

## COMMITTEE REPORT

**Date:** 14<sup>th</sup> October 2010      **Ward:** Clifton  
**Team:** Major and Commercial   **Parish:** Clifton Without Parish Council  
Team

**Reference:** 10/01538/FULM  
**Application at:** Land Adjacent To 76 To 84 Lilbourne Drive York  
**For:** Erection of 12no. three bed dwellings and 9no. two bed dwellings with associated parking, access and single storey detached boiler house  
**By:** Mr Andy Kerr  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 18 October 2010  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 This application seeks planning permission for the erection of 21 affordable houses, 12 of which would contain three bedrooms and 9 would have 2 bedrooms. Each house has its own private garden to the rear. 19 of the houses are proposed on a green area of land at the end of Lilbourne Drive, the site is bounded by Sutton Way to the East, Burdyke Avenue to the South and Bur Dike and Tamworth Road to the North. Lilbourne Drive is to the West. 2 of the 21 houses are proposed on land which is currently used as an electricity sub-station on Sutton Way. In addition an energy centre is proposed which would house a biomass plant to provide hot water for the houses.

1.2 The land is unallocated 'White Land' on the Local Plan Proposals Map. The site was left as informal open space as part of the residential development to the north and west of the site.

1.3 Vehicular access to 19 of the houses would be via Lilbourne Drive, the two dwellings on the site of the electricity substation would be accessed from Sutton Way. There is no direct link between the two sites. A Public Right of Way (PROW) runs through the site from Lilbourne Drive through to Sutton Way along the south side of Bur Dike. An informal footpath and cycle way runs along the north of Bur Dike.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

## 2.2 Policies:

CYGP1  
Design

CYGP3  
Planning against crime

CYGP4A  
Sustainability

CYGP15  
Protection from flooding

CYH3C  
Mix of Dwellings on Housing Site

CYH4A  
Housing Windfalls

CYH5A  
Residential Density

CYL1C  
Provision of New Open Space in Development

## 3.0 CONSULTATIONS

### INTERNAL

3.1 Leisure - No objection to the development. A commuted sum is sought for the upgrade of local open space, play space, and sports facilities.

3.2 Highway Network Management - Car parking has been provided in accordance with maximum standards and is provided on street in managed parking areas. The internal layout has been designed on Home Zone principles and carefully thought through to ensure parking is controlled. There will be no separate kerbs or footways and the road has been set out to restrain vehicle speeds through carriageway narrowing and on-street parking. A refuse vehicle can satisfactorily traverse the layout without overrun. The development will be constructed to adoptable standards. Cycle parking has been proposed in accordance with the relevant minimum standards and can be secured by suitable condition. The site has an existing Public Right of Way crossing over it on the south side of Bur Dike. To the north of Bur Dike is a stoned pedestrian/cycle route which evidence suggests is an unrecorded PROW. It is proposed to extinguish the PROW crossing the site and the route to the north would be improved in terms of its surface and width. Officers do not consider that the extinguishment is unacceptable or will represent a loss in amenity as the stoned route to the North runs parallel with the PROW crossing the site and starts/terminates at the same points on Lilbourne Drive and Sutton Way respectively.

3.3 Environmental Protection Unit - Due to the location of Clifton Day Nursery at 5 Sutton Way it is recommended that an acoustic fence be erected on the eastern boundary of the site to reduce noise spill. There is no evidence of contamination on site, a watching brief should be added as a condition of any approval. A condition controlling hours of construction and also the control of noise and dust is also recommended to be added to any approval. A full analysis of the Biomass plant is being carried out and an Officer update will be given at committee regarding the outcome of this.

3.4 Education - No commuted sum is required in relation to this application.

3.5 Drainage - Drainage details are agreeable in principle; at the time of writing this report full details were being finalised. An Officer update will be provided at Committee.

3.6 Design, Conservation and Sustainable Development (DCSD)Landscape- - The development presents a pleasant cul-de sac by way of its scale and outlook onto the beck, wildflower grassland, new tree planting, individual (though very modest) rear gardens, and a shared surface paving with street trees. The success of the development is reduced by the removal of the rear garden hedge and the small size of some of the plots, especially in relation to existing neighbouring vegetation. Much of this is due to the limited depth of the site, which also pushes the development a bit close to the dyke. The trees on the slopes of the beck will need protecting with fencing from earthworks and other development operations. Conditions are recommended regarding tree protection and a detailed landscaping scheme.

