



Notice of a public meeting of

Planning Committee B

- To:** Councillors B Burton (Chair), Hollyer (Vice-Chair), Baxter, Clarke, Fenton, Melly, Orrell, Vassie and Warters
- Date:** Tuesday, 10 October 2023
- Time:** 4.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

1. Declarations of Interest (Pages 1 - 2)

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see the attached sheet for further guidance for Members.]

2. Minutes (Pages 3 - 8)

To approve and sign the minutes of the last Planning Committee B meeting held on 13 September 2023.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Friday, 06 October 2023.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Plans List

This item invites Members to determine the following planning applications:

- a) **100 Main Street, Fulford, York, YO10 4PS** (Pages 9 - 44)
[23/01234/FUL]

Conversion of Nos. 100-102 to provide 4no. dwellings with external alterations and extensions. Erection of 1 no. dwelling to the rear and parking. (resubmission) [Fulford and Heslington Ward]

- b) 36 Dane Avenue, York [23/01349/OUT] (Pages 45 - 62)**

Outline application for 2no. dwellings including details of access, layout and scale (site of former 36 and 38 Dane Avenue) [Acomb Ward]

- c) York Racecourse, Racecourse Road, (Pages 63 - 92)
Knavesmire, York YO23 1EJ [23/01421/FULM]**

Erection of Pavillion, canopy with covered seating area, single storey extensions to Bustardthorpe stand with associated landscaping and infrastructure following demolition of existing buildings and structures. [Micklegate Ward]

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Jane Meller

Contact details:

- Telephone: (01904) 555209
- Email: jane.meller@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

☎ (01904) 551550

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

Meeting	Planning Committee B
Date	13 September 2023
Present	Councillors B Burton (Chair), Baxter, Clarke, Melly, Warters, Cuthbertson (Substitute for Cllr Hollyer) and Fisher (Substitute for Cllr Orrell)
Apologies	Councillors Fenton, Hollyer, Fisher
Officers Present	Gareth Arnold, Development Manager Natalie Ramadhin, Development Management Officer Sandra Branigan, Senior Solicitor

23. Declarations of Interest [4.37 pm]

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

In relation to item 4b, 10, Church Road, Osbaldwick, York, YO10 3NW, Cllr Warters noted that he had called in the application.

24. Minutes [4.37 pm]

Resolved: That the minutes of the last meeting held on 16 August 2023 were approved and signed as a correct record.

25. Public Participation [4.37 pm]

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

26. Plans List [4.38 pm]

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

27. 21A Holyrood Drive, York, YO30 5WB [23/00864/FUL] [4.38 pm]

Members considered a full application at 21A Holyrood Drive York YO30 5WB for the conversion of existing two storey side annexe to main house to form 1no. separate dwelling (part retrospective).

The Development Manager gave a presentation on the application and an update was provided which updated the committee with respect to the additional planning history as follows:

Application 21/01503/FUL – dormer to rear and 2no. rooflights to front. Approved on appeal Feb 2022.

The officer responded to questions from members on the plans and conditions, it was noted that the property had a single room loft conversion and parking was to be accommodated by extending the dropped kerb in front of 21a. The Highways team would liaise with Streetworks to manage the kerb. It was confirmed that the Highways team had raised no objections to the application.

Public Speaker

Cllr Waudby, Ward Councillor for Rawcliffe and Clifton Without spoke on behalf of a number of residents. She noted that this was a retrospective application and raised concerns about highway safety and bins / refuse not being managed properly.

In response to questions, Cllr Waudby reiterated that the residents of Conway Close were primarily concerned with unsafe parking in the road.

Officers responded to further questions from Members and reported that there was to be a gate to provide access to the rear garden.

Officers gave advice on the weighting to be given to planning guidance and the senior solicitor outlined the National Planning Policy Framework (NPPF) relating to highways and noted that Highways officers did not consider the impact on the highway network to be unacceptable.

Following debate, Cllr Burton proposed the officer recommendation to approve the application, this was seconded by Cllr Melly.

There followed a vote, with four in favour and 3 against, it was:

Resolved: That the application be approved:

Reason:

Subject to the recommended conditions it is considered that the development will provide reasonable living accommodation in a sustainable location. The design and form of the new dwelling reflects the general character of the immediate area. The proposal complies with draft policies D1, D11 and T1 of the draft Local Plan and with the policies contained within the NPPF.

**28. 10 Church Road, Osbaldwick, York, YO10 3NW
[23/01220/FUL] [5.17pm]**

Members considered a full application at 10 Church Road, Osbaldwick, York, YO10 3NW, for the change of use from single dwelling (use class C3) to House in Multiple Occupation (use class C4) and single storey rear extension following removal of conservatory and alterations to garage.

The Development Manager gave a presentation on the plans and the Development Officer gave an update regarding an additional letter of representation which raised the following concerns:

- On street parking
- Council tax
- Loss in property value

Officers noted that in terms of parking, this was addressed in the public report at section 5.15-5.20. Council tax was a separate matter to Planning and property values are not a material planning consideration.

The Officer's recommendation remained for approval, subject to conditions.

In response to questions from members, officers reported that the occupants were responsible for managing refuse and storage, this was covered by the condition 4, the management plan.

Officers were satisfied with the proposed parking and the space available met the standard parking space size.

Public Speaker

Nicholas Bell, the applicant, spoke in support of the application and stated his intention to provide 'high-end' HMO (House of Multiple Occupation) and

to put in place robust measures to ensure that the property was well managed.

In response to questions from Members, he confirmed that the property had been his family home and, in his experience, up to three cars could be parked. He noted that it was important to move the bin store to the back of the property for aesthetic reasons. He also confirmed that vehicles would be required to move to enable the movement of bins and cycles through the driveway.

Officers reported that they would consult with the ecologist on the need for a bat survey prior to the demolition of the conservatory if required to do so by members. They would therefore seek delegated authority to approve the officer recommendation, and amend the decision notice if recommended to do so by the ecologist.

The comments of Housing Standards were also clarified for members, as this was a new process in relation to HMOs; their comments had not led to any additional conditions

Following debate, the Chair proposed the officer recommendation to approve the application, subject to officers consulting with the ecologies as outlined above. This was seconded by Cllr Clarke. A vote was taken and, with four votes in favour and three against it was:

Resolved: That officers were given delegated authority to approve the application, subject to consultation with the ecologist with reference to a bat informative.

Reason:

The application property is considered to be appropriate for the needs of future occupants for a 4no. bedroom small HMO. The existing density levels of current HMO's is below the policy threshold (at both Street Level and Neighbourhood Level). The single storey rear extension is of a suitable design and scale. There are no residential amenity issues arising for either the proposed occupants and neighbouring dwellings. Acceptable provision for off-road vehicle parking has been demonstrated and secure cycle storage will be required by condition. A management plan for the site can be condition. The proposal is considered to comply with policies within the National Planning Policy Framework, Policies H8, D11, ENV2, WM1 and T1 of the Draft Local Plan and guidance set out within the Draft Supplementary Planning Document (SPD): Controlling the

Concentration of Houses in Multiple Occupancy and House Extensions SPD.

29. 16 Northcote Avenue, York, YO24 4JD [23/00822/FUL] [5.50 pm]

Members considered a full application at 16 Northcote Avenue York, YO24 4JD, for a two-storey side and single storey front extension.

The Development Manager gave a presentation on the plans and, in response to questions from members, he clarified the boundaries and explained that condition 4 required the garage to have a roller door or doors that opened internally.

An informative relating to the storage of skips and materials on the highway was requested by members.

Following a brief debate, Cllr Warters proposed the officer recommendation, to include the additional informative. This was seconded by Cllr Fisher. Members voted unanimously in favour of the recommendation and it was:

Resolved: That the application be approved, subject to an additional informative as outlined above.

Reason: The works proposed will respect the general character of the building and area and the impact on the amenity of neighbouring residents would be acceptable. It is considered it complies with national planning guidance, as contained in the National Planning Policy Framework, City of York Council Draft Local Plan 2018, and the City of York Council's draft Supplementary Planning Document (House Extensions and Alterations).

30. Planning Appeal Performance and Decisions [6.00 pm]

The Development Manager presented report which provided information on the planning appeal decisions determined by the Planning Inspectorate between 01 January and 31 March 2023.

Resolved: That the report be noted.

Reason: To keep members informed of the current position of planning appeals against the Council's decision as determined by the Planning Inspectorate.

Cllr B Burton, Chair

[The meeting started at 4.32 pm and finished at 6.07 pm].

COMMITTEE REPORT

Date: 10 October 2023 **Ward:** Fulford And Heslington
Team: East Area **Parish:** Fulford Parish Council

Reference: 23/01234/FUL
Application at: 100 Main Street Fulford York YO10 4PS
For: Conversion of Nos. 100-102 to provide 4no. dwellings with external alterations and extensions. Erection of 1 no. dwelling to the rear and parking. (resubmission)
By: Bootham Developments LLP
Application Type: Full Application
Target Date: 16 October 2023
Recommendation: Approve

1.0 PROPOSAL

1.1 The application relates to nos. 100 and 102 Main Street in Fulford (currently residential dwellings) and the land and outbuilding to the rear (previously part of the business operation - Britton Dairies). At the time of site visit, the site was vacant. The site lies within the Fulford Village Conservation Area. In the area appraisal, No.100 is identified as a building of positive value to the area. No.102 is of neutral value and the outbuildings to the rear are identified as being detrimental to the area. The site is not in Flood Zones 2 or 3.

1.2 There is an access road to the south that leads into the site and 104 and 104a which lies behind the application site to the west. 104a is adjacent the application site; there is a dormer bungalow orientated east/west and next to the outbuilding at the rear of the application site is a driveway and garage block. St Oswalds Court is a two-storey late C20 complex of housing to the south. There is a terrace of two storey buildings along Main Street to the north of the site. The connected building is in commercial uses and has a large single storey flat roof rear extension.

1.3 The proposals are to accommodate 5 dwellings on-site (one 3 bedroom dwelling and four 2 bedroom dwellings with a study at roof level). The scheme involves demolition of the extensions and outbuildings to the rear of nos.100 and 102. The outbuilding at the west side of the site would be replaced by a 2-storey pitched roof building accommodating a carport and dwelling.

Application Reference Number: 23/01234/FUL

Item No: 4a

1.4 No. 102 would have its hipped roof converted to a gable roof and windows would be replaced. At the rear both buildings would gain a single storey rear extension, with flat roof providing an outside terrace. Four dormers are added to the rear roof slope. New windows on the frontage buildings are to be timber framed.

Relevant Planning History

1.5 Planning permission was granted on 23rd March 2023 for the same development however this decision is currently subject to judicial review (22/02437/FUL). The grounds for review were a lack of conditions with regards to drainage, archaeology and ecology. These conditions have been added to this application.

Ward Councillor Call-In

1.6 This application was called in by Councillor Ravilious on the following grounds;

- Potential to harm Fulford Conservation Area.
- Outdoor amenity space provided is inadequate and unsuitable.
- Parking/turning arrangements inadequate.
- Proposal represents overdevelopment of the site.
- Biodiversity net gain measures are inadequate.
- Previous decision to approve is due to be quashed by the Court following judicial review challenge by the Parish Council.

2.0 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK

2.1 Key chapters and sections of the NPPF relevant to this application are as follows:

Achieving sustainable development (chapter 2)

Decision-making (chapter 4)

Delivering a sufficient supply of homes (chapter 5)

Promoting healthy and safe communities (chapter 8)

Promoting sustainable transport (chapter 9)

Making effective use of land (chapter 11)

Achieving well designed places (chapter 12)

Meeting the challenge of climate change, coastal change and flooding (chapter 14)

Conserving and enhancing the natural environment (chapter 15)

Application Reference Number: 23/01234/FUL

Item No: 4a

Conserving and enhancing the historic environment (chapter 16)

DRAFT LOCAL PLAN (2018)

2.2 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The following policies are relevant;

DP2 Sustainable Development

DP4 Approach to Development Management

EC2 Loss of Employment Land

H10 Affordable Housing

D1 Placemaking

D4 Conservation Areas

D6 Archaeology

D7 Non-Designated Heritage Assets

D11 Alterations and Extensions to Existing Buildings

GI2 Biodiversity and Access to Nature

CC2 Sustainable Design and Construction of New Development

ENV2 Managing Environmental Quality

ENV3 Land Contamination

ENV5 Sustainable Drainage

WM1 Sustainable Waste Management

T1 Sustainable Access

T8 Demand Management

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

Design and Conservation - City Archaeologist

3.1 The application site is on the edges of the historic village of Fulford and close to known areas of Romano-British activity. The Archaeologist does not believe that there will be any important archaeological resource visible in the small opportunities for viewing (e.g drainage runs and shallow attenuation tanks) an archaeological watching brief should take place as a precautionary measure. If the works are

proving not to penetrate any archaeological layers other than agricultural soils the monitoring can be halted. Recommend a condition.

Design and Conservation - Senior Countryside and Ecology Officer

3.2 No further recommendations beyond those made regarding application 22/02437/FUL. This stated - No objections subject to conditions regarding bats, biodiversity net gain and nesting birds.

Design and Conservation – Conservation and Architecture

3.3 Development Management to assess.

Public Protection

3.4 Advice regarding noise, EV charging points, land contamination, construction management. Recommend a condition for noise insulation and conditions to deal with contamination. Recommend informatives regarding construction management.

Highway Network Management

3.5 The concerns regarding the lack of a suitable bin collection point and orientation of the door to the bike store to 102C have been suitably addressed by the Applicant. HDC's position in regard to the sufficiency of on-street parking to accommodate the unmet car parking demand is unchanged.

Flood Risk Management Team

3.6 No comments received.

EXTERNAL CONSULTATIONS

Yorkshire Water

3.7 No objection but recommend a condition with regards to compliance with the drainage strategy (revision P2 dated October 2022).

