

COMMITTEE REPORT

Date: 12 July 2017 **Ward:** Micklegate
Team: Major and Commercial Team **Parish:** Micklegate Planning Panel

Reference: 17/00655/FULM
Application at: Totalisator Board York Racecourse Racecourse Road
Knavesmire York
For: Works to York Racecourse Enclosure including repair and reconstruction of Clock Tower and Linear wings to provide upgraded toilet facilities, removal of existing canopy structure, installation of 2no. canopies to provide bar, lift and totes facilities and new footpaths
By: York Racecourse
Application Type: Major Full Application (13 weeks)
Target Date: 21 July 2017
Recommendation: Approve

1.0 PROPOSAL

THE SITE

1.1 York Racecourse is located to the north-east end of the Knavesmire, to the south of the city centre. The application site comprises the Course Enclosure (also known as the 'Family Enclosure'; the most informal spectator area) which is to the west of the large Grandstands and the finishing straight. It includes the Indicator board/clock tower (the "Totalisator") which was erected in 1922 and designed by the architects Brierley and Rutherford (listed Grade II). The clock tower sits centrally above a long grassed embankment constructed from earthworks associated with the building of the Racecourse. The embankment provides informal space for spectators.

1.2 The embankment is restrained by a line of ancillary accommodation which includes former tote (betting) booths, bars and WCs ("the linear building"). Five flights of stairs lead down from the top of the embankment to the booths. The Indicator board/clock tower and the stone faced linear buildings are conjoined and together form the listed building. Alongside four of the six sections of the west facing stone wall runs a rudimentary canopy on steel columns. It was added to provide protection from inclement weather in the 1950s. This structure is not considered to be part of the listed building due to its lack of special architectural or historic interest and its late date.

1.3 To the north and south of the Indicator board/clock tower and linear building are two single storey turnstile buildings, and to the west is a toilet block. These outlying turnstile buildings and the remaining WC block (originally one of two) are regarded as curtilage listed buildings and were constructed in the 1920s at the same time as the Clock Tower. Their historic value is limited, although they house the original metal turnstiles.

1.4 The Course Enclosure, as with the main Racecourse buildings and grandstands to the east, are within The Racecourse and Terry's Factory Conservation Area. The site is wholly within Flood Zone 2. The whole of the Racecourse including the course enclosure is outside the settlement limit and within the Green Belt. The site is not within an identified 'area of archaeological importance'.

PROPOSAL

1.5 The Course Enclosure currently has few permanent facilities for spectators. The original linear building housing the toilets, totes (betting booths) and refreshment kiosks, is in poor condition as evidenced by the structural survey and on the plan 'existing section through linear building - 118' and is not currently used with the facilities provided in a range of ad hoc structures. The application aims to significantly improve the facilities for the spectators at the Course Enclosure and bring the existing buildings to a good state of repair.

1.6 The proposals would affect the indicator board and clock-tower building, the associated linear structure on which it sits and the landscape around it. The proposals do not change the use or capacity of the course enclosure. The following is proposed:

- The clock-tower building which has been redundant for a considerable time would be repaired, redecorated and reopened to visitors for guided tours. New safer access stairs are proposed.
- The two end sections of the six section linear building would be demolished and rebuilt in a different form to house new toilet facilities, and the rest of the structure would be consolidated structurally, repaired and made weather-tight.
- The existing all weather canopy added in the 1950s on the west side of the building would be removed and two new smaller canopies would be erected on top of the linear structure at each side of the indicator/clocktower building. Various other semi-permanent isolated totes facilities would be removed from the top of the embankment.
- A lift, two bars and four totes would be relocated under the new canopies.

- There would be changes to the landscape to slightly increase hard-standing on top of the mounding and to improve access to the turnstile buildings and new canopies and bars.
- A new guardrail would be provided on top of the embankment.
- Improvements would be made to the turnstile buildings including modifications to six original turnstiles, the retention of two. in situ, repainting externally and internally and repairs to joinery.

RELEVANT PLANNING HISTORY

1.7 The Racecourse has an extensive planning history. The following are of particular relevance:

- Planning permission and listed building consent granted on 19.04.2013 for the demolition of various buildings and the construction of new pre-parade ring and Winning Connections building and other associated buildings, replacement paths and landscaping (refs. 13/00090/FUL, 13/00091/CAC and 13/01187/LBC).
- Planning permission granted on 10.07.2013 for the erection of canopy and replacement weigh-in building, owners and trainers gatehouse and champagne pavilion and external alterations to former weigh-in building and associated landscaping (ref. 13/01320/FUL).
- Conservation area consent granted on 04.07.2013 for the demolition of the champagne pavilion, saddling boxes, owner and trainers gatehouse, broadcasting tower and ancillary buildings and structures (ref. 13/01188/CAC).
- Planning permission granted on 14.11.2013 for the development of a new Winning Connections building (ref. 13/03136/FUL).
- On 08.10.2015, a planning application was submitted for the provision of two toilet blocks and public area within the undercroft canopy to course enclosure. However as the application was not supported by officers, it was withdrawn prior to determination (ref. 15/02250/FUL).
- Pre-application enquiries submitted in October 2016 and February 2017 relating to the current proposals (ref. 16/02464/PREAPP) and (ref. 17/00365/PREAPP).

2.0 POLICY CONTEXT

See Section 4 of this report for national and local policy context, as well as legislative context..

3.0 CONSULTATIONS

INTERNAL

Planning and Environmental Management (Conservation and Design)

3.1 The proposals seek to improve the visitor experience in the west enclosure by providing better and more convenient facilities, and by revealing the character of the historic buildings and enhancing their settings. This has become urgent due to the linear building being in an extremely poor condition due to dampness and decay and some rebuilding is necessary. Existing facilities cannot be reused as they are too small, set too low in relation to the flood datum, and do not comply with current health and safety standards.