3.7 DCSD Countryside - The grassland on the site is uncut and species poor. A watervole survey was carried out in June and there was no evidence of any recent use within the site although they have been recorded in the past. The proposed development is set back from the watercourse and so would not be directly affected by the works. The scheme provides a good opportunity to create more suitable habitat for the benefit of a range of wildlife species. Some hedgerow removal is required as part of the proposal, the loss of this habitat would need to be mitigated against through additional planting towards the northern area of the site. Similar species should be used as those found on the good quality grassland of Clifton Backies as well as that which was likely to be present on the site itself in the past. It is proposed to incorporate bat and bird features across the site to further increase the wildlife value of the area. A condition should be added to any approval to ensure the works proposed are carried out.

3.8 DCSD Sustainability - There is a commitment for all 21 dwellings on the site to meet level 5 of the Code for Sustainable Homes (CfSH). Level 5 is above and beyond minimum requirements set out in the Interim Planning Statement on Sustainable Design and Construction, therefore the applicant should be commended for aspiring to such a challenging target. If permission is granted the development has the potential to act as an exemplar site within York of how to reach the more challenging levels of the CfSH.

3.9 Housing Strategy and Enabling Team - Full support. The proposal provides much needed affordable family housing. The completed homes will be owned and managed by CYC for social rent. The two and three bedroom family houses fully

comply with the HCA space and design standards, and are targeted to meet the city's priority need as evidenced by the 2007 Strategic Housing Market Assessment (SHMA). The houses accessed from Lilbourne Drive will provide homes for nineteen families in housing need and can accommodate up to eighty-six people in total. The application also allows the possibility of the development of the Sutton Way electricity sub-station site at a later date to provide a further two houses. The properties have been designed to meet Code for Sustainable Homes Level 5, they would be cheap to run whilst minimising the impact on the environment. This has influenced the scheme design, with the homes on an east/west axis with a southerly orientation. In addition a centralised Biomass boiler providing heating, and Photo Voltaic solar panels producing electricity are proposed. Many of the requirements attached to the funding, such as the space standards and orientation of the homes, has influenced the layout. However, extensive work has been undertaken with City Strategy to ensure a high quality development has been proposed which minimises the impact on neighbouring properties, integrates within the existing successful community and provides a high quality environment for the new tenants.

## EXTERNAL

3.10 Clifton Without Parish Council - Recommend approval of this eco friendly designed development, subject to the support of neighbours and to the proposed access being in conformity to the City of York Council standard conditions for shared property access.

3.11 Clifton Planning Panel - The Panel broadly supports the proposal, however, it is felt that the massing of the four storey blocks could be improved, it is felt that the scheme would look better with a block of two storey houses followed by a block of three storey houses rather than mixing heights in each block.

3.12 Police Architectural Liaison Officer - Consultation has been carried out at all stages in the design process and the design and layout of the scheme adopts Secured by Design principles where possible. However, there are concerns that the energy centre is vulnerable to crime and anti-social behaviour.

3.13 Third Parties - Two pieces of correspondence were received from residents of 51 Lilbourne Drive and 165 Bur Dyke Avenue, the following points were raised:

- Concern about the additional cars using the road junction in front of 45 Lilbourne Drive as visibility is poor due to bushes close to the junction;
- There are car parking spaces close to the junction which further adds to the danger of increasing traffic using it;
- Many young children run across the roads and footpaths in this area, more cars will make the area more dangerous;
- There are drainage problems in the area and there are concerns that the proposed development could make the situation worse for existing residents, part of the site is in Flood Zone 3 and the Dike is already at capacity;
- Existing residents enjoy the green view of the field, are there not brownfield sites where the houses could be located;
- There is not sufficient landscaping to screen the new houses from existing ones;
- There is not enough car parking on the site meaning that people will park on Lilbourne Drive restricting access for existing residents;
- Concern about traffic, noise, dirt and disruption during construction;

- Questions are raised regarding who owns the land, whether it is considered to be greenfield, and whether it is the site of a viking grave yard;
- Wouldn't it be more sensible to re-assess the maintenance costs of current Council housing stock and give thought to utilising attic space which could address overcrowding;
- Why is the Local Authority wasting so much of its public funds on administration within the housing department.

## **4.0 APPRAISAL**

### 4.1 Key Issues:

- Principle of development;
- Impact on neighbouring amenity;
- Impact on the character and appearance of the area;
- Traffic and car and cycle parking;
- Drainage and flooding
- Landscaping and natural habitat;
- Sustainability; and
- Open Space.