Fulford Parish Council

3.8 Welcome the renovation and re-use of 100-102 Main Street to provide housing, however the resubmitted application in its current form is not supported on the following grounds;

- The use of the site is described as 'Residential' which is misleading because the rear outbuildings were in industrial/employment use over many decades (as part of Britton's Dairy). The loss of a former employment site is therefore a material consideration.
- The Applicant has answered 'No' to the question of whether there is a reasonable likelihood of protected or priority species being present on the site, despite the presence of a bat roost within the outbuildings being confirmed in their own commissioned bat survey dated August 2022.
- Cramped design and lack of soft landscaping
- Loss of trees on southern elevation of rear boundary which represents a loss of biodiversity rather than a net gain
- Inadequate amenity space
- Concerns regarding outlook
- Inadequate parking and turning arrangements
- Poor design
- Application does not enhance the character and appearance of the Conservation Area
- Terrace for the 3 bed dwelling will appear alien and unattractive
- Hip to gable roof extension and the large dormer will also introduce more bulk and make the building appear more prominent.
- The two semi-detached buildings will be almost entirely demolished except for those parts of the roof not affected by the hip-to-gable extension and the four rear dormers. Some chimneys will also be lost. This will result in a significant change to the appearance of the semi-detached dwellings and may impact negatively on the streetscene.
- A Construction Environmental Management Plan is required.
- Proposal would cause less than substantial harm to heritage assets which could be avoided.

Conservation Area Advisory Panel

3.9 Object on the following grounds;

- Works amount to virtual demolition with only the front elevation remaining.

- Significant alterations including raising of ridge line, inserting two new doors and blocking the first floor window
- Proposed building to the rear was inappropriate in form and partially visible from Main Street.
- Buildings not listed.
- Buildings to the rear are noted as detrimental to the area, - 102 Main Street is of neutral value, 100 Main Street is of positive value. Unclear if the applicant has fully understood the implications.
- Might be justifiable to demolish the outbuildings, but on the other hand, it would not be justifiable to propose such radical interventions to No 100 Main Street Fulford, which already has a 'positive value', and is defacto a non-designated heritage asset.
- Should enhance the positive value.
- Need to know more about the building.
- Heritage, Design and Access statement appears to have had insignificant input.
- Overdevelopment, lack of amenity space an issues of vehicular access.
- Proposals are detrimental to the heritage values and historic fabric of No 100 Fulford road.
- Misses the opportunity to enhance this part of the Conservation Area.

4.0 REPRESENTATIONS

4.1 One third party objection has been received on the following grounds;

- Concerns regarding contractor parking
- If when complete the dwellings have own parking at the rear then no objections subject to the contractor parking as stated above.

4.3 One letter of support has been received on the following grounds;

- Houses need tidying up.
- Looked run down for years.
- Considering it was once a business the amount of vehicles in and out via this driveway won't change and there's been sufficient parking given in the plans.
- Only people it will affect are the residences at the driveway side in St Oswalds Court and the residential properties at the rear and can't see it making any difference apart from tidying up.

5.0 APPRAISAL

5.1 The key issues in this case are:

- Principle of the proposed development
- Impact on heritage assets
- Residential amenity
- Highway Network Management
- Sustainable design and construction
- Drainage
- Ecology
- Open space
- Affordable housing
- Archaeology

PRINCIPLE OF THE PROPOSED DEVELOPMENT

Policy

5.2 Paragraph 60 of the NPPF seeks to significantly boost the supply of homes. Chapter 9 of the NPPF promotes sustainable transport. Chapter 11 of the NPPF seeks to make effective use of land.

5.3 Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 119 of the NPPF). Planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land (paragraph 120c of the NPPF). Development should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (paragraph 120d of the NPPF).

5.4 Policy EC2 of the Draft Local Plan 2018 relates to the loss of employment land. It must be demonstrated that the existing land or buildings are demonstrably not viable in terms of market attractiveness, business operations, condition and/or compatibility with adjacent uses.

Assessment

5.5 The proposals are for redevelopment of what is regarded as a brownfield site, historically in residential use and surrounded by dwellings. The outbuildings to the rear have previously been used in connection with a dairy business, however the outbuildings are in a poor condition and have not been in operation for some time. The Parish Council raise concerns regarding the loss of an employment building. The Local Planning Authority however consider that when taking into account the current condition of the building and surrounding land uses being predominantly residential, the site is incompatible and no longer appropriate for employment use. Significant weight is attached on the provision of housing and renovation of the buildings within the Conservation Area.

5.6 The site is within a sustainable location, close to public transport facilities and local amenities. The city has demonstrable housing need, which, until the emerging local plan is adopted, cannot be accommodated without utilising Green Belt land. In principle residential re-use of the site is appropriate when applying the NPPF, in particular sections 5, 9 and 11 which relate to housing, sustainable transport and effective use of land.

IMPACT ON HERITAGE ASSETS

Policy

5.7 Section 16 of the NPPF, conserving and enhancing the historic environment, advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

5.8 Section 72 of the Planning (Conservation Areas & Listed Buildings) Act requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of a conservation area. This is supported by Policy D4 of the Draft Local Plan 2018 which seeks to protect Conservation Areas and their setting.

5.9 Policy D7 of the Draft Local Plan states development proposals affecting a non-designated heritage asset or its setting will be supported where they conserve those elements which contribute to its significance.

5.10 Policy D1 of the Draft Local Plan supports development where they improve poor existing urban environments. Design considerations include the urban structure, grain, density, massing, spacing, scale and appearance.

5.11 Policy D11 of the Draft Local Plan supports the extension and alteration to existing buildings subject to ensuring the design responds positively to its immediate architectural context and sustains the significance of the heritage asset and its setting.

Assessment

5.12 The site is located within Fulford Conservation Area. Within the Conservation Area Appraisal no.100 is identified as a building of positive value. In applying Draft Local Plan 2018 policy D7 no.100 can be regarded as a non-designated heritage asset. No. 102 is of neutral value in the Conservation Area Appraisal.

5.13 Existing later additions are to be demolished to the rear of both no.100 and no.102. The extensions are considered acceptable to demolish as they are in poor condition and are of no architectural merit. No.100 and no.102 are to be split into 4no. dwellings via internal works. Internal alterations could take place without any planning permission requirements.

5.14 It is proposed to erect a single storey rear extension which spans the full rear elevations of no.100 and no.102. The roof is of parapet design to allow for a roof terrace enclosed by railings, to provide outdoor amenity space for the dwellings. The extension is considered subordinate in scale with complimentary materials. The proposal is considered small in scale and will be discreet, being located at the rear. The development would preserve the character and appearance of the Conservation Area.

5.15 A dormer is proposed to the rear elevation of each new dwelling along Main Street. The dormers are centrally sited within each roof slope and set down from the ridge and set in from the eaves. Taking into account their siting at the rear, scale and positioning, the dormers are considered acceptable additions on the roofscape and are not considered to harm the character and appearance of the buildings or Conservation Area.

5.16 The building located to the rear of the site is in poor condition and is commercial in nature. It is listed as a detractor in the Conservation Area Appraisal.

This building would be demolished and replaced by a brick building of similar massing. It would be two-storey, clad in brick with a pitched slate roof. It is considered subordinate in scale to the frontage buildings. The south end of the building includes a timber screen which wraps around a first-floor outdoor amenity space. Taking into account the existing structure, historic use of the site, layout and prominence of the rear section of the site from Main Street, the proposed building would have no detrimental impact on the Conservation Area. It is considered that the demolition and re-building of this section of the site would enhance the character and appearance of the Conservation Area.

RESIDENTIAL AMENITY

Policy

5.17 NPPF section 12 in respect of design advises decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Section 15 refers to noise and its potential impact on amenity. Policy ENV2 of the Draft Local Plan 2018 seeks to ensure development does not unacceptably harm the amenities of existing and future occupants on the site occupiers and existing in neighbouring communities. Policy ENV3 relates to land contamination,

Assessment

5.18 The site already accommodates residential uses. The proposed scheme includes first floor amenity areas to both buildings. In terms of impact, the terraces to no.100 and no.102 would be directly opposite a blank side wall to the south and the single storey extension to the commercial unit to the north. The terrace on the new build would be enclosed and this is secured by condition to ensure this is in place prior to first occupation. The terraces do not introduce any harmful overlooking.

5.19 The proposed buildings generally replicate the massing and format of existing buildings on site and would not be overbearing or over-dominant over neighbours. A condition can be used to prevent any new windows / openings on the new build (102c) as this building has been specifically designed to avoid undue overlooking of surrounding land.

5.20 In terms of traffic noise, the houses fronting Main Street are existing. Where windows are being replaced they would be of improved environmental performance

to existing units which appear to be single glazed. The new build dwelling is set back behind the existing buildings therefore shielded from road noise. A condition to require that the new dwelling achieves adequate noise standards is recommended.

5.21 Concerns have been raised regarding the size of the outdoor amenity spaces; the site is constrained and it is considered the outdoor amenity space is appropriate for this development. The spaces are of a similar in size to existing residential outdoor amenity spaces within the centre of Fulford, in particular along Main Street and surrounding terraced streets. Until the Council adopts use of the Community Infrastructure Levy (CIL) open space obligations are not required for non-major development. This is consistent with NPPF policy and local requirements in respect of affordable housing and education. The scheme includes small yard areas, a courtyard and public open space is within walking distance. There is no objection to the scheme in respect of open space provision.

5.22 Land contamination can be adequately dealt with via conditions, as recommended by the Public Protection Officer.

HIGHWAYS

Policy

5.23 The NPPF requires development be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.

5.24 Policy T1 of the Draft Local Plan 2018 seeks to ensure development proposals demonstrate safe and appropriate access. Development must provide sufficient convenient, secure and covered cycle storage. Policy T8 relates to demand management and improving the overall flow of traffic in and around the City Centre.

5.25 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111 of the NPPF).

5.26 Policy WM1 of the Draft Local Plan relates to waste management which promotes the integration of facilities for waste prevention, recycling and recovery in association with the planning of new housing development.

Assessment

5.27 The site is served by an existing access road which has historically served this site and houses beyond. No changes to the entrance arrangements are proposed. The site is on Main Street in Fulford, therefore close to amenities and on a bus route into the city centre. This is an appropriate location for residential development and sustainable travel options are available.

5.28 During the course of this application, minor amendments have been made. This includes: swept path analysis, provision of 11no. cycle parking spaces, a bin collection point, alterations to the size of car parking spaces and the slight rearrangement of house 102C.

5.29 A car parking space is provided for each dwelling. The layout is tight, but workable and such an arrangement respects local character, as required by the NPPF (104e) and the National Design Guide (paragraphs 84 and 88). Whilst the Highways Officer states there is an under provision of car parking, at present there are no local standards for car parking provision. The provision of 5no. spaces for 5no. dwellings is considered sufficient given the sustainable location and proximity to public transport facilities. Parking is available on Main Street for visitors although heavily used at times. The proposal would not lead to a severe impact on the highway network. The requirements of NPPF and local policy are all in respect of reducing private car travel and the scheme is consistent with such. There will be covered and secure cycle storage for each dwelling.

5.30 Servicing arrangements are as existing as there are already multiple houses which use the access road, which is not adopted highway. Waste storage is discreetly located as recommended in the National Design Guide (88). The servicing arrangements do not raise any highway safety issues.

5.31 Concerns are raised in the representations regarding construction vehicles, parking and access. Taking into account the scale of development proposed it would be the developer's responsibility to adhere to existing parking arrangements within the vicinity and secure the relevant permissions if skips/storage areas are required outside of the red line boundary. This would fall outside of planning control.

SUSTAINABLE DESIGN AND CONSTRUCTION

Policy

5.32 Policy CC2 of the Draft Local Plan, as recently amended, states all new residential development of 1 or more dwellings should achieve:

- i. on-site carbon emissions reduction of a minimum of 31% over and above the requirements of Building Regulations Part L (2013), of which at least 19% should come from energy efficiency measures; and,
- ii. a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Assessment

5.33 With regards to the above sustainability requirements, these can be secured by condition for the new build dwelling (102C). As 110A, 100B, 102A and 102B were already in residential use, policy CC2 would not come into effect.

DRAINAGE

Policy

5.34 Policy ENV5 requires sustainable drainage and states that for all development on brownfield sites, surface water flow shall be restricted to 70% of the existing runoff rate (i.e. 30% reduction in existing runoff), unless it can be demonstrated that it is not reasonably practicable to achieve this reduction in runoff.

Assessment

5.35 The site lies within flood zone 1. Surface water and foul water will be disposed via the main sewer. It is proposed to connect to the existing drainage system (combined sewer on site). This is the same situation as for the existing residential properties.

5.36 A drainage plan has been submitted as part of this application by Topping Engineers (revision P2, dated October 2022), which includes attenuation measures to control the surface water flow for the proposed impermeable area. It is proposed

to discharge to brownfield rates with a 30% betterment. A condition is recommended to ensure compliance with the drainage scheme.

ECOLOGY

Policy

5.37 Policy GI2 of the Draft Local Plan (2018) relates to biodiversity and access to nature. Paragraph 174 (d) of the NPPF (2021) seeks to ensure development contributes and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures. These enhancements are required in addition to the protected species licence requirements to mitigate for bats.

Assessment

5.38 The application is accompanied by a Bat Survey (August 2022) and Preliminary Ecological Appraisal by Wold Ecology (October 2022). The bat survey concludes the outbuilding supports a brown long-eared bat day roost. The report also states that individual bats could roost in other parts of the outbuilding or wider parts of the site. No bird's nests were observed in the building. There were no roosting bats identified in 102 Main Street.

