely to result in such harm to warrant a reason for refusal that could be sustained on appeal.

6.0 RECOMMENDATION: Approved

1 TIME2 Development start within three years

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

Drawing no. 201-001 revision A, 'Proposed Site Plan', dated 21 July 2009 and received 21 July 2009;

Drawing no. 201-002, 'Proposed Floor Plans', dated March 2009 and received 18 May 2009.

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 The apartments hereby approved shall not be occupied until the areas shown

on the approved plans for parking and manoeuvring of vehicles 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.

4 Prior to the commencement of the conversion of the building to apartments hereby approved, details of the cycle parking storage area, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The apartments 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.

5 Notwithstanding the details shown on the approved plans, details of refuse and recycling storage areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the conversion of the building to apartments hereby approved. The apartments shall not be occupied until the refuse and recycling 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 storage of refuse and recycling containers.

Reason: To ensure adequate provision on site and in the interests of the visual amenity of the area and to preserve the character and appearance of the conservation area.

6 Prior to the commencement of the conversion of the building, a noise impact assessment shall be undertaken to assess the impact of the traffic on Fulford Road and deliveries to the convenience store at 212-214 Fulford Road on the future occupiers of the proposed apartments. A scheme of works to address any issues identified as a result of the assessment shall be submitted to and agreed in writing by the Local Planning Authority and subsequently implemented before occupation of the apartments.

Reason: To protect the future occupants of the apartments from noise disturbance.

7 All works on site relating to the conversion of the building to apartments, including loading or unloading on the site, shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason: To protect the amenities of adjacent residents.

8 Large scale details of the position and design of flues and vents shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the conversion and the works shall be carried out in accordance with the approved details. There shall be no roof vents and/or slate vents.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of preserving the character and appearance of the conservation area.

9 Prior to the commencement of conversion works, a detailed landscaping scheme for the private amenity area at the front of the site and any other areas of landscaping within the site as a whole shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall illustrate the number, species, height and position of trees and shrubs and all hard landscaping materials. 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 and in the interests of the residential amenity of future occupiers.

10 The development hereby approved shall achieve a BRE Eco-homes standard of "Very Good". A formal Post Construction assessment by a BRE licensed assessor shall be carried out and a copy of the final Post Construction Stage Certificate shall be submitted to the Local Planning Authority prior to occupation of the building. Should the development fail to achieve a "Very Good" Ecohomes rating, a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a "Very Good" rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

11 Development shall not begin until details of surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason: To comply with guidance contained within Planning Policy Statement 25 (Development and Flood Risk).

INFORMATIVE:

The submitted details should comply with the following requirements:

Peak surface water run-off from the development shall be attenuated to 70% of the existing rate, in accordance with a scheme to reduce run-off to be submitted to and agreed in writing by the Local Planning Authority (based on 140 l/s/ha of connected impermeable areas). The scheme submitted shall include storage volume calculations, using computer modelling, allowing for 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 shall also include an

additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required. Details of run-off rates including calculations of both the existing and proposed rates shall also be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

12 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 L1c of the Development Control Local Plan which requires that all new housing sites make provision for the open space needs of future occupiers.

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 £6,408.

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.

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 to loss of employment premises, principle of conversion to residential use, type, tenure and density of residential units, residential amenity, character and appearance of Fulford Road Conservation Area, trees, highway safety, flood risk and provision of local facilities. As such the proposal complies with national planning advice contained within Planning Policy Statement 1 (PPS1): Delivering Sustainable Development, Planning Policy Statement 3 (PPS3): Housing, Planning Policy Guidance Note 15 (PPG15): Planning and the Historic Environment, Planning Policy Statement 25 (PPS25): Development and Flood Risk and Policies GP1, GP9, GP11, H3c, H4a, H5a, HE2, HE3, HE11, E3b, NE1, L1c and T4 of the City of York Development Control Local Plan (incorporating fourth set of changes) 2005.

2. INFORMATIVE:

Please note that there are no permitted development rights for flats. Planning permission would therefore be required for any change to windows and external doors and for the installation of solar panels or other attachments to the building that alter its material appearance.

3. INFORMATIVE:

Your attention is drawn to the following environmental health requirements during conversion works:

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a scheme remediation to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

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 noted and acted upon. Failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS5228: 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". 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. 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. 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. There shall be no bonfires on the site

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