### PRINCIPLE OF DEVELOPMENT

4.2 The site in question forms part of the open space provision when the surrounding residential development was built. The land is not maintained and is not widely used; its use appears to be limited to local dog walkers. Two formal open space/childrens play areas were created as part of the development, these are located adjacent to Brailsford Crescent and remain in use. The Leisure team raise no objections to the loss of the site as open space. The site is located close to Clifton Backies which provides informal open space and the development would allow funds to be invested in existing nearby open space facilities. The site is in a sustainable urban location and there are no objections to the principle of developing this site for housing.

### IMPACT ON NEIGHBOURING AMENITY

4.3 The proposed development consists of two and three bedroom terraced housing. The two store, three bedroom dwellings contain a room in the roof and are a little greater in height. The two bedroom units measure approximately 5.5m in height to the eaves and 8.5m to the ridge. Each three bedroom unit is around 6m to the eaves and 9.1m to the ridge. Window heights are the same on both types of property. A rooflight is proposed on the north elevations of the three bedroom dwellings to provide light and outlook. The nearest residential dwellings to the main section of the development, namely the 16 dwellings arranged in a relatively linear pattern to the south side of the site, are those on Burdyke Avenue. The closest relationship between the proposed dwellings and a dwelling on Burdyke Avenue is approximately 21m which is considered adequate to maintain privacy and outlook for existing residents whilst also providing reasonable separation for any future residents of the proposed development. At the nearest point the proposed dwellings sit 7m beyond the rear garden boundary of dwellings on Burdyke Avenue. There are no set figures on what distance is acceptable in this respect, however given the modest height of the proposed dwellings and the fact that they sit to the north of the

existing houses, it is not considered that the proposal would harm the outlook, level of natural light, or privacy which residents could reasonably expect to enjoy within the garden of these dwellings.

4.4 The gable end of the proposed house to the south west of the site sits approximately 18m from the nearest front window of a dwelling on Lilbourne Drive. This level of separation is considered reasonable to maintain outlook. It is considered that the location and alignment of the remaining five houses, three to the north east of the site and two fronting Sutton Way, are such that there would be no significant loss of amenity for residents of Sutton Way or Tamworth Road. A letter of objection was received from a local resident stating that the proposal would spoil views out onto a piece of green land. However, views such as this do not represent material planning considerations.

#### IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

4.5 The surrounding area is residential in character with post war Council houses being present on Burdyke Avenue to the south and a mix of more modern housing to the west and north. Housing is generally of medium density. The proposed development constitutes development of 37.5 dwellings per hectare which is in line with local standards and represents the character of the surrounding area.

4.6 The houses sit in blocks of two, three, and four houses, with 16 of the houses in blocks of four to the south of the site. This is consistent with the houses on Burdyke Avenue to the south. Sutton Way is characterised by semi-detached houses, the proposed housing fronting Sutton Way is semi-detached. The dwellings are of simple and traditional proportions and scale. They would appear contemporary in style through the use of materials and the changes in heights. The proposed street frontage is a mix of two house types differentiated by alternative cladding materials as well as heights. The 2 bed houses are faced in brick with the three bed houses being clad in a cement weatherboard which would be treated to give it a timber finish. On the two bedroom properties windows on the ground and first floor levels have been framed to give a vertical emphasis to the design. Whilst all of the materials used are not typical of the surrounding area, there is a variety of design, scale and material of built development in the area which gives scope for the development of houses of the type proposed. It is considered that subject to a condition which ensures external materials are approved, the proposal would cause no harm to the character and appearance of the area.

4.7 Much of the design has been shaped by the desire to achieve a Code for Sustainable Homes Level 5 rating. The majority of the houses have a significant southern elevation which allows for passive solar gain as well as the use of solar panels. Photovoltaic panels are proposed as part of this development, the low carbon requirement of the proposal means that a large proportion of the southerly roof slopes would contain solar panels. Whilst these are not common en masse in the area or York generally, it is not considered that they would harm the character or appearance of the area. Windows and doors are to be aluminium and timber which continues the modern and high quality appearance of the proposed dwellings.