5.39 The Preliminary Ecological Appraisal identified no further ecological constraints on the site. The report recommends a bat box , lighting plan, vegetation clearance outside of bird nesting season and 2no. bird boxes. A biodiversity net gain condition is recommended. A condition is also recommended with regards to the timings of site clearance works to ensure this is outside of bird nesting season unless checked by an Ecologist.

5.40 A bat roost has been identified within the outbuilding and therefore consent from Natural England will be required in respect of the demolition works. This can be secured through planning condition. The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, contain "derogation tests" which must be applied. The development would pass the tests. There is overriding public interest in replacing a derelict and empty building and the species affected is classed as low conservation concern and the requirement for a European Protected Species

Licence will prevent any direct harm and the provision of new roost features will maintain roosting opportunities on site.

AFFORDABLE HOUSING

Policy

5.41 Policy H10 of the Draft Local Plan (2018 and as amended 2023) states residential development of between 5-14 houses which has a maximum combined gross floorspace of more than 1000m² will require a 10% off site affordable housing financial contribution.

Assessment

5.42 The proposal seeks 5no. dwellings, however the floorspace is under 1000m² therefore an affordable housing contribution is not required.

ARCHAEOLOGY

Policy

5.43 Draft Local Plan Policy D6 relates to archaeology. Development must not result in harm to the significances of the site or its setting. It should be designed to enhance or better reveal the significances of an archaeological site or will help secure a sustainable future for an archaeological site at risk.

5.44 Where harm to archaeological deposits is unavoidable, detailed mitigation measures must be agreed with City of York Council that include, where appropriate, provision for deposit monitoring, investigation, recording, analysis, publication, archive deposition and community involvement.

Assessment

5.45 The City Archaeologist notes the application site is on the edges of the historic village of Fulford and close to known areas of Romano-British activity. The Archaeologist does not believe that there will be any important archaeological resource visible in the small opportunities for viewing (e.g drainage runs and shallow attenuation tanks) an archaeological watching brief should take place as a precautionary measure. If the works are proving not to penetrate any archaeological

layers other than agricultural soils the monitoring can be halted. A two-stage condition is recommended to secure a programme of post-determination archaeological mitigation, specifically an archaeological watching brief. This condition has been added.

6.0 CONCLUSION

6.1 The proposal seeks the re-use and renovation of an existing brownfield site to provide 5no. dwellings within the centre of Fulford. Significant weight is attached to the provision of housing and the renovation of the site within the designated heritage asset. The works to the frontage buildings respects their character and will help secure their long-term future. The layout and design of the dwelling to the rear respects the plot layout and spatial form. The works are considered to enhance the Conservation Area and its setting. Each dwelling will utilise the existing access from Main Street and is provided with an off-street parking space and cycle storage which is considered acceptable. Matters such as ecology, contamination, drainage, archaeology, landscaping, materials, noise, sustainability and amenity can be dealt with via conditions. The proposal accords with national planning policy and draft local policy therefore is recommended for approval subject to conditions.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Location plan, drawing number 0001.

Ground floor demolition plan, drawing number 0600, rev 01, dated 16.03.2023

First floor demolition plan, drawing number 0601, rev 01, dated 16.03.2023.

Site demolition plan, drawing number 0620, rev 01, dated 16.03.2023.

Proposed ground floor plan, drawing number 1100, rev 04, dated 08.09.2023

Proposed first floor plan, drawing number 1101, rev 03, dated 06.09.2023.

Proposed second floor plan, drawing number 1102, rev 04, dated 06.09.2023.

Proposed site plan, drawing number 1000, rev 04, dated 08.09.2023.

Proposed elevations, drawing number 1300, rev 06, dated 08.09.2023.

Proposed elevations, drawing number 1301, rev 05, dated 08.09.2023.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 All demolition/construction works to the outbuilding shall not under any circumstances commence unless the local planning authority has been provided

with either:

- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- b) Confirmation that the site is registered on a Bat Mitigation Class licence (formally Low Impact Class Licence) issued by Natural England; or
- c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure bats are protected from harm during the proposed works. All British bat species and their roosts are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

4 The scheme shall be implemented in accordance with the recommendations set out in the Preliminary Ecological Appraisal, provided by Wold Ecology Ltd. dated October 2022 (submitted with the planning application).

The following items shall be installed on-site in the recommended locations in the aforementioned PER prior to first occupation and retained in situ for the lifetime of the development:

- At least 2 Schwegler type bird boxes.
- At least 1 Schwegler type bat boxes.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 174 d) of the NPPF (2021).

5 No site clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the buildings and vegetation for active birds' nests immediately before the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected from harm during construction. All British birds, their nests, and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended.

6 A programme of post-determination archaeological mitigation, specifically an archaeological watching brief is required on this site.

The archaeological scheme comprises 2 stages of work. Each stage shall be

completed and agreed by the Local Planning Authority before it can be approved.

A) No ground disturbing works shall take place until an archaeological contractor has been appointed by the applicant and approved by the local planning authority. The site investigation, post-investigation assessment and provision for analysis, publication and dissemination of results and archive deposition shall be completed/secured in accordance with standards set by the Chartered Institute for Archaeologists and LPA.

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

This condition is imposed in accordance with Section 16 of NPPF.

Reason: The site lies within an area of archaeological interest and the development may affect archaeological deposits which must be recorded prior to destruction.

7 Prior to development (excluding demolition), a site investigation and risk assessment must be undertaken to assess the nature, scale and extent of any land contamination and the potential risks to human health, groundwater, surface water and other receptors. A written report of the findings must be produced and is subject to approval in writing by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

8 Where remediation works are shown to be necessary, development (excluding demolition) shall not commence until a detailed remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy must demonstrate how the site will be made suitable for its intended use and must include proposals for the verification of the remediation works. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the proposed remediation works are appropriate and will remove unacceptable risks to identified receptors.

9 Prior to first occupation or use, remediation works should be carried out in accordance with the approved remediation strategy. On completion of those works, a verification report (which demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably

qualified and competent person.

Reason: To ensure that the agreed remediation works are fully implemented and to demonstrate that the site is suitable for its proposed use with respect to land contamination. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

10 In the event that unexpected 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, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

11 A scheme detailing the proposed hard-landscaping / surfacing details for the site shall be submitted to and approved in writing by the Local Planning Authority prior to any groundworks. The scheme shall be fully implemented in accordance with the approved details prior to first occupation.

Reason: In the interests of amenity and local distinctiveness and the character and appearance of the conservation area, in accordance with NPPF sections 12 and 16 (note it is expected the setts along the access road will be retained).

12 The external materials to be used shall be as specified on the approved plans.

New brickwork shall be approved in writing by the local planning authority prior to the commencement of construction on the relevant building. The development shall be carried out in accordance with the approved details.

Sample panels of the brickwork to be used shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used. The panel(s) shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: In the interests of amenity and local distinctiveness and the character and appearance of the conservation area, in accordance with NPPF sections 12 and 16 (it is noted it is expected the setts along the access road will be retained).

13 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

a) Where new or replacement doors and windows are proposed detailing drawings (in context and in section) shall be provided of existing and proposed details.

The "new timber windows" to the front elevation of no. 100 and no. 102 shall be a sliding type (and not be outward opening).

Reason: In the interests of amenity and local distinctiveness and the character and appearance of the conservation area, in accordance with NPPF sections 12 and 16.

14 The cycle storage buildings shall be installed in accordance with the approved plans and shall be covered and secure. The storage shall be installed prior to first occupation of the relevant building and maintained/provided for storage for the lifetime of the development.

Reason: In the interests of good design, visual and residential amenity, and to promote sustainable travel in accordance with NPPF sections 9 and 12.

15 The building envelope of the new build residential accommodation (dwelling 102C as annotated on the approved plans) shall be constructed so as to achieve internal noise levels in habitable rooms of no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and 30 dB LAeq (8 hour) and LAFMax level during the night (23:00-07:00 hours) should not exceed 45dB(A) on more than 10 occasions in any night time period in bedrooms. These noise levels shall be observed with windows open in the habitable rooms or if necessary windows closed and alternative ventilation provided.

Reason: To protect the amenity of people living in the new property from externally generated noise and in accordance with the NPPF section 12.

16 The new build dwelling (identified as 102C on the approved plans) shall achieve a reduction in carbon emissions of at least 31% compared to the target emission rate as required under Part L of the Building Regulations 2013 and a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policy CC2 of the Draft Local Plan 2018.

17 The privacy screens, enclosures to outside amenity spaces and boundary treatment shall be installed in accordance with the approved drawings prior to first occupation of the relevant dwellings and shall be retained thereafter.

Reason: In accordance with NPPF section 12; to prevent overlooking of neighbouring property.

18 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2 Part 1 (or any Order revoking and re-enacting that Order with or without modification) there shall be no new windows inserted on the dwelling referred to as 102C on the approved plans.

Reason: In the interests of amenity, to ensure no overlooking of existing houses and gardens surrounding the building. As such the Local Planning Authority considers that it should exercise control over any future extensions which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

19 The development shall be carried out in strict accordance with the details shown on the submitted plan, Drainage Strategy 22501 DR-C-0100 (revision P2) dated October 2022 prepared by Topping Engineers, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of satisfactory and sustainable drainage.

8.0 INFORMATIVES:

Notes to Applicant

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

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

- Asked for parking clarification, swept path analysis and bin collection points.

2. - 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.

- The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228-1:2009 + A1:2014 and BS 5228-2:2009 + A1:2014, a code of practice for "Noise and Vibration Control on Construction and Open Sites".

- Best practicable means shall be employed at all times in order to minimise noise, vibration, dust, odour and light emissions. Some basic information on control noise from construction site can be found using the following link.

https://www.york.gov.uk/downloads/download/304/developers_guide_for_controlling_pollution_and_noise_from_construction_sites

- 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.

- There shall be no bonfires on the site.

3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings and vegetation are likely to contain nesting birds between 1st March and 31st August inclusive. Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present.

When designing external lighting its potential impacts on light sensitive species should be considered. Direct lighting and light spill should be avoided where new bat roosting and bird nesting features are installed, on trees and 'green' linear features, such as hedgerows. Advice on lighting design for light sensitive species is available from the Bat Conservation Trust (2018) Bats and artificial lighting in the UK guidance: <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229&focal=none>

Contact details:

Case Officer: Natalie Ramadhin

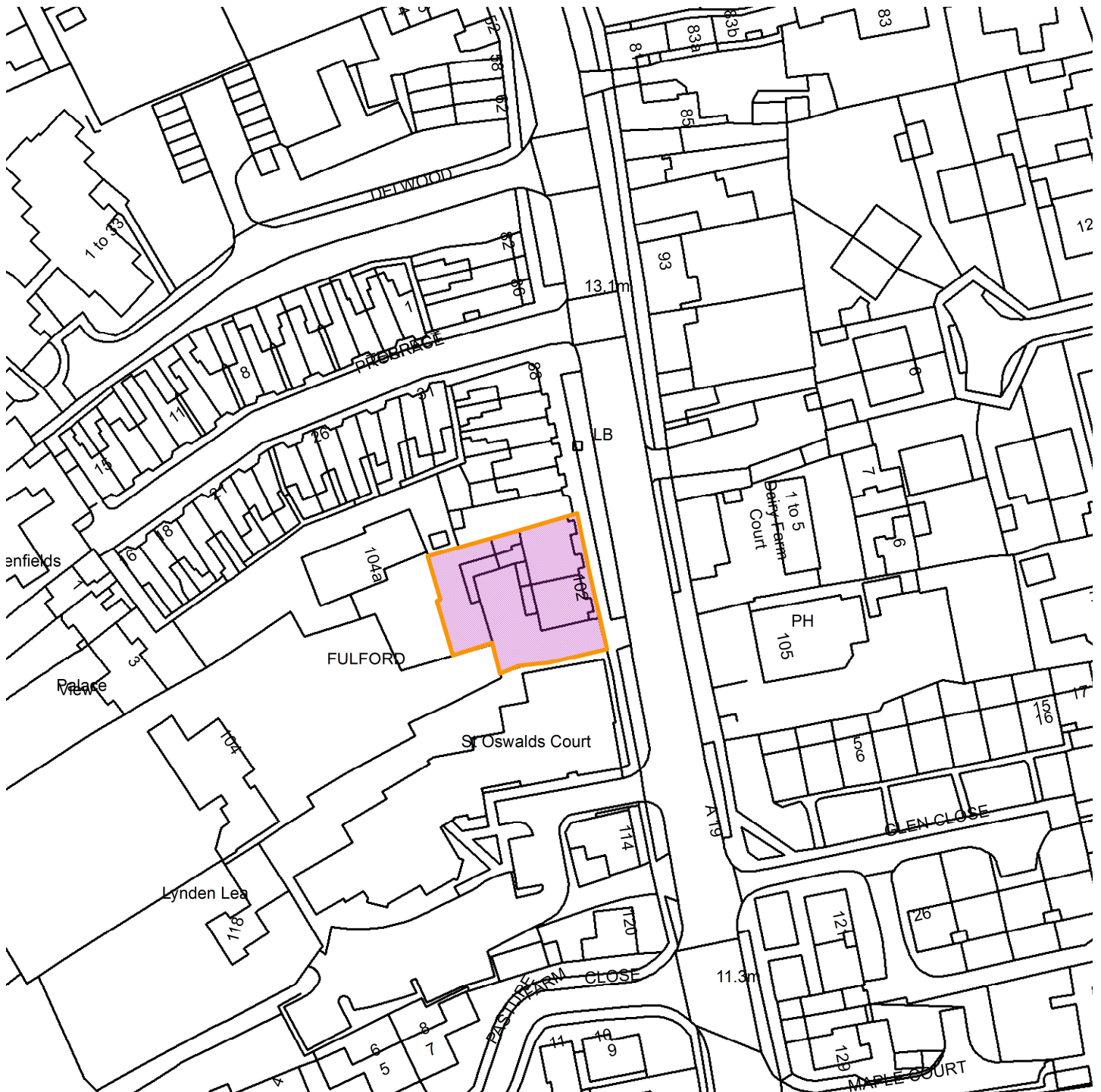
Tel No: 01904 555848

100 and 102 Main Street, Fulford

23/01234/FUL



GIS by ESRI (UK)