3.2 The extensive steel canopy in front of Brierley's linear building harms the setting of the listed building. The demolition of the end bays is justified and the remaining two thirds of the structure would be better revealed. The new semi-circular toilet blocks and new canopies would replace some of the existing functions, and allow the detracting canopy to be removed. Their design and the new canopies would complement the clock tower and linear building, being subservient to it whilst reinforcing its central role on the west side of the final straight. The landscape character of the enclosure would be preserved whilst access is improved.

3.3 The indicator board/clocktower has also been redundant for some time yet its moveable shutters and fittings are of great interest and the proposals would allow visitors into the building to see its historic workings, thereby revealing the historic function of the building. The proposals do not adversely affect the special architectural or historic interest of any of the buildings and there would be an enhancement of the setting and improvements in physical condition and appearance. The special character and appearance of the conservation area would also be preserved. The proposals are supported subject to the attachment of conditions.

Flood Risk Management

3.4 No objections subject to finished floor levels being 300mm above the 1 in 100 (1%) annual probability event with a 20% allowance for climate change and provision of a minimum of 300mm freeboard above surrounding ground. There will be an improvement in flood storage volume at the site. The attenuation calculations

and design volumes are accepted to achieve surface water runoff requirements to ensure no detriment to the existing sewer connection. It is assumed that Yorkshire Water are in agreement with this continued connection. No conditions are advised.

Public Protection

3.5 No objections subject to the attachment of a condition to protect nearby residents during the construction phase requiring a Construction Environmental Management Plan (CEMP) to be prepared and approved. Conditions are recommended to restrict construction hours and to report any unexpected contamination.

Lifelong Learning and Leisure

3.6 LLL's consultation was redirected to property services for a response.

Property Services

3.7 The council has historically granted the racecourse a lease of the area. Under the terms of the lease, the racecourse may alter, improve or replace any of the existing buildings without the need to obtain our consent, as landlord. As the proposals fall within this definition there are no objections to the proposals.

EXTERNAL

Historic England

3.8 Historic England supports the application noting the excellent Heritage Statement. The proposals will enhance the structures, particularly the clock tower and indicator board. They do not object to the proposals for the demolition of sections of the linear wings and replacement with new curved structures to house the toilets. The visual impact of these works and the proposed canopies at upper level would be minor overall and benefits would result from the removal of the sheds and trailers which have been introduced on an ad hoc basis over the years. A condition is recommended requiring a record of the sections of the linear wings proposed for demolition.

Conservation Area Advisory Panel

3.9 The Panel is generally supportive of the proposals and welcomes the refurbishment of the clocktower building, the removal of the existing canopy, the provision of the new canopies which match those elsewhere and the new toilet blocks.

Environment Agency

3.10 The EA has no objections to the proposals. They advise flood mitigating measures should be incorporated into the design including raising ground/ finished floor levels and/ or incorporating flood proofing measures. The local planning authority should be satisfied that the sequential test has been passed.

Micklegate Ward Planning Panel

3.11 The Planning Panel supports the proposals.

Neighbours:

3.12 Site notice expired: 03.05.2017 (posted in 4no. locations)

3.13 Yorkshire Evening Press notice expired: 03.05.2017

3.14 No neighbour responses received.

4.0 APPRAISAL

KEY ISSUES

4.1 The key issues are considered to be:

- Green Belt
- Impact upon the character and appearance of the Listed building and its setting
- Impact upon the character and appearance of the Conservation area
- Flooding
- Design and access
- Residential amenity

LEGISLATIVE CONTEXT

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

4.3 Case law has made clear that when deciding whether harm was outweighed by the advantages of a proposed development, the decision-maker must give particular weight to the desirability of avoiding such harm to give effect to its statutory duties under sections 16, 66 and 72 of the 1990 Act. There is a "strong presumption" against the grant of planning permission in such cases. The exercise is still one of planning judgment but it must be informed by that need to give special weight to the desirability of preserving the building or conservation area. This means that even where harm is less than substantial, such harm must still be afforded considerable importance and weight in the overall planning balance, i.e. the fact of harm to the listed building or conservation area is to be given more weight than if it were simply a factor to be taken account along with all other material considerations.

PLANNING POLICY

4.4 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. There is no adopted Local Plan in York. In the absence of a formally adopted local plan, the most up-to date representation of key relevant policy issues is the NPPF (other than the Saved RSS Policies relating to the general extent of the York Green Belt) and it is against this Framework and the statutory duties set out above that the application proposal should principally be addressed.

National Planning Policy Framework

4.5 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. However as paragraph 14 with footnote 9 advises, in this instance as the proposals relate to land in the Green Belt and designated heritage assets, this presumption does not apply but the more restrictive policies in the framework are applicable. Footnote 9 to paragraph 14 also identifies areas at risk of flooding as being exceptions to the presumption in favour of sustainable development and members will note this site lies within Flood Zone 2.

4.6 Twelve core planning principles are proposed at paragraph 17 including supporting sustainable economic development, meeting business and other development needs of the area and responding positively to opportunities for growth. Planning should always seek high quality of design and a good standard of amenity, take into account the different roles and character of different areas, protecting Green Belts and recognising the intrinsic character and beauty of the countryside. Heritage assets should be conserved in a manner appropriate to their significance. Proposals that support improvements to health, social and cultural well being are encouraged that meet local needs.

4.7 Section 1 seeks to build a strong, competitive economy and the need to support existing businesses. Section 7 underlines the importance of design, noting that development should function well and add to the overall quality of the area, responding to local character and history, reflecting the identity of local surroundings and materials and be visually attractive.

