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Meeting	Planning Committee
Date	12 July 2017
Present	Councillors Reid (Chair), Derbyshire (Vice-Chair), Ayre, Cullwick, Cuthbertson, D'Agorne, Doughty, Galvin, Looker, Shepherd, Mercer, Brooks (Substitute) and Flinders (Substitute)
Apologies	Councillors Dew and Warters

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## 16. Site Visits

Application	Reason	In attendance
Totalisator Board, York Racecourse, Racecourse Road, Knavesmire	To allow Members to familiarise themselves with the site.	Councillors Galvin, Reid, Shepherd

## 17. Declarations of Interest

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda.

Cllr Cullwick disclosed a personal non-prejudicial interest in agenda items 4a and 4b (Totalisator Board, York Racecourse) due to his supervisory role in chaplaincy.

## 18. Minutes

Resolved: That the minutes of the last meeting of the Committee held on 15 June 2017 be approved and then signed by the Chair as correct records.

## 19. Public Participation

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee.

## 20. Plans List

Members considered a schedule of reports of the Assistant Director, Planning and Public Protection, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

## 21. Totalisator Board, York Racecourse, Racecourse Road, Knavesmire, York (17/00655/FULM)

Members considered a major full application by York Racecourse 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 as well as installation of two canopies to provide bar, lift, totes facilities and new footpaths.

The Officer provided an update in relation to both applications submitted by York Racecourse for this meeting, highlighting that the local planning authority had not received any objections to the proposal. The following changes were noted:

- 4.26 – last sentence should read: “However this staircase is still within the building footprint and is not considered to cause any harm to the purposes of the Green Belt **or impact on its openness**”;
- 4.44 – the paragraph should read: “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 **listed building or to the character and appearance of the conservation area** and thus there is no requirement to weigh any harms against the public benefits of the proposals.”;
- 5.4 – the paragraph should read: “No other harms have been identified, including to the listed building **and conservation area**. 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”.

The Officer advised that Condition 14 on restriction of use should be deleted and an additional condition on construction vehicles should be included. It was also noted that an additional condition on rainwater goods should be added to both applications and conditions 4 and 5 of the main application (as well as 3 and 4 of the listed building consent application) should be re-worded due to typographical errors.

William Derby then spoke in support of the proposals, emphasising York Racecourse’s successes as a sporting venue, both in terms of the number of customers and recognitions received. Mr Derby explained that the applications submitted were part of the masterplan for York Racecourse’s modernisation, pointing out issues such as damp and flooding as well as improvements such as accessibility for families and wheelchair users that would be implemented should the applications be approved.

Members acknowledged the significance of amendments proposed and commended the applicants for their desire to improve.

Resolved:

That the application be approved subject to the conditions listed in the report as well as the amended and additional conditions below and the deletion of Condition 14 (restriction in use):

Amended Condition 4

Prior to the commencement of development, **excluding demolition works,** 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, bars, lift, **louvres on the toilet blocks and new windows and doors together with** final colours and finishes of all the 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 clock tower 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.

Amended Condition 5

Prior to the commencement of development, **excluding demolition works**, 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.

Additional Condition: Rainwater goods

As shown on the submitted plans, unless agreed otherwise in writing with the local planning authority, the rainwater down pipes shall be enclosed within the new toilet block structures. The lower section which is not enclosed shall be of good quality cast iron or aluminium, with a painted finish. Similarly, elsewhere, any replacement rainwater goods shall be similarly of good quality cast iron or aluminium with a painted finish.

Reason: In the interests of visual amenity and to protect the special character of the listed building.

Additional Condition: Construction vehicles

Prior to development commencing, a construction traffic management plan shall be submitted to and approved in writing by the local planning authority. All works on site shall be

undertaken in accordance with the approved plan unless otherwise first agreed in writing by the Local Planning Authority.

The plan shall include:

- full written details for the means of access, manoeuvring and parking arrangements of any vehicles associated with the demolition, site preparation and construction phases of the development and a plan illustrating those details.
- a complaints management procedure, so that in the event of any complaint from a member of the public about delivery or construction vehicles accessing the site then the site manager has a clear understanding of how to respond to complaints received. The procedure shall detail how a contact number will be advertised to the public, what will happen once a complaint has been received (i.e. investigation), any monitoring to be carried out, how the complainant will be updated, and what will happen in the event that the complaint is not resolved.
- A procedure for keeping written records of any complaints received and actions taken, and for forwarding such details to the Local Authority every month during construction works by email to the following addresses; [public.protection@york.gov.uk](mailto:public.protection@york.gov.uk) and [planning.enforcement@york.gov.uk](mailto:planning.enforcement@york.gov.uk)

Reason: To protect the means of access and safety of the general public who use this part of the Racecourse, and to ensure their safety this needs to be agreed prior to work commencing.

Reason:

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.

The siting of new facilities being the canopies, bars and totes 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, the 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. 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 clearly outweigh any harm the development exist.

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.

**22. Totalisator Board, York Racecourse, Racecourse Road, Knavesmire, York (17/00656/LBC)**

Members considered a listed building consent application by York Racecourse 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 as well as installation of two canopies to provide bar, lift and totes facilities.

This report linked directly to the plans item 4a (application ref 17/00655/FULM) which had already been discussed during the meeting.

Resolved:

That the application be approved subject to the conditions listed in the report as well as amended and additional conditions below.

### Amended Condition 3

Prior to the commencement of development, **excluding demolition works**, 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, bars, lift, **louvres on the toilet blocks and new windows and doors together with** final colours and finishes of all the 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 clock tower 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.

### Amended Condition 4

Prior to the commencement of development, **excluding demolition works**, 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.

### Additional Condition: Rainwater goods

As shown on the submitted plans, unless agreed otherwise in writing with the local planning authority, the rainwater down

pipes shall be enclosed within the new toilet block structures. The lower section which is not enclosed shall be of good quality cast iron or aluminium, with a painted finish. Similarly, elsewhere, any replacement rainwater goods shall be similarly of good quality cast iron or aluminium with a painted finish.

Reason: In the interests of visual amenity and to protect the special character of the listed building.

Reason:

The proposals would not adversely affect the special architectural or historic interest of the buildings and there would be an enhancement of the setting and improvements in physical condition and appearance.

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.

The proposals are therefore found to be in accordance with relevant policies and principles in the NPPF at section 12 Heritage Assets and DCLP policies HE4 Listed Buildings and HE5 Demolition of listed buildings. The application is thus recommended for approval subject to the attachment of the following conditions.

### **23. Appeals Performance and Decision Summaries**

Members received a report highlighting the Council's performance in relation to appeals determined by the Planning Inspectorate between 1 January and 31 March 2017 and providing a summary of the salient points from appeals determined in that period. A list of outstanding appeals at date of writing was also included.



It was noted that the performance for Q1 had been better than the national average. The Chair congratulated the Officers and Members on this achievement.

Resolved: That Members note the content of this report.

Reason: To inform Members of the current position in relation to planning appeals against the Council's decisions as determined by the Planning Inspectorate.

Cllr A Reid, Chair

[The meeting started at 4.30 pm and finished at 4.45 pm].

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