Scale : 1:1082

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	27 September 2023
SLA Number	Not Set

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Planning Committee B

23/01234/FUL

100 – 102 Main Street Fulford

Existing Site Plan



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revision	date	description	drawn	checked
Vincent & Brown Studio 12, Middlethorpe Business Park Sim Balk Lane, Bishopthorpe, York, YO23 2BD T: 01904 700941 e: studio@vincentandbrown.com				
project: RESIDENTIAL DEVELOPMENT 100 - 102 MAIN STREET, FULFORD, YO10 4PS				
drawing: EXISTING SITE PLAN				
date:	27/10/22	disc:	PLANNING	
scale:	1:100	sheet size:	A1	
job number:	22060-VB-ZZ-ZZ-DR-A-	rev:	0050	

Existing Floor plans – ground floor



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project:
 RESIDENTIAL DEVELOPMENT
 100 - 102 MAIN STREET, FULFORD, YO10 4PS
 drawing:
 EXISTING GROUND FLOOR PLAN

date: 27/10/22 status: PLANNING
 scale: 1:100 sheet size: A1
 0 2 4 6 8 10

job number	site	level	type	date	drawing number	rev
22060	VB	ZZ	100	DR	A	0100

Existing floorplans
– first floor



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revision date	description	drawn	chk'd
Vincent & Brown			
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<small>project: RESIDENTIAL DEVELOPMENT 100 - 102 MAIN STREET, FULFORD, YO10 4PS drawing: EXISTING FIRST FLOOR PLAN</small>			
<small>date: 27/10/22</small>		<small>status: PLANNING</small>	
<small>scale: 1:100</small>		<small>sheet size: A1</small>	
<small>job number site zone level type rev drawing number rev</small> 22060-VB-ZZ-01-DR-A-0101			

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project:
RESIDENTIAL DEVELOPMENT
100 - 102 MAIN STREET, FULFORD, YO10 4PS
drawing:
EXISTING FIRST FLOOR PLAN

date:
27/10/22

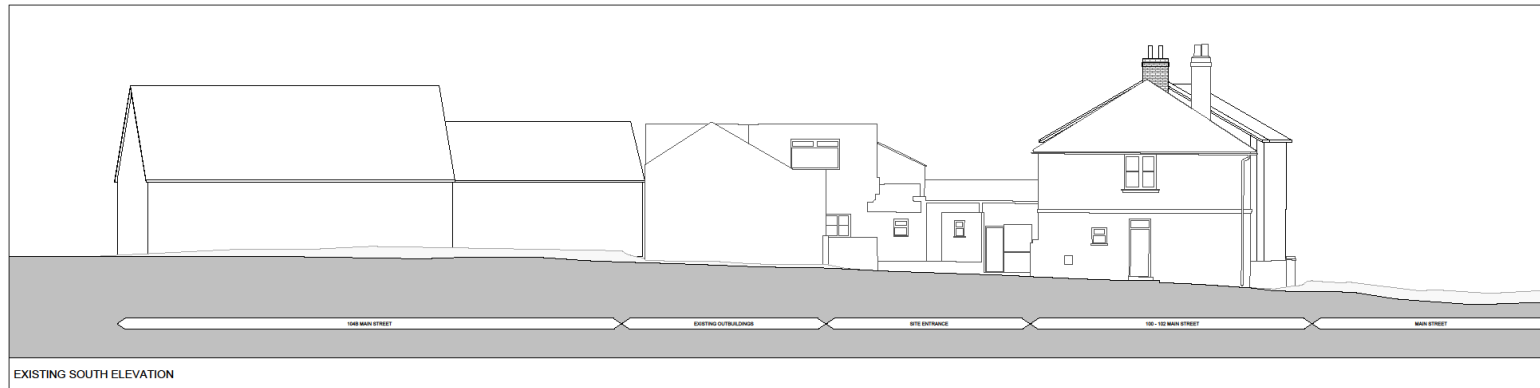
status:
PLANNING

scale:
1:100

sheet size:
A1

job number | site | zone | level | type | rev | drawing number | rev
22060-VB-ZZ-01-DR-A-0101

Existing elevations – 100-102 Main Street



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revision date description drawn by

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project:
RESIDENTIAL DEVELOPMENT
100 - 102 MAIN STREET, FULFORD, YO10 4PS
drawing:
EXISTING ELEVATIONS

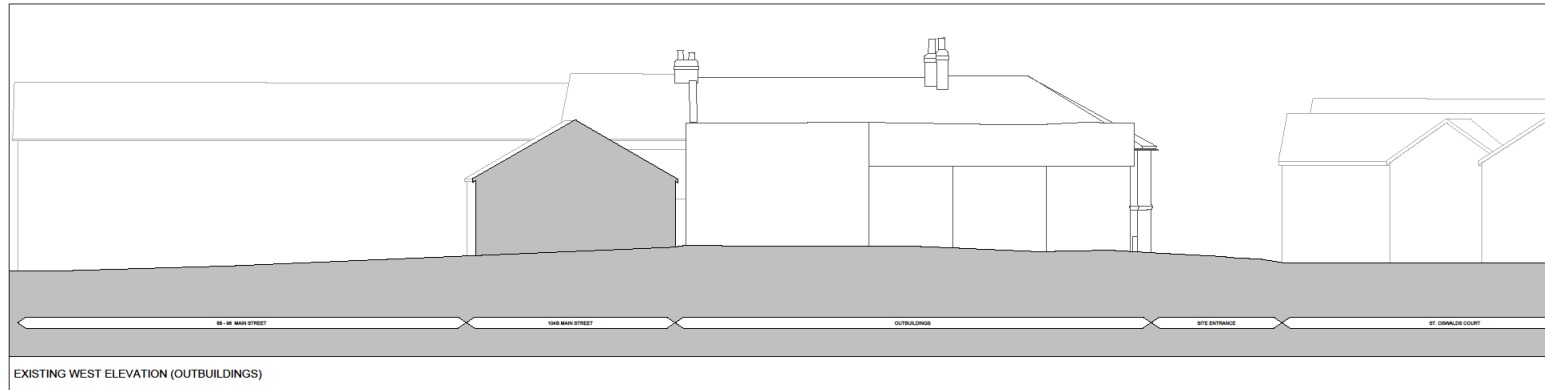
date: 27/10/22 status: PLANNING

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job number	orig	zone	well	type	rev	drawing number	rev
22060-	VB-	ZZ-	ZZ-	DR-	A-	0300	

Existing elevations – outbuildings



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revision	date	description	drawn	checked

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project:
RESIDENTIAL DEVELOPMENT
100 - 102 MAIN STREET, FULFORD, YO10 4PS
drawing:
EXISTING ELEVATIONS

date: 27/10/22	status: PLANNING
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scale:
1:100

Sheet size:
A1 10

job number	orig	date	type	revision	drawing number	rev
22060-VB-	ZZ-	ZZ-	DR-	A-	0301	

Proposed Site Plan



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revision	date	description	drawn	check
04	08.08.23	REVISED FOLLOWING COMMENTS		
03	06.09.23	REVISED FOLLOWING COMMENTS		
02	16.03.23	REVISED FOLLOWING COMMENTS		
01	11.01.23	REVISED FOLLOWING COMMENTS		

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project:
RESIDENTIAL DEVELOPMENT
100 - 102 MAIN STREET, FULFORD, YO10 4PS
 drawing:
PROPOSED SITE PLAN

date: **27/10/22** status: **PLANNING**

scale: **1:100** sheet size: **A1**



job number	site	zone	level	type	date	drawing number	rev
22060-	VB-	ZZ-	ZZ-	DR-	A-	1000	04

Proposed ground floor plan



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KEY

- EXISTING WALL
- PROPOSED WALL

04	08.09.23	REVISED FOLLOWING COMMENTS
05	08.09.23	REVISED FOLLOWING COMMENTS
06	16.09.23	REVISED FOLLOWING COMMENTS
07	11.03.23	REVISED FOLLOWING COMMENTS

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project:
RESIDENTIAL DEVELOPMENT
 100 - 102 MAIN STREET, FULFORD, YO10 4PS
 drawing:
PROPOSED GROUND FLOOR PLAN

date:
 27/10/22
 status:
 PLANNING
 scale:
 1:100
 sheet no:
 A1

job number	orig	date	type	scale	drawing number	rev
22060-VB-ZZ-100-DR-A		1100	A		1100	04

Proposed first floor plan



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KEY

- EXISTING WALL
- PROPOSED WALL

revision	date	description	drawn	checked
03	06.03.23	REVISED FOLLOWING COMMENTS		
02	16.03.23	REVISED FOLLOWING COMMENTS		
01	11.03.23	REVISED FOLLOWING COMMENTS		

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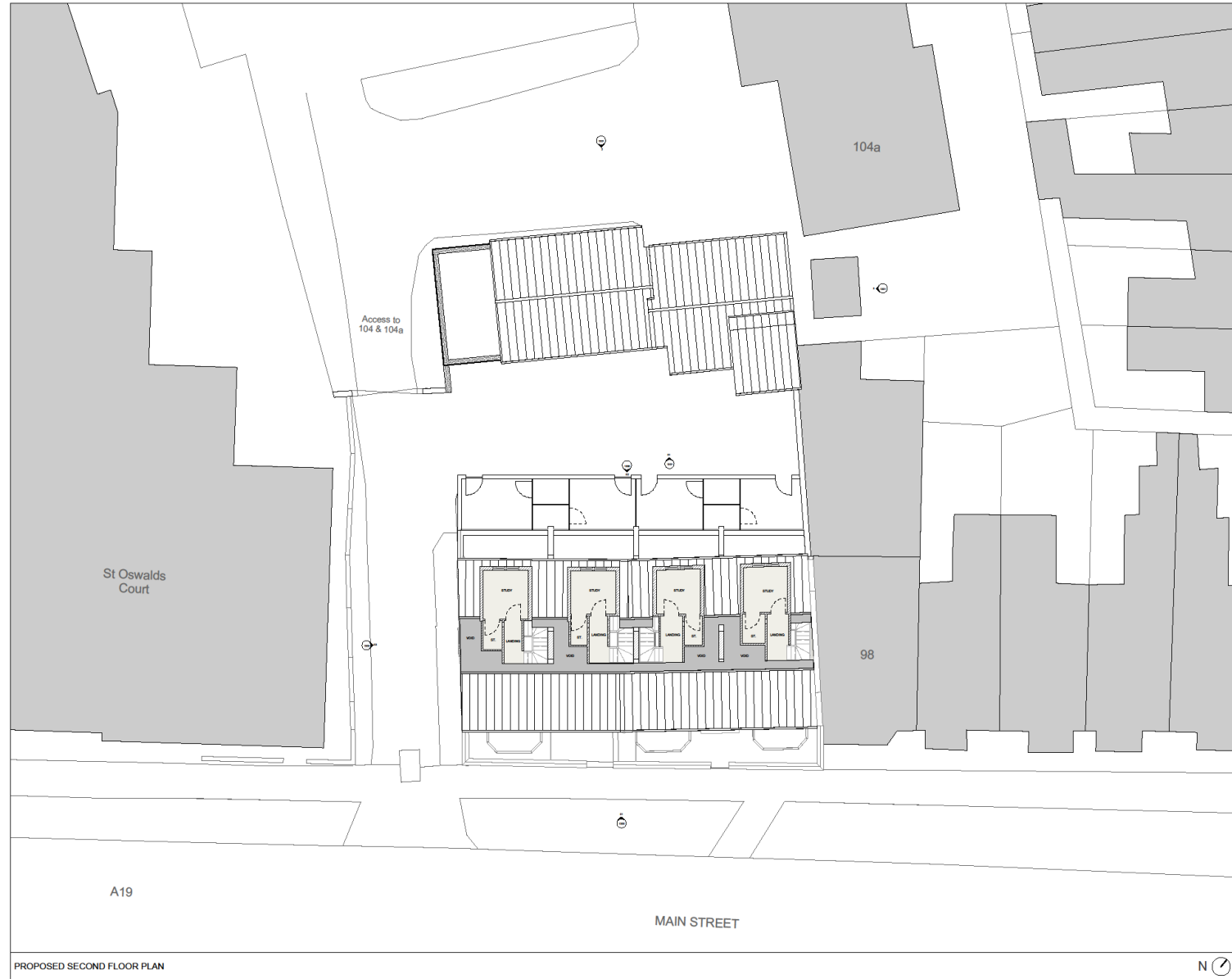
project:
**RESIDENTIAL DEVELOPMENT
 100 - 102 MAIN STREET, FULFORD, YO10 4PS**
 drawing:
PROPOSED FIRST FLOOR PLAN

date: **27/10/22** status: **PLANNING**

scale: **1:100** sheet size: **A1**

job number	orig	zone	level	type	role	drawing number	rev
22060-	VB-	ZZ-	01-	DR-	A-	1101	03

Proposed second floor plan



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KEY

EXISTING WALL

PROPOSED WALL

04	08.03.23	REVISED FOLLOWING COMMENTS
03	21.03.23	REVISED FOLLOWING COMMENTS
02	16.03.23	REVISED FOLLOWING COMMENTS
01	11.02.23	REVISED FOLLOWING COMMENTS