4.8 Section 9 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and these will only exist if such harms and any other harms, are clearly outweighed by other considerations. Whilst the construction of new buildings in the Green Belt is generally inappropriate, there are exceptions, including appropriate facilities for outdoor sport and outdoor recreation providing the openness of the Green Belt is preserved, and replacement buildings, provided the new building is in the same use and not materially larger than the one it replaces.

4.9 Section 10 advises that development should be directed away from areas at greatest flood risk. Where it is necessary, it should be made safe without increasing flood risk elsewhere. The sequential test and exception test may be required and if passed, a site specific flood risk assessment will be required. Development should be appropriately flood resilient and resistant.

4.10 Section 12 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Substantial harm should be exceptional and permission normally refused. Where it is less than substantial, then this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Planning Practice Guidance on flood risk and coastal change (2014)

4.11 The PPG advises that where necessary, local planning authorities should apply the 'sequential approach' for specific development proposals and, if required, the 'exception test', to steer development to areas with the lowest probability of flooding. Where development needs to be in locations where there is a risk of flooding as alternative sites are not available, local planning authorities and developers should ensure that development is appropriately flood resilient and resistant, safe for its users for the development's lifetime, and will not increase flood risk overall.

Saved policies from the Regional Spatial Strategy

4.12 The application site falls within the general extent of the York Green Belt as shown on the Key Diagram of the Regional Spatial Strategy (the Yorkshire and

Humber Plan) (RSS) saved under the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013. Policies YH9 and Y1 (C1 & C2) and the key diagram on page 215 of the RSS form the statutory Development Plan for York. The general extent of Green Belt is identified in 'Figure 6.2: York sub area context diagram'. The policies state that the detailed inner and the rest of the outer boundaries of the Green Belt around York should be defined to protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

Other material considerations

"Development Control Local Plan" 2005 (DCLP 2005)

4.13 Although there is no formally adopted local plan, the City of York Draft Local Plan (incorporating 4th set of changes, April 2005), (DCLP 2005) was adopted for development control purposes in April 2005. It does not form part of the statutory development plan, but 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.

4.14 Policies considered to be consistent with the aims of the NPPF and most relevant to the development proposal include:

CYGP1 Design

CYHE2 Development in historic locations

CYHE3 Conservation Areas

CYHE4 Listed Buildings

CYHE5 Demolition of Listed Buildings and Buildings in Conservation Areas

CYGB1 Development within the Green Belt

4.15 GP1 Design states that development should respect and enhance the local environment and be of a suitable design and building material, retain, enhance or create public views, landmarks and other features that make a significant contribution to the character of the area. Policy GP15a Development and flood risk is superseded by the NPPF.

4.16 Policy HE2 states that development proposals in conservation areas or affecting the setting of listed buildings must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials. Proposals should maintain and enhance existing views and landmarks. Policy HE3 says that development should not have an adverse effect on the character and appearance of the conservation area. Policy HE4 explains that proposals for listed buildings must not have an adverse effect on the character, appearance or setting of the building. Policy HE5 states that consent will not be granted for the demolition of listed buildings and buildings in conservation areas if they make a positive contribution. It should be proved that the building is incapable

of economic repair and there may be exceptional circumstances where demolition can be justified. The merits of alternative proposals for the site can be considered.

4.17 Policy GB1 states that development must not detract from the open character or the purposes of the Green Belt, and not prejudice the setting and special character of York. It must be for one of several purposes including essential facilities for outdoor sport and recreation, limited infilling, other essential engineering operations or the reuse of existing buildings. All other forms of development within the Green Belt are inappropriate and very special circumstances will be required to justify instances where this presumption against development should not apply. As the NPPF does not recognise the designation of 'major developed sites in the Green Belt', policy GP10 cannot be afforded any weight.

City of York Emerging Local Plan - Publication Draft

4.18 At this stage, policies in the 2014 Publication Draft Local Plan are considered to carry little weight in the decision making process (in accordance with paragraph 216 of the NPPF), particularly as the emerging Local Plan is to be the subject of further consultation and a revised publication draft is anticipated. However, the evidence base that underpins the proposed emerging policies is capable of being a material consideration in the determination of planning applications. The up to date evidence considered relevant to this application includes: the Heritage Topic Paper Update 2013, the Green Belt Appraisal (2003) updated by the Historic Character and Setting Updates (2011 and 2013), The Racecourse and Terry's Factory Conservation Area Character Appraisal (2006) and The Conservation Area Appraisal for York Central Historic Core (2011). Relevant emerging policies include: Policy DP2 Sustainable development, Policy DP3 Sustainable communities, Policy SS2: The role of York's Green Belt, Policy EC5 Tourism, Policy D2: Placemaking, Policy D4 Conservation Areas, Policy D5 Listed Buildings, and Policy GB1 Development in the Green Belt.

The Racecourse and Terry's Factory Conservation Area Character Appraisal

4.19 The appraisal confirms that the Racecourse Enclosure and the former Terry's factory are both major landmarks on the south side of the city. Views across the open landscape are also of major significance and views towards the Conservation Area are of greater significance than views out. From the west the large stands are focal points. Expansive views of the Racecourse are found at the junction of Campleshon Road, Knavesmire Road and Racecourse Road and there are also dynamic views from Tadcaster Road, a main approach road into the city centre.

4.20 Generally the character of the Racecourse is of a quiet location with limited activity, although on race days it is very different and large numbers of people and vehicles converging on the racecourse, creating a noisy atmosphere particularly at the conclusion of each race. There are no negative factors within this part of the

Conservation area, although it is noted that the light-weight canopies of the Guinness Bar affect the setting of the listed building although they contribute to the 'party' or 'festive' atmosphere of race meetings and are therefore important to the character of the area.

Conservation Area Appraisal for York Central Historic Core (2011)

4.21 Whilst providing a comprehensive assessment of the conservation area, of particular relevance are key views including number 6: A64(T) South Knavesmire within which is the Racecourse and Clock Tower/Indicator Board.