#### TRAFFIC AND CAR AND CYCLE PARKING

4.8 Lilbourne Drive serves a large number of properties. The proposed addition of 19 houses to be served off this road is not considered by the highway team to be significant. The creation of two additional houses on Sutton Way is also not considered to be harmful to highway safety. The applicants are proposing on-street car parking, with spaces provided to create pinch points on the highway in order to reduce traffic speeds and accord with Home Zone principles. Pedestrians would have priority in all areas with vehicles excluded from protected zones around the houses. 28 car parking spaces are proposed to be created which is a little under the maximum car parking standard set out in the Development Control Local Plan. Car parking has been created close to the front entrance door for convenience. However it has been arranged in small groups alternating between the north and south side of the road to avoid the appearance of a continuous line of parked cars. There are no objections to the number or location of the proposed car parking spaces. Submitted plans show that a refuse lorry can enter and leave the site in a forward gear. Cycle parking facilities are to be provided for all houses. Gaps between the rows of houses allows access to the rear of all properties via a passageway, the access is to be secured by a lockable gate. The level of cycle parking is in line with local standards and is considered both secure and enclosed.

#### DRAINAGE AND FLOODING

4.9 The application site contains elements which are within Flood Zone 1, 2, and 3. The Flood Zone 2 and 3 areas are around the Dike, no residential dwellings or gardens are within these areas. A concern has been raised by a local resident that the proposed development may create surface water drainage problems in the surrounding area and increase flood risk. Some ground works are required to flatten out part of the site, however these have been included in the drainage calculations included in the Flood Risk Assessment (FRA) and there would be no increase in flood risk in the surrounding area. The FRA states that there would be no impact downstream from Bur Dike as long as discharge rates are attenuated, this is particularly important during extreme weather events. It is suggested that a condition be attached to any permission to ensure that a suitable surface water drainage system is approved and implemented.

#### LANDSCAPING AND NATURAL HABITAT

4.10 There is potential on site to include features which would be beneficial to the natural habitat. This includes planting and the inclusion of bat and bird boxes. The applicant has confirmed there are no objections to a condition being added to any approval to ensure suitable measures are taken in this regard. Bur Dike embankment area is to be retained and reinforced with further planting of native trees and suitable grassland to promote biodiversity. A hedge is proposed to be removed from the southern part of the site, in order to provide reasonable sized back gardens to some of the properties. However there is scope for some replacement planting which would both improve the visual amenity of the area and its ecological value.

#### SUSTAINABILITY

4.11 The proposed development aims to achieve Code for Sustainable Homes Level 5 which is just one below the highest rating awarded. Code for Sustainable

Homes ratings cover the water use, waste, drainage, pollution, ecology, and energy aspects of sustainability. The applicants are proposing the use of solar panels to provide renewable energy on site in accordance with the Sustainable Design and Construction supplementary planning guidance. A biomass boiler is also proposed to provide a community heating system which leads to lower carbon emissions than if only individual gas boilers were used. A high level of insulation will be provided and the windows are proposed to be triple glazed which would reduce the demand for energy for heat. Each house will have individual facilities for recycling. The site is in a sustainable urban location where there is a choice of transport modes other than the car and there are a number of local shops and services within walking distance of the site.

## OPEN SPACE

4.12 As discussed in paragraph 4.2 there is no objection to the loss of the site as informal open space. The site is not well used at present and is not maintained. Clifton Backies provides open space and is very close to the existing site. Funds received as part of the proposed development can be used to improve and upgrade existing formal open space and play areas in the vicinity which would be of benefit to existing local residents and any future occupiers of the proposed dwellings.

## OTHER ISSUES

4.13 Clifton Day Nursery is located at 5 Sutton Way, north of the site proposed for the two houses and east of the main Lilbourne Drive site. The nursery play area is to the rear of the two houses proposed for Sutton Way. The nursery has planning permission to operate between 08:00 and 18:00 hours Monday to Friday. Given the controlled hours of operation it is not considered that the nursery would generate sufficient noise and disturbance to unduly harm the amenities of future occupiers of the proposed dwellings. A condition is recommended that an acoustic fence be erected in order to reduce noise entering neighbouring gardens whilst the nursery is operational.

4.14 The original plans for the application showed the public right of way running to the rear of the three houses proposed for the north of the site. After extensive discussion it was decided to try to relocate the public right of way to the north side of Bur Dike. This unadopted footpath is used by a large number of pedestrians and cyclists and would benefit from upgrading. In addition the removal of the public right of way from the site has the benefit of allowing larger gardens to the rear of these three properties and also reducing the risk of crime and anti-social behaviour in this area. The diversion of the public right of way to the north of Bur Dike is the subject of a further application which is separate from this planning application. The existing public right of way is inaccessible as the route is fenced off and the route is significantly overgrown.

## 5.0 CONCLUSION

5.1 There is no objection to the loss of the site as informal open space and the development of affordable housing. It is considered that the proposed dwellings would not harm the character and appearance of the area or the level of amenity



which local residents could reasonably expect to enjoy, and would provide much needed additional affordable accommodation within the area.