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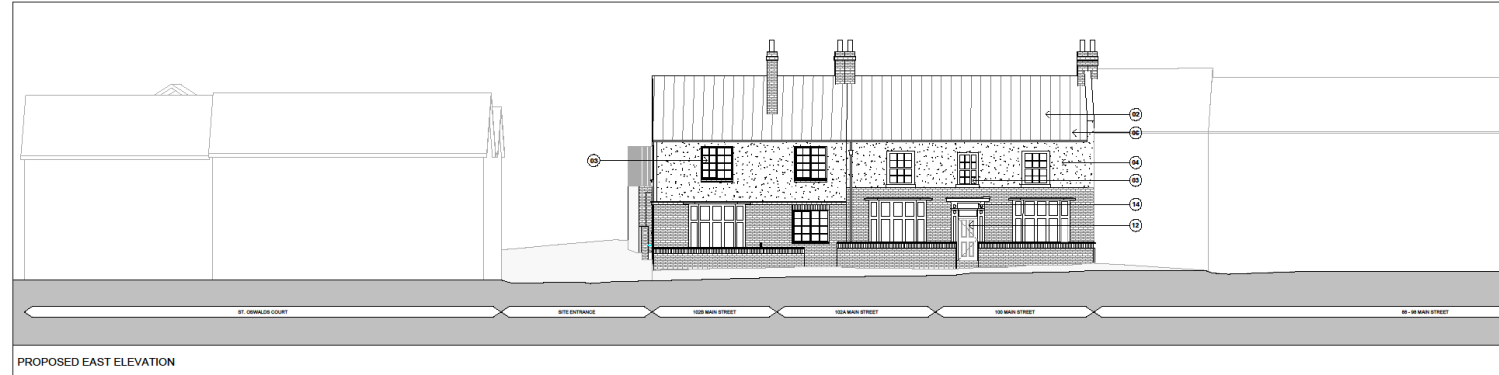
project:
RESIDENTIAL DEVELOPMENT
 100 - 102 MAIN STREET, FULFORD, YO10 4PS

date: **27/10/22** status: **PLANNING**

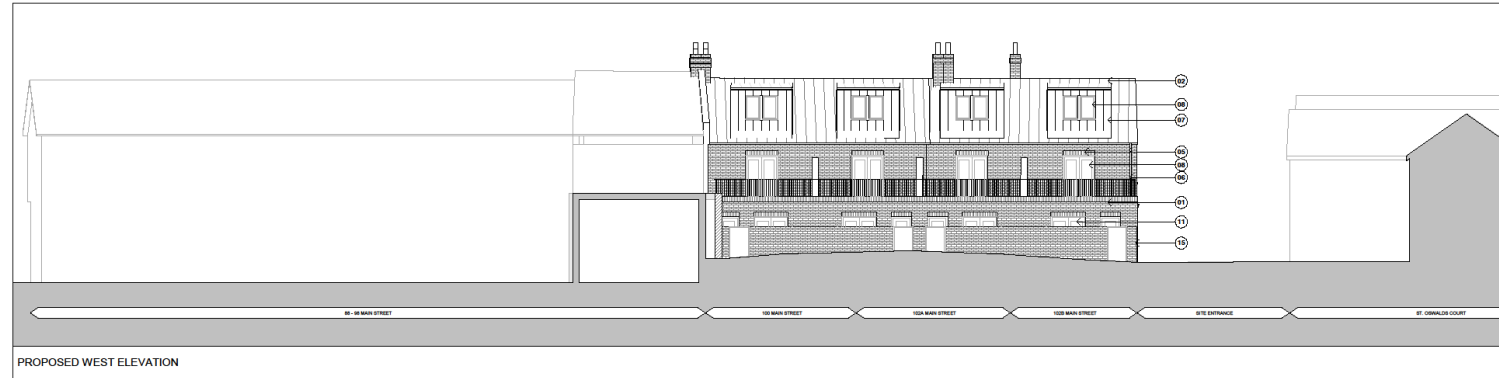
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job number	orig	date	type	rev	drawing number	rev
22060-IVB	ZZ	02-DR	A-	1102	1102	04

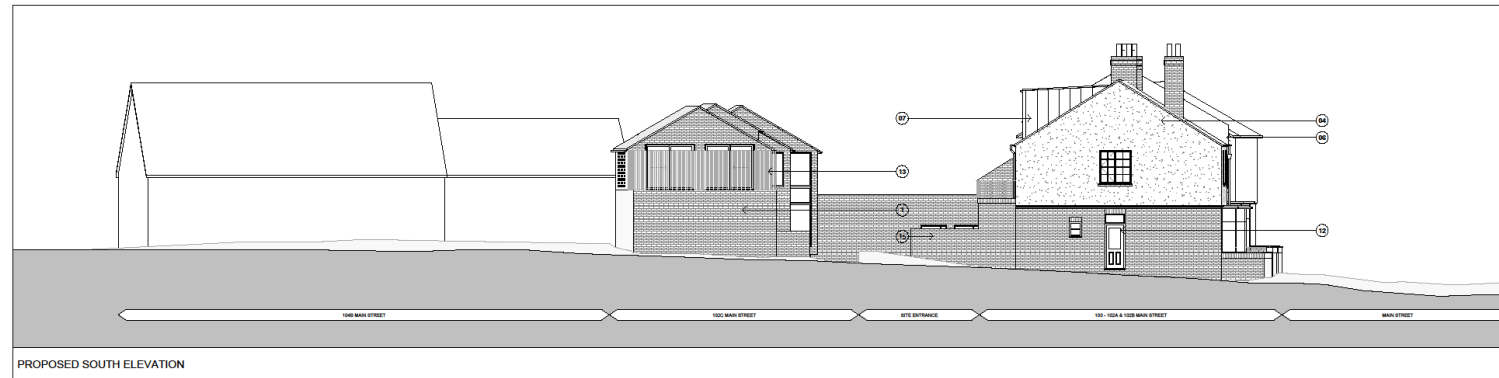
Proposed elevations



PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION

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 specifications and any other consultants or sub-contractor information.

- 01 → HERITAGE RED BRICK (TO MATCH EXISTING)
- 02 → SLATE ROOF TILES (TO MATCH EXISTING)
- 03 → NEW WHITE TIMBER WINDOWS
- 04 → NEW OFF-WHITE RENDER TO REPLACE EXISTING
- 05 → BRICK DETAILS (TO MATCH EXISTING)
- 06 → DARK GREY METAL RAINWATER GOODS
- 07 → DARK GREY METAL CLADDING
- 08 → DARK GREY METAL WINDOWS
- 09 → DARK GREY METAL ROOFLIGHTS
- 10 → DARK GREY METAL WINDOWS - FROSTED
- 11 → DARK GREY METAL DOORS
- 12 → TIMBER DOORS
- 13 → TIMBER CLADDING (DARK GREY / WEATHERED)
- 14 → PORTICO (TO REMAIN)
- 15 → BRICK BOUNDARY WALL

MATERIALS KEY

- 05 08.01.22 REVISED FOLLOWING COMMENTS
- 05 08.08.22 REVISED FOLLOWING COMMENTS
- 04 21.03.22 REVISED FOLLOWING COMMENTS
- 03 21.03.22 REVISED FOLLOWING COMMENTS
- 02 16.03.22 REVISED FOLLOWING COMMENTS
- 01 11.03.22 REVISED FOLLOWING COMMENTS

revision date description drawn by

Vincent & Brown

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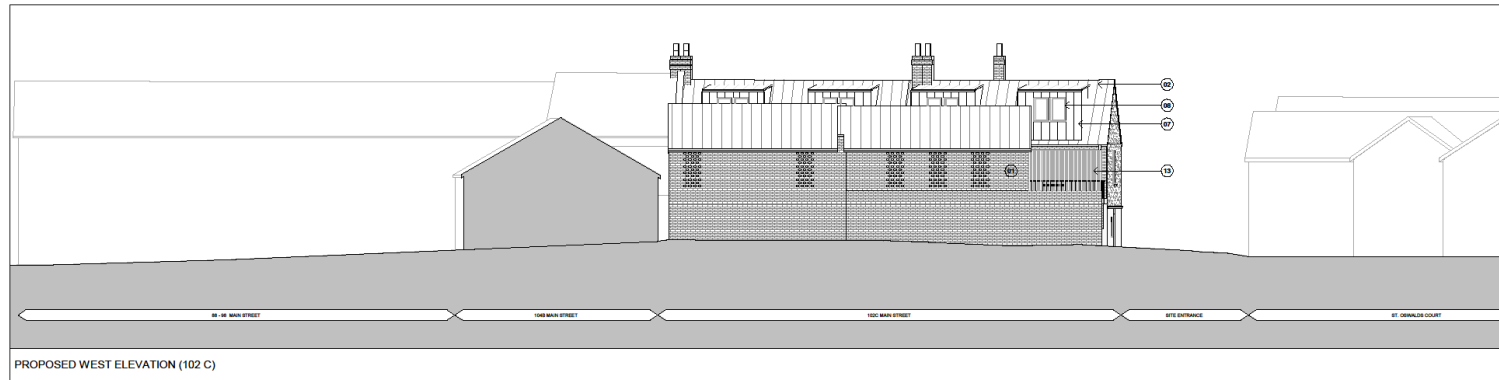
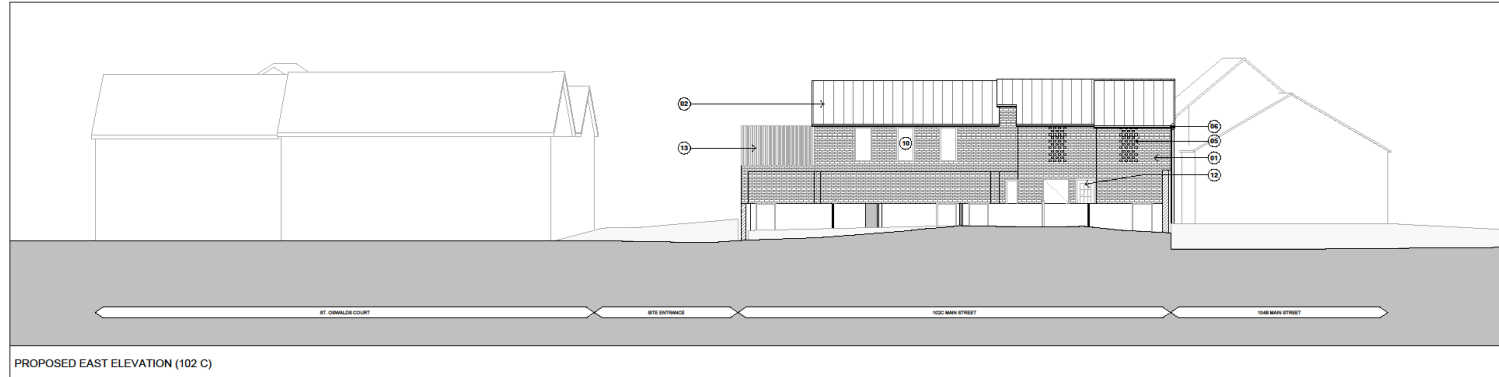
project:
RESIDENTIAL DEVELOPMENT
 100 - 102 MAIN STREET, FULFORD, YO10 4PS
 drawing:
PROPOSED ELEVATIONS

date: **27/10/22** status: **PLANNING**

scale: **1:100** sheet size: **A1**

job number	orig	date	level	type	role	drawing number	rev
22060	VB	ZZ	ZZ	DR	A	1300	06

Proposed elevations



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- 02 → HERITAGE RED BRICK (TO MATCH EXISTING)
 - 03 → SLATE ROOF TILES (TO MATCH EXISTING)
 - 04 → NEW WHITE TIMBER WINDOWS
 - 05 → NEW OFF-WHITE RENDER TO REPLACE EXISTING
 - 06 → BRICK DETAILS (TO MATCH EXISTING)
 - 07 → DARK GREY METAL RAINWATER GOODS
 - 08 → DARK GREY METAL CLADDING
 - 09 → DARK GREY METAL WINDOWS
 - 10 → DARK GREY METAL ROOFLIGHTS
 - 11 → DARK GREY METAL WINDOWS - FROSTED
 - 12 → DARK GREY METAL DOORS
 - 13 → TIMBER DOORS
 - 14 → TIMBER CLADDING (DARK GREY / WEATHERED)
 - 15 → PORTICO (TO REMAIN)
 - 16 → BRICK BOUNDARY WALL
- MATERIALS KEY

05	09.09.23	REVISED FOLLOWING COMMENTS
04	08.09.23	REVISED FOLLOWING COMMENTS
03	21.03.23	REVISED FOLLOWING COMMENTS
02	19.03.23	REVISED FOLLOWING COMMENTS
01	11.03.23	REVISED FOLLOWING COMMENTS

revision date description drawn: GJF

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project:
RESIDENTIAL DEVELOPMENT
100 - 102 MAIN STREET, FULFORD, YO10 4PS

drawing:
PROPOSED ELEVATIONS

date: 27/10/22 status: **PLANNING**

scale: 1:100 Sheet size: A3

job number	area	zone	level	type	scale	drawing number	rev
22060-VB-	ZZ-	ZZ-	DR-	A-	1301	05	

COMMITTEE REPORT

Date: 10 October 2023 **Ward:** Acomb
Team: West Area **Parish:** No Parish
Reference: 23/01349/OUT
Application at: 36 Dane Avenue York
For: Outline application for 2no. dwellings including details of access, layout and scale (site of former 36 and 38 Dane Avenue)
By: City Of York Council
Application Type: Outline Application
Target Date: 12 September 2023
Recommendation: Approve

1.0 PROPOSAL

1.1 This application refers to the former site of a pair of semi-detached properties that were demolished in 2021 following structural defects discovered in 2017. The former homes that were on this site were British Steel and Iron Foundation (BSIF) houses as per the rest of Dane Avenue and were built 1946/7. The remainder of Dane Avenue comprises of semi-detached BSIF homes, most of which underwent major renovation works both internally and externally in 2000 including external insulation and render, roof replacement and window replacement. All of the houses are 2 storeys with standard gable roofs. The middle of the road comprises a large grassed area with some small trees open for use by the general public. The boundary treatments at the fronts of the houses are a mixture of hedging and fences with most around 1.2m high.