EIA Screening

4.22 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended. The Regulations sets out types of development that will always require an EIA to be undertaken: 'Schedule 1' development; the proposals in this application do not fall within any of these categories. Schedule 2 lists other types of development where an EIA may be required. Section 10(b) of this schedule identifies urban development projects where the area of development exceeds 0.5ha. The application site measures 3.8ha but the existing built footprint development footprint totals 3,079 sq.m (0.3ha) and following development measures 1,982 sq.m. (0.2ha) thus being below the threshold. Considering advice in the planning practice guidance on EIA (2014) and through reference to Schedule 3, particularly subsection (2) on the location of the development, overall the proposals are not considered to have significant environmental effects such to require an EIA to be undertaken.

CONSIDERATION

General

4.23 Whilst the NPPF sets a presumption in favour of sustainable development, in this instance the presumption does not apply as the more restrictive Green Belt policies and heritage considerations take precedence. It is noted that the proposals serve to support the economic viability and continued development of the Racecourse as a destination of international renown, and for its economic and social value to the city. The existing facilities in the Course Enclosure are in need of urgent repair and upgrade to provide an enjoyable experience for spectators. The new buildings and canopies will provide replacement facilities of a much higher quality

and continue to strengthen the Racecourse as a primary business and as a major source of income generation not just at the Racecourse but for the wider city.

Green Belt

4.24 York Racecourse whilst located within the Green Belt, comprises a cluster of large grandstands and supporting facilities. As described in the Heritage Statement, the Racecourse has been subject to phases of extensive development, most recently at the northern end. This was largely within the previous policy context as a 'major developed site' in the Green Belt and infill but this policy is no longer material.

4.25 The proposals in this application relate to the course enclosure. Being on the inside of the track, opposite the large grand stands, and at height, they are not enclosed by other structures, sitting in an open landscape but flank the Clock tower/indicator board. This landmark is particularly visible in both short and medium range views across the Knavesmire from key points including the A64, Bishopthorpe Road from the village, within the central part of the Knavesmire and from Knavesmire Road.

4.26 The NPPF at section 9 presents the policy context in which the application is to be assessed. Paragraph 90 states that certain forms of development including engineering operations, are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. The new footpaths are considered to be engineering operations and have no material impact on the openness of the green belt and do not conflict with the purposes of including land in the Green Belt and thus appropriate development. Paragraph 89 states that the construction of new buildings should be considered inappropriate in the Green Belt unless within a list of exceptions which include appropriate facilities for outdoor sport and recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The toilets are considered to fall within this exception. The repairs to the Clock tower / indicator building and turnstile buildings are internal works with the exception of the replacement staircase within the supported ground floor level of the Clock Tower. However this staircase is still within the building footprint and is not considered to cause any harm to the purposes of the Green Belt. The new staircase in the open ground floor facilitates the reuse of the building for guided tours by the general public through the provision of an ambulant staircase in exchange for the existing ladder access. The works thus fall within the exceptions set out at paragraph 90 of the NPPF being the reuse of a building of permanent substantial construction with no conflict with the purposes of the Green Belt. It is thus also appropriate development.

4.27 A replacement building is also not inappropriate providing it is not materially larger than the building it replaces. The canopies with totes and bars are replacement for the facilities previously housed in the linear building and 1950s

canopy, but as the existing booths are being retained but closed, in terms of Green Belt they are not like for like replacements. Further being on top of the embankment they are prominent in the landscape from certain points. 'Materially larger' is not just a floor space consideration. It includes matters such as bulk, height, mass and prominence. They are all factors relevant to the meaning of the term within the context of green belt policy. Due to the size of the new canopies, each with a footprint of 36m by 6m, and although single storey but having maximum height of 4m, their position on top of the embankment and light colour against the back drop of the tree line on Bishopthorpe Road, results in them being more prominent and thus materially larger than the existing canopy. As such they are 'inappropriate development' in the Green Belt which is by definition harmful to the Green Belt and for which very special circumstances must be demonstrated. These will not exist unless the definitional harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

4.28 In further defining other harm to the Green Belt, the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The canopies sit on top of a manmade embankment and above a long linear building and flanking a three storey (18.5m high) Indicator board/clock tower. The site does not lack built form and from other viewpoints the canopies will be seen with the backdrop of the large grandstands. They do not contribute to urban sprawl and will sit above an existing area of hardstanding (although this is to be replaced). The DCLP states the purpose of York's Green Belt is to preserve the setting and historic character of York and to prevent neighbouring settlements merging. Green wedges extending into the heart of the city are key elements, of which Micklegate Stray (including the Knavesmire) is one. The proposals for the canopies relate to the established use, and although visible and a new structure in the landscape, they are not unduly prominent.

4.29 Whilst the buildings are materially larger, and not like for like replacements as two-thirds of the linear building is retained, the demolition of the long steel canopy in front of the listed linear building with a roof area of 1,690 sq.m, removal of the two end bays of the linear building (154 sq.m footprint each) although they are replaced with new toilet facilities, and the removal of ten ad hoc structures in the course enclosure including toilet booths and timber huts should be considered with a corresponding increase in openness in other parts of the site. This is clear from reference to the submitted 'Demolition elevations' and 'Demolition site plans'. The applicants 'Planning, design and access statement' quantifies the change at 7.14 and 7.18. The footprint of the existing clock tower and linear structure will increase in size from 1,133sqm to 1,490sqm through the reconstruction of the WC blocks at either end. However through the removal of other redundant structures, there is an overall decrease in the developed portion of the site of 1,155 sq.m. Overall therefore, whilst there is harm to the Green Belt, it is restricted to particular views and is relatively minor and is balanced by an increase in openness and permanence

as a result of the overall reduction in built form. Other matters are now discussed to identify whether other considerations clearly outweigh these harms.