## **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:-

To be confirmed at Committee

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 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 £36,666.

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.

4 HWAY1 Details roads,footpaths,open spaces req.

5 HWAY7 Const of Roads & Footways prior to occup

6 HWAY14 Access to be approved, details reqd

7 HWAY18 Cycle parking details to be agreed

8 HWAY19 Car and cycle parking laid out

9 HWAY40 Dilapidation survey

10 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of construction works shall be submitted to and approved in writing by the LPA. The statement should include at least the following information:

- the routing for construction traffic that will be promoted;
- a scheme for signing the promoted construction traffic routing;
- where contractors will park;
- where materials will be stored within the site; and
- measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

Reason: In the interests of highway safety and amenity of local residents

11 Prior to commencement of the use hereby permitted (or within such a time as approved in writing by the local planning authority), an acoustic barrier, at least 2 metres high and 18mm thick, shall be constructed to the eastern boundary of the proposed development adjacent to Clifton Day Nursery and the electricity substation on Sutton Way. The location of the acoustic barrier shall be approved in writing by the local planning authority prior to the commencement of the use hereby permitted (or within such a time as approved in writing by the local planning authority). For the avoidance of doubt, the acoustic barrier shall be imperforate in construction with no air gaps to allow the passage of noise, such as a close boarded fence. The acoustic fence shall be constructed on site in accordance with approved details prior to the car park being brought into use and shall be retained thereafter.

Reason: To protect the amenity of residents in the proposed development

12 Prior to any works commencing on site, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the demolition, site preparation, groundwork and construction phases of the development. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of occupants of adjacent and adjoining properties during the development of the premises.

13 During the development of the site, all demolition and construction works and ancillary operations, including deliveries to and dispatch 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

Reason: To protect the amenity of the local residents.

14 In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must

be undertaken, and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect public health.

15 No development shall take place until details have been submitted to and approved in writing by the Council of what measures are to be provided within the design of the new dwellings and landscaping to enhance the biodiversity of the area. The works shall be completed in accordance with the approved details. Features suitable for incorporation include measures for species that use buildings such as bats and birds and the enhancement of the ditch and hedgerows that form the boundary of the site.

Reason: This is proposed to take account of and enhance the habitat and biodiversity of the locality.

16 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 9.2 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

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

17 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 development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

18 Trees shown to be retained shall be protected during the development of the site by the following measures. Prior to commencement on site of clearance, site preparation, earthworks, installation of utilities, building or other development operations, including the importing of materials and any excavations, protective fencing to BS5837: 2005 shall be erected around all existing trees shown to be retained. Before commencement on site the protective fencing line shall be shown on a plan and agreed with the local authority and subsequently adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zone: excavation, raising of levels, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles, mechanical cultivation under the canopy spread of retained trees. Within the exclusion zone there shall be no site huts, no marketing offices, no mixing of cement, no disposing of washings, no stored fuel, no new trenches or pipe runs for services

or drains. The fencing shall remain secured in position throughout the construction process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure trees on site are protected.

19 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscape scheme which shall include the species, stock size, density (spacing), and position of trees, shrubs and other plants; and details of soil preparation, sowing, establishment and management of grassed and wildflower areas. 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 the Local Planning Authority agrees alternatives in writing. This also applies to any existing trees that are shown to be retained within the approved landscape scheme.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is integral to the amenity of the development.

20 Full details of the security gates to be installed within the development to secure private and communal spaces shall be submitted to and approved in writing by the Local Planning Authority. The gates shall be fully installed and operational in accordance with the approved details prior to the first occupation of any dwelling which that gate serves.

Reason: For crime prevention.

## **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:

- Principle of development;
- Impact on neighbouring amenity;
- Impact on the character and appearance of the area;
- Traffic and car and cycle parking;
- Drainage and flooding
- Landscaping and natural habitat;
- Sustainability; and
- Open Space.

As such the proposal complies with Policies GP1, GP3, GP4a, GP15a, H3c, H4a, H5a, and L1c of the City of York Development Control Local Plan.

## 2. INFORMATIVES:

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

Highway Adoption - Section 38 - Michael Kitchen - 01904 551336

Public Rights of Way - Section 257 - Alison Newbould - 01904 551481

3. You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

4. The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

1. All demolition and construction works 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".

2. 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.

3. 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.

4. There shall be no bonfires on the site.

### **Contact details:**

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