1.2 Outline permission is sought for the layout, scale and access of 2no. detached self-build dwellings. All other matters (appearance, landscaping) are reserved.

1.3 The application is reported to committee because it is a CYC application and an objection has been received.

2.0 POLICY CONTEXT

The National Planning Policy Framework (2021)

2.1 The National Planning Policy Framework (2021) sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development.

2.2 Paragraph 38 advises that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

2.3 Paragraph 130 states that planning policies and decisions should ensure that developments will achieve a number of aims including:

- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- be visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- are sympathetic to local character and history, including the surrounding built environment and landscape setting
- create places that are safe, inclusive and accessible and promote health and well-being with a high standard of amenity for existing and future users.

Draft City of York Council Local Plan 2018

2.4 The Draft Local Plan 2018 (DLP2018) was submitted for examination on 25 May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

The Draft Policies relevant to the determination of this application are:

D1 – Placemaking

D2 – Landscape and Setting

CC2 – Sustainable Design and Construction of New Development

ENV2 – Managing Environmental Quality

ENV3 – Land Contamination

ENV5 – Sustainable Drainage

GI1 - Biodiversity and Access to Nature

T1 – Sustainable Access

2.5 Draft Policies D1, D2, ENV2, ENV3, GI2 and T1 are subject to modifications to ensure consistency with the NPPF and to enhance clarity for decision making

purposes. As such these policies only have moderate weight. The proposed changes to Draft Policy CC2 are quite extensive and have been subject to modification and further consultation and therefore have limited weight.

3.0 CONSULTATIONS

INTERNAL

Highways Network Management

3.1 No objections. Recommend conditions.

Flood Risk Management

3.2 No comments provided.

Public Protection

3.3 No objections subject to conditions re. land contamination. Information provided re. electric vehicle recharging and compliance with Building Regulations.

EXTERNAL

Yorkshire Water

3.4 No response received.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1 The application was advertised by neighbour notification letter. 1 letter has been received from the adjacent dwelling and the following issue has been raised:
- the new dwelling (plot 2) is closer to the shared boundary than expected. The difference in land levels will mean the new dwelling will loom over the existing dwelling and garden.

5.0 APPRAISAL

KEY ISSUES:-

- Principle of development
- Design and Street Scene

- Access and Parking
- Impact on neighbour amenity
- Sustainability
- Drainage

Principle of Development

5.1 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision making this means where there are no relevant development plan policies, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The NPPF seeks to support the Government's objective of significantly boosting the supply of homes.

5.2 The NPPF requires local planning authorities to seek the efficient use of land in sustainable locations, focus development towards previously developed land and to deliver a wide choice of high quality homes. Policy D1 of the 2018 Draft Local Plan states that development proposals which cause damage to the character and quality of an area will be refused and requires that proposals are appropriate for its proposed use and neighbouring context.

5.3 The site lies within an established residential area in a sustainable location close to local shops and with public transport links into the centre of York. The site was previously occupied by a pair of two storey semi-detached dwellings which were orientated across the site, following the corner plot.

5.4 In view of the above the principle of residential development on this site is considered acceptable.

Design and Street Scene

5.5 The site has been identified as being suitable for self-build development as part of the Council's aim to provide more self-build plots within the authority area. The indicative plan shows 2no. detached dwellings with parking and gardens to front and rear. Both dwellings would be two storey. It is acknowledged that detached dwellings are a departure from the form of existing development in Dane Avenue and the surrounding streets, however the corner plot at the entrance to the street and the wide adjacent verge provides some separation from surrounding development. It is therefore considered that more individual detached development would not appear at odds in this location.

5.6 The design, appearance and materials of the dwellings will form part of the reserved matters application, however the Dane Avenue Design Code has provided the following requirements for each dwelling:

Application Reference Number: 23/01349/OUT

Item No: 4b

- each home must have a minimum of 2no. bedrooms
- the maximum footprint of each dwelling will measure 6.75m x 9m
- maximum ridge height no greater than the ridge of adjacent properties measured from the ground level to the highest part of the roof
- the height of any chimney, flue, soil or vent pipe or other structure for renewable energy must not exceed the highest part of the roof by 1m
- any side window must be obscurely glazed and non-opening
- suitable waste and recycling provision must be provided for collection from the front of the property.

5.7 Plot 1 would be set forward of the neighbouring dwelling, following the general build line of development further along Dane Avenue, and plot 2 would be located along, but set away from the side boundary with no. 40 Dane Avenue in order to fit within the general build line of development further north. The overall siting of both dwellings is considered appropriate given the detached nature and would not have an overly dominant impact on the street scene.

Access and Parking

5.8 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.9 A new vehicle access would be created for plot 1 with plot 2 utilising the existing access. There are no objections raised with regard to the creation of the new access for plot 1 and 2no. parking spaces would be provided which is considered to be reasonable. Given the layout of plot 2, only 1no. parking space is shown, however it is noted that there is space within the site for additional parking if required. The layout of specific parking areas will be determined at the reserved matters stage of consent.

Impact on Neighbour Amenity

5.10 The NPPF states that developments should create places with a high standard of amenity for all existing and future users. Policy D1 of the 2018 Draft Local Plan states that development proposals should ensure design considers residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing.

5.11 The siting of both dwellings would bring development closer to their adjacent neighbours than the previous dwellings although care has been taken that the rear corner of plot 2 is positioned no closer to no. 40 than the original dwelling and that the front corner of plot 1 is oriented around the furthest most front projection of the original property.

5.12 Concerns have been expressed by no. 40 Dane Avenue with regard to the position of dwelling 2 in conjunction with the raised land level of the application site and the potential for the new dwelling to appear dominant and loom over their property. The documents submitted with this application confirm that the building will be no higher than the surrounding development. As such it is unlikely that the new dwelling would appear any more dominant than the original dwelling sited here. It is noted that the side elevation of plot 2 would be closer to the side boundary with no. 40, however it has been set away from the boundary and aligned with the neighbouring detached garage and away from the main dwelling therefore the impact of this replacement dwelling on the main living areas of no. 40 will be not be significant. The orientation of dwelling 2 within the plot would also benefit the rear garden of no. 40 as the rear facing windows will no longer directly look onto their rear garden.

5.13 Plot 1 would be positioned centrally within the site and slightly closer to no. 34 than the original dwelling, however given the limited openings to the side boundary of this neighbouring dwelling, it is unlikely that there would be a significant impact on amenity over and above the previous situation.

5.14 Based on the details provided at outline stage, the location/siting of the proposed dwellings are not considered to have a significant impact on neighbour amenity over and above the previous situation. Full assessment on amenity will be possible once detailed drawings are submitted at the reserved matters stage.

Sustainability

5.15 The Dane Avenue Design Code includes the Council's commitment to carbon neutral developments by 2030, however no details have been provided at this stage in relation to sustainable construction and the requirements of 2018 Draft Policy CC2 and building regulations part L. Therefore, it is recommended that a condition be included on the permission for evidence to be provided prior to the commencement of development.

5.16 In accordance with Paragraph 174 (d) of the NPPF (2023) and draft Local Plan policy GI2 the development will be required to provide biodiversity enhancements to the site in order to ensure biodiversity net gain post construction. Whilst no preliminary ecological assessment has been submitted as part of the outline submission such biodiversity enhancements can be secured via condition.

Drainage

5.17 Policy ENV5 of the 2018 Draft Local Plan states Sustainable Drainage System (SuDS) methods of source control and water quality improvement should be utilised for all new development, to minimise the risk of pollution and to attenuate

flood volumes. The type of SuDS used should be appropriate to the site in question and should ensure that there is no pollution of the water environment including both ground and surface waters. Existing land drainage systems should not suffer any detriment as a result of development.

5.18 As the proposals relate to replacement dwellings it is possible that they will utilise the previous form of drainage, however details will be conditioned to be provided at the reserved matters stage.

6.0 CONCLUSION

6.1 The outline proposals to create 2no. replacement dwellings is considered to be appropriate in terms of siting, height and access in line with the requirements of the NPPF and the aforementioned City of York Draft Local Plan (2018) policies.

7.0 RECOMMENDATION: Approve

1 Application for approval of all reserved matters shall be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission and the development hereby permitted shall be begun before:

- the expiration of two years for the date of approval of the last of the reserved matters to be approved.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development and to comply with the Town and Country Planning (General Development Procedure) (England) Order 2015.

2 Fully detailed drawings illustrating all of the following reserved matters shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works, and the development shall be carried out in accordance with the approved details:

- Details to be submitted: appearance and landscaping of the proposed development to be carried out.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development and to comply with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

Proposed site plan - drg. No: 04 rev. A

Application Reference Number: 23/01349/OUT

Item No: 4b

Dane Avenue Design Code

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

4 The location of the approved dwellings shall be in general accordance with the following plan:-

Proposed site plan - drg. No: 04 rev. A

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

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

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

Reason: So as to achieve a visually cohesive appearance.

6 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the commencement of above ground works and the approved means of enclosure shall be provided in accordance with the approved details before the development is occupied.

Reason: In the interests of the visual amenities of the area and the amenities of neighbouring properties.

7 Prior to development, an investigation and risk assessment (in addition to any assessment provided with the planning application) shall be undertaken to assess the nature and extent of any land contamination. The investigation and risk assessment must be undertaken by competent persons. A written report of the findings shall be produced, submitted to and approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination (including ground gases where appropriate);
- (ii) an assessment of the potential risks to:

- human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

8 Prior to development, a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) shall be submitted to and approved in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

9 Prior to first occupation or use, the approved remediation scheme shall be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be produced and 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.

10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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.

11 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 0800 to 1800 hours

Saturday 0900 to 1300 hours

Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

12 A reduction in carbon emissions of at least 28% compared to the target emission rate as required under Part L of the Building Regulations.

Prior to first occupation of the dwelling details of the measures undertaken to secure compliance with this condition shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of sustainable design and in accordance with policies CC1 and CC2 of the Draft City of York Local Plan 2018.

13 The total number of dwellings shall not exceed 2 and no house shall exceed 7.5 metres in height.

Reason: In the interests of visual amenity and the character of the area.

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

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

15 A scheme for biodiversity enhancement shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved scheme and implemented prior to occupation of each dwelling.

Reason: In order to enhance biodiversity in accordance with Paragraph 174 (d) of the NPPF (2023) and policy GI2 of the draft Local Plan 2018.

8.0 INFORMATIVES:

Notes to Applicant

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

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

2. INFORMATIVE:

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:

Works in the highway - Section 171 - Vehicle Crossing - Section 184 - (01904)
551550 - streetworks@york.gov.uk

Contact details:

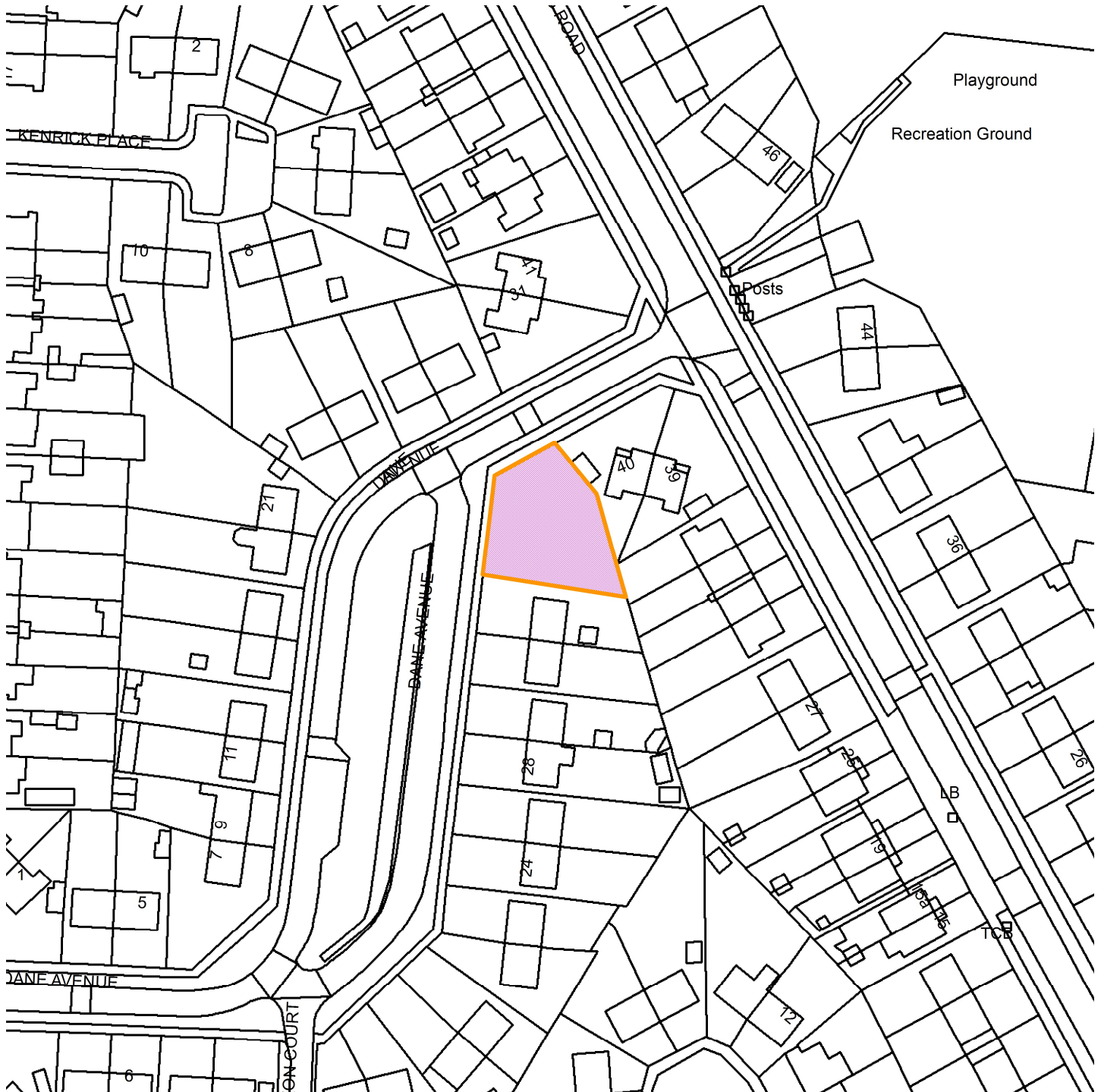
Case Officer: Elizabeth Potter

Tel No: 01904 551477

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Site of 36 and 38 Dane Avenue, York