Heritage assets - Listed building and conservation area

4.30 The legislative requirements of Sections 16, 66 and 72 Planning (Listed Buildings and Conservation Areas Act 1990 are in addition to Central government policy contained in Section 12 of the NPPF. The NPPF classes listed buildings and Conservation Areas as “designated heritage assets”. The NPPF’s advice on designated heritage assets includes the following:

Paragraph 129 says that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including any development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.

-Paragraph 131 advises Local Planning Authorities to give significant weight to ensuring the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and ensuring the desirability of new development making a positive contribution to local character and distinctiveness.

-Paragraph 132 advises that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be” ... “As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.”

-Paragraph 134 advises that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use.”

- Paragraph 137 advises that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

4.31 Specialist advice has been provided by Historic England and the Council's conservation officer who have not raised any objections. A separate listed building consent application considers the proposals to the listed building in further detail.

Significance of heritage assets

4.32 Paragraph 129 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Proposals and assessment of impact

4.33 The Indicator board/clock tower was designed in 1922 by the prominent York architects Brierley and Rutherford. The building are listed grade II for the illustrative historic value of the purpose built 'totaliser' structure (betting and display of odds prior to digitalisation) and for the aesthetic vale of the architecture by an architect of renown. The original structure is largely intact including the revolving display boards and 7-day clock of Newey of York. Proposals for this building include internal and external repairs and internal and external repainting. To enable guided tours of visitors to the Clock tower/indicator board, 3no. original 'ladder' type stairs from the embankment into the building will be removed to be replaced with less steep ambulant stairs. One of the original 'ladder' type stairs will be retained in situ between the first and second floor but will be closed off. The improved access will enable groups of visitors to enjoy and better understand the original purpose of the building and see how it worked. The stairs will be in a steel and open mesh construction to minimise their impact.

4.34 The linear building is in very poor condition; the structural survey recommends that the two end wings are demolished before they collapse, although the central four bays can be repaired. The roof has failed and water ingress has caused the steel work to rust, parts of the structure has moved and the internal environment is damp with mould and decay. Investigative works will be undertaken to inform the rebuilding, and these are underway and outside the scope of this application. They are being agreed with the Council's conservation officer. The linear building acts both as a retaining wall for the embankment and previously for toilets, storage, totes and refreshment booths, before they became unusable. Whilst the two end bays involve the demolition of part of the listed building, the applicant has submitted evidence to support this including the structural survey and heritage statement. The proposals to remove the utilitarian steel canopy enable the linear building to be revealed to significantly improve the setting of the listed building. New toilet facilities to meet modern visitor expectations and to provide improved accessibility will bookend the remaining four bays and are semicircular in shape. There will no change to the external appearance of the central four bays. The masonry for the new curved ends is proposed to be re-used stone from the demolished outermost

toilet wings. The external walls are sub-divided into bays, as with the original building. New replacement railings are proposed, the revised details of which are acceptable.

4.35 The curtilage listed turnstile buildings and WC block will be repainted and repaired. A pair of original 1920s metal turnstiles will be retained in the southern turnstile block whilst the remaining will be modified with rotating arm removed but left in situ under the booth desks. This is welcomed and considered acceptable.

4.36 The key change is the erection of the 36m by 6m by 4m in height light weight white canopies on top of the embankment, flanking either side of the listed Clock tower/indicator board. They will be scalloped and similar in design to those found elsewhere at the Racecourse, e.g. Moet Bar and almost 'floating' structures with space underneath and totes and bars set well back. These are supported from a heritage and design perspective. The canopies complement the character of the existing building rather than harming it, and are designed to reinforce the festive character of the racecourse area.

4.37 The hard-standing and new diagonal and perimeter tracks will increase the hard standing on the embankment, and are an improvement on existing facilities. The roof of the toilets will be laid with good quality artificial turf to reduce their impact, but generally this additional hard standing/artificial turf is considered a minor loss of 'live landscape' in the context of the whole site and will not harm the setting of the listed building, nor the character and appearance of the conservation area.

Summary of impact on the heritage assets

4.38 Proposals have been underpinned by a detailed Heritage Statement including a heritage impact assessment explaining the historical development of the course enclosure, and the characteristics and significance of the site and its component parts. The flood risk assessment and the structural condition report are of particular relevance to the linear building as they provide evidence to support the extent and nature of rebuilding and alteration. Specialist conservation advice has been provided by the Council's conservation architect during the consideration of the application, additional information provided and some amendments to the proposals as a result of discussions.

4.39 In assessing the proposals the conservation architect has confirmed that the significance of the building is the illustrative historic value of the purpose-built "totalisator" structures and for the aesthetic value of the architecture by an architect of renown. Taking each element of the proposals in turn, the officer has confirmed that, despite the removal/demolition of some elements of the listed building comprising the two end bays of the linear building and the removal of the 3rd flights of 'ladder' stairs in the Clock tower/indicator board, there is no harm to the special architectural or historic interest of the building. Historic England has reviewed the

proposals, and similarly has not identified any harm to the listed building, highlighting the benefits of the proposals.

4.40 The opportunity is being taken by the applicant to rebuild the two end bays in a much better form to provide significantly enhanced WCs facilities to meet current expectations and with larger capacity whilst responding to the original structure. The rebuilding enables the floor level to be raised above minimum data to prevent flooding and improve sanitary conditions. With the access raised slightly, the landscape is reformed at each end to appear natural but also to provide a ramped access into the building. The new end blocks will complement the existing architecture. The proposals will also facilitate the repair to the remaining four bays which also suffer structural decay but of a lesser extent. There is no change to the external appearance of the four retained bays (being two-thirds of the original linear building) and it remains extensive at c180m in length.