23/01349/OUT



Scale : 1:1082

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	28 September 2023
SLA Number	Not Set

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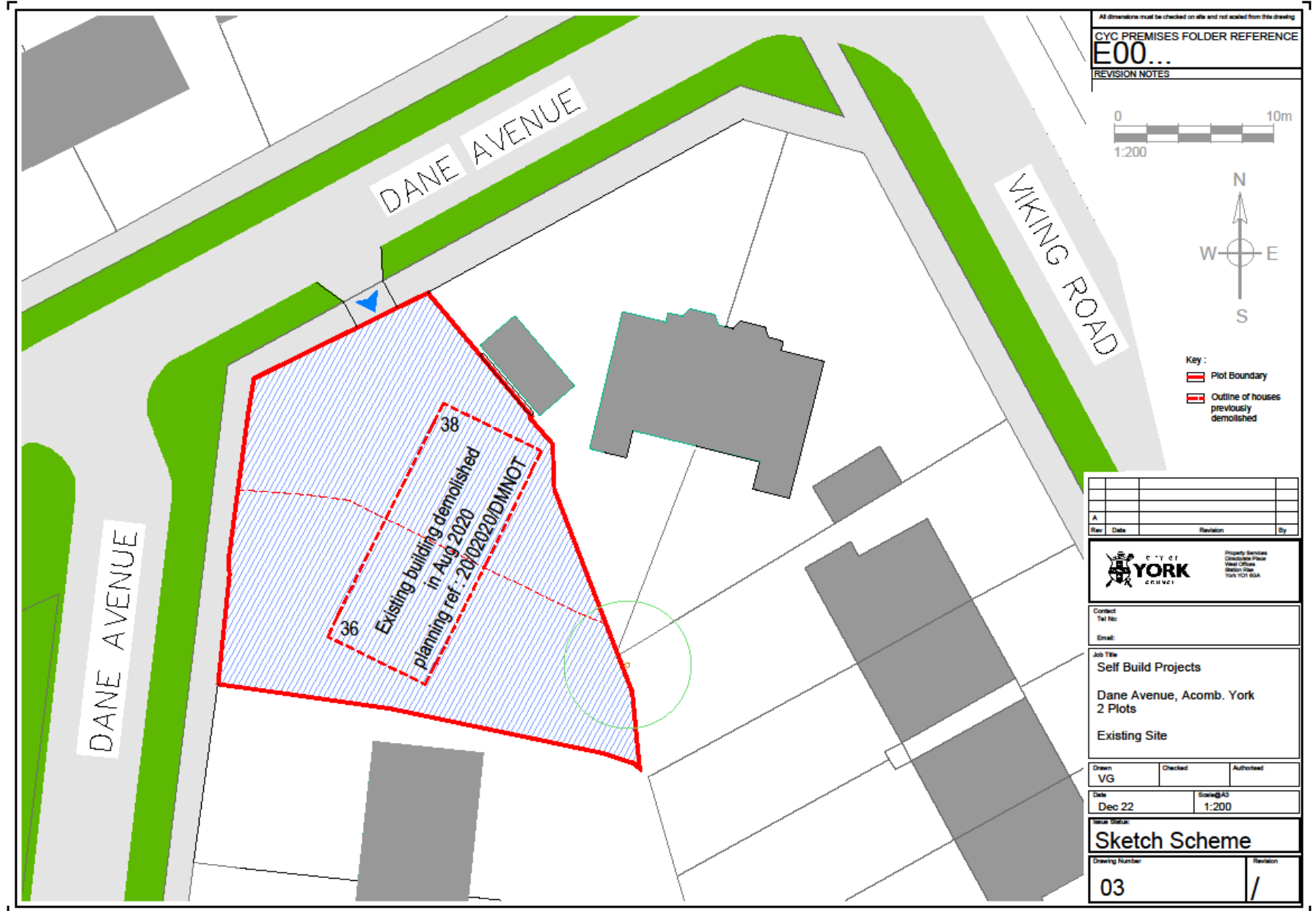


Planning Committee B

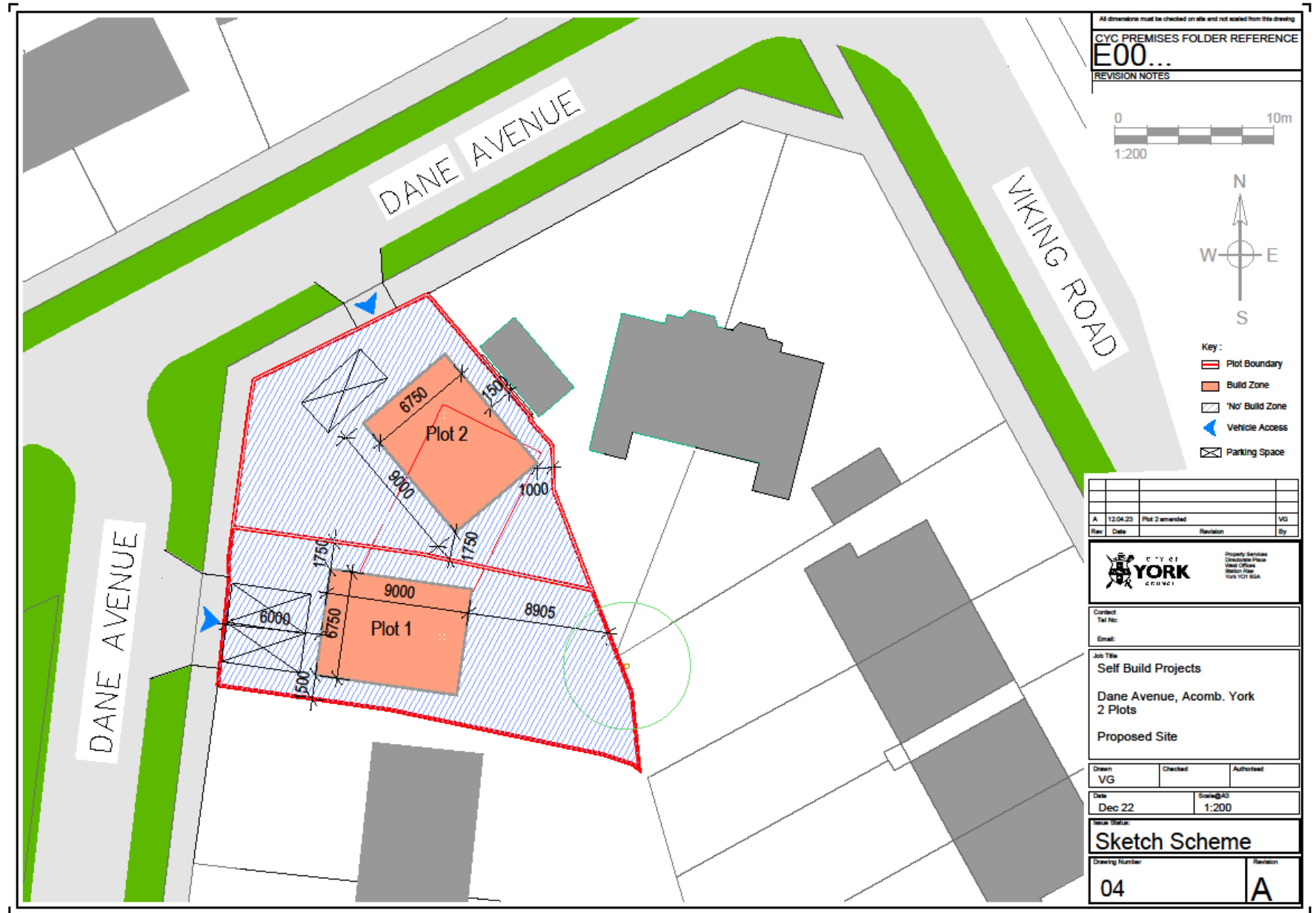
23/01349/OUT

Site of 36 and 38 Dane Avenue

Existing Site Plan



Proposed Site Plan



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COMMITTEE REPORT

Date: 10 October 2023 **Ward:** Micklegate
Team: West Area **Parish:** Micklegate Planning Panel

Reference: 23/01421/FULM
Application at: York Racecourse Racecourse Road Knavesmire York YO23 1EJ
For: Erection of Pavillion, canopy with covered seating area, single storey extensions to Bustardthorpe stand with associated landscaping and infrastructure following demolition of existing buildings and structures

By: York Racecourse Knavesmire LLP
Application Type: Major Full Application
Target Date: 2 November 2023
Recommendation: Approve

1.0 PROPOSAL

1.1 York Racecourse lies to the southwest of the City Centre within the Knavesmire. The application site lies within the Racecourse Enclosure, the developed complex of buildings serving the Course to the west of Racecourse Road. The Racecourse Enclosure and its setting including the Grade II* Listed John Carr stand along with other Listed Buildings, and are set within the Terry's/Racecourse Conservation Area together with the adjoining buildings of the retained Terry's Chocolate Works to the east.

1.2 Planning permission is sought for the erection of a bar pavilion, a covered seating area, demolition of a range of ancillary structures, refurbishment of the Bustardthorpe Stand with a rear extension to consolidate a range of existing functions presently carried out in separate buildings and the provision of a landscaped area with an 8-metre-high open glazed canopy.

1.3 Relevant Planning History:

- 13/01320/FUL Erection of Canopy to the John Carr Stand, an Owner's and Trainer's Gatehouse and a Champagne Pavilion

- 18/02218/FUL External Alterations to Allow Formation of New Premier Sports Lounge with Ancillary Racecourse Facilities at the Melrose Stand

2.0 POLICY CONTEXT

2.1 Draft City of York Local Plan (2018) Policies:

- EC4 Tourism
- D4 Conservation Areas
- D5 Listed Buildings
- GB1 Development in Green Belt
- D6 Archaeology
- GI4 Trees and Hedgerows
- ENV2 Managing Environmental Quality
- ENV5 Sustainable Drainage
- T1 Sustainable Access

2.2 Evidence Base:

- City of York Local Plan Phase 4 Consolidated Policy Map Modifications September 2022.

3.0 CONSULTATIONS

INTERNAL

Public Protection

3.1 Raise no objection in principle to the proposal subject to any permission being conditioned to secure submission and prior approval of details of any plant whose noise would be audible outside of the site, a restriction on the playing of amplified music, the submission of a Construction Environmental Management Plan (CEMP) in respect of the construction phase and a restriction upon construction hours.

Highway Network Management

3.2 Raise no objection in principle to the proposal subject to any permission being conditioned to secure the provision of 38 cycle parking spaces associated with the scheme, a method of works statement and a restriction in respect of delivery times to the site.

Design, Conservation and Sustainable Development (Archaeology)

3.3 Raise no objection to the proposal subject to any permission being subject to a watching brief during any ground works.

Design, Conservation and Sustainable Development (Ecology)

3.4 Raise no objection to the proposal subject to any permission being conditioned in respect of the protection of nesting birds and to secure biodiversity enhancements.

Design, Conservation and Sustainable Development (Trees and Landscape)

3.5 Any comments will be reported verbally at the meeting.

Front Line Flood Risk Management

3.6 Any comments will be reported verbally at the meeting.

EXTERNAL

Micklegate Planning Panel

3.7 Support the proposal which would tidy up the southern end of the racecourse and seek the provision of additional landscaping as part of the proposed works.

Yorkshire Water Services Ltd

3.8 Raise no objection to the proposal subject to any permission being conditioned to secure strict adherence to the submitted drainage strategy.

The York Conservation Area Advisory Panel

3.9 Support the proposal on the grounds that the Bustardthorpe Stand believed to be by Walter Brierley would be tidied up and given a proper setting. The character and appearance of the Conservation Area would also be enhanced by the removal of the clutter of small and temporary buildings at the south end of the Racecourse.

4.0 REPRESENTATIONS

4.1 No representations received.

5.0 APPRAISAL

KEY CONSIDERATIONS

5.1 KEY CONSIDERATIONS

- Principle of the Development
- Impact upon the Character and Appearance of the Terry's /Racecourse Conservation Area.
- Impact upon the Setting of Adjoining Listed Buildings
- Impact upon the Open Character and Purposes of Designation of the York Green Belt
- Impact upon Deposits of Archaeological Importance
- Impact upon the Amenity of Neighbouring Properties
- Impact upon the Safety and Convenience of Highway Users
- Impact upon the Local Pattern of Surface Water Drainage

NATIONAL PLANNING POLICY FRAMEWORK

5.2 The NPPF sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

DRAFT LOCAL PLAN

5.3 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. It has now been subject to full examination. Modifications were consulted on in

February 2023 following full examination. It is expected the plan will be adopted in late 2023. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

PRINCIPLE OF THE DEVELOPMENT

5.4 The Racecourse has occupied its current site within the Knavesmire since the late 18th Century and provides a venue for flat race meetings between May and October with the August Ebor Meeting one of the principally recognised national flat racing events. In addition to race meetings the racecourse hosts a range of concerts and exhibitions of regional significance. The applicant states that course has in the region of 300,000 visitors during racing events and contributes around £58 million per annum to the City's economy. The full time equivalent of 1,300 jobs are supported by the site.