4.41 Therefore whilst the Heritage Statement submitted by the applicant identified 'low adverse' impact resulting from the removal of these elements, this element is not agreed by the conservation officer, who underlines that there is no harm to the special architectural or historic interest of the building. The recording prior to demolition of the end bays is considered for posterity only.

4.42 In relation to the siting of the new canopies, bars, totes and lift on top of the embankment, they have been designed as a symmetrical pair to each side of the building. The clock tower remains as the focal point, and the low height and ephemeral design of the canopies, means that they do not compete with the dominance of the clock tower or add uncharacteristic mass to the top of the mound. The limited size and open festive character reduces their prominence and would complement the character of the existing building, rather than harming it, reinforcing the festive celebratory character of the racecourse.

4.43 The 1950s steel canopy does not form part of the listed building and its removal significantly enhances the setting of the listed building. The utilitarian railing at the top of the embankment is to be replaced by railings of an improved design which co-ordinates closed with the original bay structure of the building and presents a minor enhancement of the building and its setting.

4.44 As such in terms of considering the requirements of the NPPF at sections 134, no harm is identified by specialist conservation officers at the Council and Historic England to the special architectural or historic interest of the building and thus there is no requirement to weigh any harms against the public benefits of the proposals.

Flooding

4.45 As the site is located within flood zone 2, and does not comprise either a change of use nor minor development, the NPPF states that the sequential test

needs to be applied, to direct development to areas at least risk of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. The submitted FRA confirms that the linear building has been subject to flood events. The new canopies housing replacement facilities with bar, totes and lift are located at the highest point in the site (11.40 rather than 8.9 AOD) and are therefore significantly less likely to flood. The toilet facilities cannot be located elsewhere, but finished floor levels will be at 9.28 AOD being 300mm higher than the 1:100 plus allowance for climate change scenario (+20%) of 8.98m AOD. The development proposals need to be in the Course Enclosure, they cannot be reasonably located elsewhere. The Racecourse will not be open in flood events for racing and thus there will not be any risk to life, and in fact an increase in flood storage capacity as a result of the proposals. The sequential test is thus deemed to be passed.

4.46 Having regard to Table 2 'Flood risk vulnerability classification' and Table 3 Flood risk vulnerability and flood zone 'compatibility' set out in the PPG, the proposed development is appropriate for flood zone 2 and an exception test is not required. This is because the exception test would be need to be applied where the proposal is considered a highly vulnerable use and the bars and totes facilities fall into the 'less vulnerable category'. The toilets and spectator facilities comprise 'water compatible development'.

Design and access

4.47 It has already been discussed that the design is appropriate for its context. Conditions are recommended to control details of the proposals. A key aim of the project has been to improve access for less able bodied spectators and families with pushchairs. This is through the new tarmac paths, toilet facilities, location of facilities on top of the embankment and provision of a lift. The benefits are a clear positive aspect of the scheme.

Residential amenity

4.48 The proposals are for replacement facilities in the Course Enclosure. At present the number of people will be defined by the capacity of the site. It is not proposed to increase the site area but to improve the facilities for this group of spectators. Whilst this may result in a greater number of spectators than at present, this is in part due to the poor quality of the existing facilities in this part of the race course which the applicant has advised is detracting spectators. The additional numbers will not in itself have an impact on surrounding residential amenity as these are replacement rather than additional facilities.

4.49 Public Protection have advised that a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development should be submitted to and approved in writing by the Local Planning Authority. As the demolition works involve carefully removing and rebuilding using the existing stones, cleaning and repair work, the removal of a steel canopy and the erection of relatively small scale new canopy structures in the centre of the Racecourse, at a distance of 200m from the nearest residential property, separated by Knavesmire Road, in this instance, it is not considered reasonable to attach this condition. The hours of construction can however be controlled by condition.

Other considerations to demonstrate that very special circumstances exist

4.50 The above discussion has concluded that other than Green Belt harms there are no other harms as a result of the proposals and that in fact there are significant improvements to the listed building and its setting and associated public benefits. The design is appropriate and high quality, responding to its setting and the festive character of this part of the Knavesmire.

4.51 The applicant has presented a number of considerations to outweigh the harm to the Green Belt and other harms identified. These considerations are summarised as being:

- The success of York Racecourse is fundamental for the vitality of York and its sporting, social and cultural significance. The Racecourse provides three of the UK's top rated (Group 1) races each year attracting international runners and riders and thus a premier sporting venue attracting visitors from across the country. The successful functioning of the Racecourse, supported by its facilities is imperative to maintain its position as a destination. The outdated and unsafe facilities in the Course Enclosure require modernisation to meet expectations of visitors and to meet health and safety requirements and to improve accessibility for less mobile patrons. Accommodating up to 8,000 race goers, it is a vital element of the Racecourse infrastructure.
- The proposals enhance and restore the listed building for the public benefit for this and future generations to enjoy. Should the work not be undertaken then the listed building is at continued risk of structural failure and decay. The employees and spectators health is at continued risk from continued water ingress, flooding and mould. The use of continued ad hoc structures would be required to enable the course enclosure to function.
- Reuse of the existing structure is not possible. The frequent flooding and ongoing maintenance renders improvements unviable. To increase the floor height would result in insufficient head room. Should the roof be raised then the external stone coping detail would be compromised. This together with

tanking of the back wall would result in significant structural alterations which would be irreversible and detrimental to the heritage value. Further, the remaining usable space could not provide bar and totes to sustain patronage of the Course enclosure.

- For design reasons and to pass the sequential test with the site being in a flood zone, as well as minimising flood water damage, the canopies, totes and booths, cannot be located elsewhere in the site. They need to be on flat ground and not obscure views of the track.
- Their design is of a minimal size to meet requirements to provide shelter from inclement weather and the range of facilities required. The scalloping roof and open structure reduces its mass. The choice of material and colour for the canopies, totes and bars responds to the Clock Tower and reduces its impact on the landscape and sky. The length of the canopies correspond to the length of the bays, providing symmetry and context whilst being subservient and continuing the line of built form rather than being isolated structures in the open site. They cannot be temporary structures.
- The removal of the 1950s canopy and other ad hoc structures and the addition of the two new canopies on top of the embankment result in a reduction in built form of 1,155 sq.m overall. Therefore whilst being more prominent as a virtue of height, this is very clearly offset by the loss of developed area. Thus whilst being more prominent than the existing building, it can also be presented that overall openness is increased in terms of volume.

4.52 Together these considerations amount to very special circumstances that clearly outweigh the relatively minor harm to the Green Belt as a result of the proposals.

5.0 CONCLUSION

THE PLANNING BALANCE AND CONCLUSION

5.1 The proposals relate to the Course Enclosure, an informal part of the Racecourse for spectators on the inside track numbering up to 8,000 people. The site includes the Clock tower/indicator board and associated linear building (listed Grade II) supporting an earth embankment used for viewing the finishing straight. It is within the Green Belt, Flood Zone 2 and a conservation area. Both the Clock tower/indicator board and particularly the linear building are in need of structural repair and update. The site includes two turnstile buildings and toilet block of the same date which are curtilage listed.

5.2 The proposals will protect and enhance the listed buildings for this and future generations. The Clock tower will be repainted and repaired and accessibility improved for guided tours to view the original workings and Newey clock through the removal of steep 'ladder' stairs with more ambulant staircases. The two end bays of

the linear building are irreparable and are to be demolished and rebuilt to house new toilet facilities with floor levels raised above flood levels to provide sanitary facilities. The rest of the linear bays will be made structurally safe. The removal of the 1950s canopy will significantly improve the setting of the listed building. Two new light weight canopies will flank either side of the clock tower with replacement bar and tates betting facilities and a new lift provided and complement the festive character of the Racecourse. New tarmac paths are proposed diagonally up the mound, around the perimeter and connecting to the turnstiles as well as new hardstanding along the top of the embankment.

5.3 The toilets, hardstanding, repair works and replacement staircases are considered to be appropriate development in the Green Belt. There is harm to the Green Belt by reason of inappropriateness and relatively minimal harm to the openness and permanence of the Green Belt caused by the replacement canopies, bar and tates on top of the embankment. Substantial weight is given to this harm. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

5.4 No other harms have been identified, including to the listed building. Significant enhancements are made to these buildings to secure their long term future and the proposals to the listed building and curtilage listed buildings are supported.

5.5 It is considered that cumulatively there are substantial and significant public benefits of the proposals. They include supporting the Racecourse as a business which contributes significantly to the York economy, the long term preservation and enhancement of a listed building, the removal of health hazards, improving visitor access to the Clock Tower to appreciate its original purpose and workings, making the course enclosure more accessible for less mobile patrons and families, and ensuring the facilities are much less likely to be damaged in flood events.

5.6 The very special circumstances presented by the application are considered to clearly outweigh any harm to the Green Belt, which as required by policy are to be attributed substantial weight. In addition to the public benefits, the existing linear building cannot be reused as the two end bays are beyond repair. The siting of new facilities being the canopies, bars and tates need to pass the sequential test and be located in the part of the site least at risk of flooding (on top of the embankment), they cannot be repaired and made flood proof or thus reused, to facilities need to respond to customer expectations and be located in a visible location particularly to capture income from refreshment and betting facilities by the Racecourse (rather than online betting when facilities are out of sight). The success of York Racecourse is fundamental for the vitality of York and its sporting, social and cultural significance. Without the development, the listed building will continue to be at risk of further decay and collapse with obvious concerns for public health. Further, overall this is an increase in openness in this part of the Green Belt through the

overall reduction in built development amounting to 1,155 sq.m as a result of the removal of the 1950s canopy and other ad hoc structures within the site. Accordingly, the very special circumstances necessary to justify the development exist.

5.7 The proposals are therefore found to be in accordance with relevant policies and principles in the NPPF, particularly Sections 9 Green Belt, 10 Flooding and 12 Heritage Assets and DCLP policies GP1 Design, HE2 Historic Locations, HE3 Conservation Areas, HE4 Listed Buildings and HE5 Demolition of listed buildings. The application is thus recommended for approval subject to the attachment of the following conditions.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Site location plan PA45-P-001 received 20.03.2017

Demolition site plan PA45-P-005 received 20.03.2017

Demolition elevations - PA45-P-008 received 20.03.2017

Turnstile blocks, north and south, plans and elevations as pre-works - 140 Rev A - received 22.06.2017

Proposed site plan lower ground floor - 201 - received 22.06.2017

Proposed site plan upper ground floor - 202 - received 02.06.2017

Proposed site plan roof plan - 203 - received 22.06.2017

New toilet block floor plan - North - 205 - received 07.06.2017

New toilet block floor plan - South - 206 - received 07.06.2017

Proposed floor plans retained clock tower - 215 - received 02.06.2017

Proposed elevations - New toilet block north - 222 - received 07.06.2017

Proposed elevations - New toilet block south - 223 - received 07.06.2017

Proposed Elevations - retained Clock Tower - 228 - received 22.06.2017

Proposed elevations - 229 - received 22.06.2017

Cross section - New toilet block - 230 - received 07.06.2017

Proposed cross section - 238 - received 22.06.2017

Turnstile blocks - North and south, plans and elevations as built - 240 revision B - received 22.06.2017

Proposed bar elevations - 301 revision C - received 02.06.2017

Railing details (1:50) 302 revision A - received 08.06.2017

Proposed bar elevations 303 revision A - received 08.06.2017

Planning Design and Access Statement

Flood risk assessment - revision B, dated April 2017, recommendations including the Outline Surface Water Drainage Strategy

Heritage Statement - updated - Issue 3 received 22.06.2017

Recommendations in the Structural Inspection by Blackburn Wigglesworth & Associates dated 10.03.2017

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

3 As set out in the submitted flood risk assessment, the finished floor levels of the new toilet buildings shall be a minimum of 300mm above the 1 in 100 (1%) annual probability flood event with a 20% allowance for climate change being a minimum of 9.28 AOD. There shall be a minimum of 300mm freeboard above the surrounding ground to mitigate the residual flood risk associated with excess surface water runoff in an extreme rainfall event.

Reason: To reduce the risk of flooding and to protect property from extreme rainfall events.

4 Prior to the commencement of development, samples of all new external materials shall be provided to and approved in writing by the local planning authority. Materials shall include samples of all the building materials, canopies and any other fixed structure including totes and bars and also. The final colours and finishes of all manufactured items and paintwork.. The development shall be carried out in accordance with the sample materials so approved. The canopy colour shall match the external painted colour finish of the clocktower building.

Reason: To agree the materials prior to construction to protect the special character and setting of the listed building and conservation area.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection on site. Please make it clear in your approval of details application when the materials will be available and where they are located.

5 Prior to the commencement of development, samples of hard landscape materials shall be provided to and approved in writing by the local planning authority. These shall include paving materials, steps, handrails, guarding, drainage channels and artificial turf. The development shall be carried out in accordance with the details so approved.

Reason: To agree the materials prior to construction to protect the special character and setting of the listed building and conservation area.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection on site. Please make it clear in your approval of details application when the materials will be available and where they are located.

6 Prior to development commencing, a photographic and drawn record of the sections of the linear wings proposed for demolition and their context in the wider building shall be prepared a report produced which shall be approved in writing by the local planning authority prior to any work commencing on this part of the building. The record shall accord with Historic England's guidelines set out within 'Understanding Historic Buildings: A guide to good recording practice', republished in May 2016. The record should be lodged in the local Historic Environment Record within three months of its acceptance by the local planning authority.

NOTE: Guidance on appropriate levels of recording can be found in Historic England's publication Understanding Historic Buildings: A Guide to Good Recording Practice available from their website.

Reason: To retain a record of the special interest of the listed building. This is required prior to the commencement of development to ensure the record is made before this part of the building is demolished.

7 Prior to the relevant part of the development commencing, large scale details of the following items shall be submitted to and approved in writing by the local planning authority:

- New staircases and security screens serving the clocktower
- A sample bay of the new toilet structures to be shown in plan, elevation and section to illustrate the detailed modelling of the facade and coping. The details of the facade have been designed to be similar to the existing architecture and existing drawings show a high level of detail.
- Final details of the canopy structure if different from that of the Moët structure
- New balustrades/handrails (including plinth walls) and any additional information relating to the replacement guarding

The development shall be carried out in accordance with the details so approved.

Reason: To protect visual amenity and the character and design of the listed building.

8 Prior to installation, should there be any additional external lighting and signage in the course enclosure, full details shall be submitted for approval in writing by the local planning authority. The lighting shall be installed in accordance with the details so approved.

Note: Any signage deemed to be advertising shall also require advertisement consent and possibly listed building consent.

Reason: To protect visual amenity, neighbour amenity, the character and special interest of the listed building and conservation area.

9 Before any repairs are carried out a schedule of repairs with illustrative details showing proposals for repairing and reconstructing the retaining wall and roof of the linear building shall be submitted to and approved in writing by the Local Planning Authority. The said repairs shall be carried out in accordance with the approved details.

Reason: To ensure the preservation of the special character of the listed building.

10 Before any repairs are carried out a schedule of repairs with illustrative details showing proposals for repairing the indicator board/clocktower building shall be submitted to and approved in writing by the Local Planning Authority. The said repairs shall be carried out in accordance with the approved details.

Reason: To ensure the preservation of the special character of the listed building.

11 All construction and demolition 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 local residents.

12 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

13 In accordance with the plan 240 revision B 'Turnstile Blocks North and South', the 2no. original turnstiles in the centre of the southern block shall be retained in situ, without adaption, in perpetuity and the remaining 6no. adapted turnstiles with arm removed shall also be retained in situ in perpetuity as shown on the above plan, unless otherwise agreed in writing with the local planning authority.

Reason: To protect original features of the curtilage listed building which are key to the character of the building as a building of special interest.

14 Unless otherwise agreed in writing with the local planning authority, the linear building shall only be used for storage purposes and not for A1 retail use (betting and refreshment facilities). The new canopies on top of the embankment, bar and totes shall be used solely for these above purposes, including any other purpose in Class A1 in the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

Reason: So that the Local Planning Authority may re-assess alternative uses which, without this condition, may have been carried on without planning permission by virtue of Article 3 of the Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 to protect the impact on openness of the Green Belt whereby the canopies on top of the embankment were deemed to be acceptable as replacement facilities for those within the linear building.

15 Prior to use of the new canopies, bars and totes on top of the embankment, all items identified on the demolition plan as being removed (including but not limited to the 1950s canopy on the lower ground to the west of the linear building, totes and huts) shall be permanently removed from the Racecourse unless agreed in writing with the local planning authority for a limited period of time until all necessary structural work to the linear building is complete.

Reason: To preserve the openness of this part of the Green Belt and for visual amenity.

16 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 Class A of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: To protect the Green Belt and its purposes.

7.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) 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:

Attended and advise the applicant at two site meetings and provided comprehensive pre-application planning advice;
Liaised with the applicant about the submission of revised plans and clarification of information and reports; and
Advised the applicant to strengthen their justification of very special circumstances in relation to the Green Belt

Contact details:

Author: Sophie Prendergast Development Management Officer

Tel No: 555138