5.5 The Racecourse has undergone a progressive programme of refurbishment beginning with the construction of enclosed new stands in 1996 and 2002 followed by improvements to the course surface in 2008 and modernisation of the facilities at the northern end of the Enclosure in 2015 and 2018. The current application proposes the refurbishment of the southern end of the spectator facilities for the course surrounding and incorporating the Bustardthorpe Stand which has not had significant investment since the 1970s. It would involve the rationalisation of the storage and "back of house" facilities with the rationalisation of a range of storage, food kiosks and a betting kiosk to be replaced by a landscaped and canopied seating area with a lightweight timber frame pavilion bar replacing an existing temporary demountable facility. The legibility of the interior of the Enclosure would also be improved with access routes presently being confusing.

5.6 The Bustardthorpe Stand which dates to the early 20th Century would also be refurbished with the existing single storey extension which dates to the 1960s and is constructed in inappropriate materials removed with a new single storey rear extension incorporating the storage and preparation along with food kiosk facilities presently included within the detached buildings scattered around the site. The existing bar within the base of the stand would be refurbished and a new light weight timber framed pavilion would be erected to house a replacement for an existing temporary bar used during special events and larger race meetings. The new extension which would also house a betting kiosk would cover some 543 square metres There would be a total increase in built footprint of 378 square metres including the new bar pavilion. A new staging area specifically for photographs would be constructed facing the new landscaped areas.

5.7 The proposal aims to bring the standard of accommodation for the southern edge of the course up to a common level with the remainder refurbished in recent years along with incorporating a high level of sustainability within the design with the refurbished Bustardthorpe Stand having solar arrays along the length of its north-eastern roofscape. The existing reliance on temporary buildings during the larger race meetings and special events would also be significantly reduced.

5.8 Policy EC4 of the Draft Local Plan 2018 states that proposals which support the retention and growth of existing visitor attractions as well as maintaining and improving the choice and quality of existing business, conferencing and event facilities will be supported. The current proposals seek to improve the quality of the existing accommodation to a consistent standard rather than being an expansion and seek to secure the long-term viability and future of the racecourse as a major source of investment into the City's economy. As such the principle of the proposal is compliant with Policy EC4 of the Draft Local Plan.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE TERRY'S/RACECOURSE CONSERVATION AREA

5.9 Section 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Preservation in this context means not harming the interest in the building, as opposed to keeping it unchanged. As this section imposes a statutory duty, it must be given considerable importance and weight in determining the planning application. Where harm is identified to a Heritage Asset there will be a strong presumption against the grant of permission as outlined in paragraph 199 of the NPPF.

5.10 In addition to the statutory duty, central Government planning policy as outlined in section 16 of the National Planning Policy Framework is also to be applied. The NPPF classifies listed buildings and Conservation Areas as "designated heritage assets". The NPPF advises on heritage assets as follows:

- Paragraph 199 states 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 202 states 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."

5.11 Policy D4 (Conservation Areas) states that proposals within a conservation area, will be supported where they preserve or enhance those elements which contribute to the character or appearance of the Conservation Area; would enhance or better reveal its significance or would help secure a sustainable future for a building; and would safeguard important views.

5.12 Policy D5 (Listed Buildings) states that proposals affecting the setting of a Listed Building will be supported where they preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. Harm or substantial harm to the significance of a Listed Building or its setting will be permitted only where this is outweighed by the public benefits of the proposal.

5.13 ASSET SIGNIFICANCE: The Terry's/Racecourse Conservation Area Character Appraisal identifies the special character of the complex incorporating the mix of racecourse buildings set within the wider parkland setting of the Knavesmire. The Knavesmire is bounded by tree lined roads separating built development from open landscape beyond and provides a large important recreational open space popular for events whilst lying close to the City Centre. Within the Racecourse the John Carr stand is Listed Grade II*, the Clock Tower and Indicator Board by Brierley and Rutherford from 1922, the County Stand from 1840 and the Press Stand from 1890 are all Listed Grade II. Directly to the east of the site lie the retained buildings of the Terry's Chocolate Works which are Listed Grade II for group value.

5.14 THE PROPOSAL: The proposal envisages the clearance of a number of brick sheds and kiosks dating from the Post War period and which are used for storage, as food vending kiosks and a betting kiosk. On the cleared site a canopied landscaped sitting out area is proposed together with a stage for photography. The associated canopy would be approximately 8 metres high with a glazed roof set upon thin section colour coated steel structural members. At the same time a lightweight timber framed bar area would replace an existing temporary structure erected for major race meetings and special events. The 1960s extension to the Bustardthorpe Stand would be demolished and replaced with a new more sympathetic design that would allow for the refurbishment of the existing bar area and also rationalise the range of activities taking place in single buildings in the surrounding area in one place. The Bustardthorpe Stand would also be re-roofed with solar panels provided on its north-eastern roof slope.

5.15 ASSESSMENT OF IMPACT: The Bustardthorpe Stand has been identified as being a positive contributor to the significance of the Conservation Area in the Conservation Area Character Appraisal as well as having been attributed to William Brierley the regionally important Edwardian Arts and Crafts Architect. Its relationship with the remaining historic elements of the racecourse complex has to a great extent been severed by the irregular pattern of brick-built sheds which crowd around it to the south and east. It has further been harmed by the highly unsympathetic flat roof part timber part brick conservatory style extension directly to the rear. Other positive buildings identified within the Character Appraisal lie close by specifically the Melrose and Knavesmire Stands. These are of modern construction but their harmonious architectural form and palette of materials create a clear theme and rhythm for the spectator facilities also picked up with the refurbished Listed County and John Carr stands further to the north.

5.16 The proposal envisages the removal of a series of ancillary buildings and the construction of a larger extension to the Bustardthorpe Stand consolidating all the functions into a single structure. This would reflect the design form adopted by the previous refurbishments associated with the Listed stands to the north. At the same time the area cleared would be used to form an informal sitting out area and meeting space with the re-configuration in built footprint re-establishing more of a harmonious visual relationship with the northern area of the development. The glass roofed canopy whilst substantial in height would be constructed in thin section white painted structural members which would not detract from views into and across the site when seen against the background of the higher stands to the west and southwest.

5.17 With the loss of the various ancillary buildings and the creation of a clear landscaped area it is felt that the requirements of the statutory preserve or enhance test within Section 72 of the Act have been complied with. At the same time in the context of paragraph 202 of the NPPF and D4 of the draft Local Plan it is felt that there would not be any harm arising to the significance of the Conservation Area.

IMPACT UPON THE SETTING OF ADJOINING LISTED BUILDINGS

5.18 Section 66 of the 1990 Planning (Listed Buildings and Conservation Areas) Act creates a statutory presumption for the Local Planning Authority to have special regard to the desirability of preserving the Listed Building or its setting and any special historic or architectural features it possesses. As this is a statutory duty it

must be given considerable importance and weight in determining the planning application. Where harm is identified to a Heritage Asset there will be a strong presumption against the grant of permission.

5.19 ASSESSMENT OF IMPACT: The Listed stands and 1922 Brierley racecourse clock tower and indicator board form a distinct grouping centrally within the racecourse with the Bustardthorpe Stand lying a short distance to the southwest. The site layout as currently arranged with a host of irregularly placed brick sheds gathering around the Bustardthorpe Stand severs the visual relationship between the buildings and overall harms the wider setting to the grouping of Listed Buildings creating a sense of them being overwhelmed. The proposal which involves their removal and the consolidation of the accommodation lost in one larger extension with creation of a landscaped area on the cleared site, would recreate a functional link with the remainder of the principal racecourse buildings and enhance their setting. The high-level glazed canopy would not give rise to any harm to the setting of the nearby Listed Buildings. The requirements of Section 66 of the Act would therefore be complied with, the public benefit test within paragraph 202 of the NPPF is not required and the proposal complies with policy D5 of the draft Local Plan

GREEN BELT

5.20 The York and Humber Regional Spatial Strategy (the RSS) sets out the principles in respect of the Green Belt around York and established its 'general extent' in Policies YH9C and Y1C. In 2013 the RSS was largely revoked, however, Policies YH9 and Y1C, along with the key diagram, were retained. Policies YH9C and Y1C set the expectation that the detailed inner boundaries of the Green Belt should be established in the Local Plan

5.21 A court judgement (Wedgewood) considered how a decision maker should deal with a site which is located within the general extent of the Green Belt for RSS purposes. It provides the principles to apply in reaching a conclusion as to whether the land should be considered to be within the Green Belt itself, on an individual site by site basis. Concluding that a planning judgement must be exercised based on the RSS, any draft/emerging local plan policy and by site specific considerations.

5.22 Paragraph 138 of the NPPF identifies five purposes of the Green Belt which include to check the unrestricted sprawl of large urban areas; to assist in safeguarding open countryside from encroachment and preserving the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. The application site was included within the 2005 York Development Control Draft Local Plan proposals map

as being within the Green Belt and that was carried forward into the 2018 Submission Draft Local Plan. NPPF paragraph 143 states that when defining Green Belt boundaries, plans should not include land which it is unnecessary to keep permanently open; and should define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

5.23 Topic Paper 1 : Approach to defining York's Green Belt Addendum (2021) amends the boundary of the Green Belt to follow the western edge (ie the front of the spectator stands) and southern edge (ie the Enclosure boundary wall) of the built footprint of the Racecourse Enclosure and the eastern edge of the carriageway of Racecourse Road. This amendment is to achieve consistency with Green Belt methodology as set out in the NPPF and means that of the application site would not be Green Belt. The amendment formed part of the Local Plan Policy Map Modifications which were consulted upon in March 2023.

5.24 The site sits at the southern edge of the built-up area of the city, immediately adjacent to and opposite other built development, it is clearly part of the built-up area of the city and contains substantial built development. All boundaries of the site are well defined by physical features. The development would not encroach into open countryside. The proposals also sit within the existing built footprint of the site and so would not give rise to unrestricted urban sprawl. The site does not serve any purposes of Green Belt designation. Having regard to the saved RSS policy, the emerging Local Plan and the physical characteristics of the site it is considered that the application site should not be considered to be within the Green Belt.

IMPACT UPON DEPOSITS OF ARCHAEOLOGICAL IMPORTANCE

5.25 Policy D6 of the 2018 Draft Local Plan indicates that development proposals will be supported where they would not result in harm to the significance of the site or its setting. The Racecourse lies in an area of potential archaeological sensitivity and when the works were undertaken on the parade ring as part of the refurbishment of the northern area a series of burials dating to the mid-15th Century were uncovered. The current application site has been previously developed and so is likely to have a lesser impact. However, it is recommended that any permission should be made subject to a condition covering a watching brief during ground disturbance works.

IMPACT UPON THE AMENITY OF NEIGHBOURING PROPERTIES

5.26 Central Government planning policy as outlined in paragraph 130f) of the NPPF indicates that planning decisions should create places with a high standard of amenity for all existing and future users. At the same time Policy ENV2 of the 2018 Draft Local Plan indicates that development proposals for uses which are likely to have an environmental impact upon the amenity of the surrounding area including residential amenity, local character and distinctiveness should be accompanied by evidence that the impacts have been evaluated and that the proposal would not result in the loss of character or amenity.

5.27 The application site lies within a closely defined curtilage with Racecourse Road which is 7.5 metres beyond. Beyond that that lie the buildings of the former Terry's Chocolate Works which have been converted to residential use along with the clinic of the Brain Injury Trust giving rise to a potential for loss of residential amenity through noise particularly at anti-social hours. The proposal is however designed to improve and consolidate the existing facilities rather than to act as an intensification of activity. The proposal would gather activity to the rear of the Bustardthorpe Stand at a further distance from neighbouring residential property. It is not felt that the proposed works would materially increase the potential for harm to residential amenity.

IMPACT UPON THE SAFETY AND CONVENIENCE OF HIGHWAY USERS

5.28 Central Government planning policy as outlined in paragraph 111 of the NPPF indicates that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual impacts upon the road network would be severe. At the same time Policy T1 of the 2018 Draft Local Plan indicates that development will be supported when it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it.

5.29 The application site is accessed for deliveries from Racecourse Road for which provision exists for closure during large race meetings and special events. Staff and official visitor parking lines the road with a network of temporary coach and car parking areas on land adjoining the site and access may be had by foot path. The proposal does not envisage an intensification of the use but rather a rationalisation of and an improvement in the quality of the existing. There would be no change in the volume of vehicular traffic or service deliveries to the site. As part and parcel of the refurbishment works the applicant has indicated a wish to improve the level of covered and secure cycle parking which may be secured by condition as part of any permission.

IMPACT UPON THE LOCAL PATTERN OF SURFACE WATER DRAINAGE

5.30 Central Government planning policy as outlined in paragraph 167 of the NPPF indicates that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. At the same time Policy ENV4 of the 2018 Draft Local Plan indicates that new development shall not be subject to unacceptable flood risk and shall be designed and constructed in such a way as to mitigate against current and future flooding events. Policy ENV5 of the Plan indicates that in respect of brownfield sites surface water flow shall be restricted to 70% of the existing run off rate unless it can be demonstrated that it would not be reasonably practical to achieve this reduction in run off. Sufficient attenuation and long-term storage shall be made available to ensure that surface water does not exceed the runoff rate. Such attenuation and storage measure must ensure that a 1 in 30-year storm can be accommodated and the design should ensure that a 1 in 100-year event can be stored on site without damage to people or property.

5.31 The applicant has submitted a detailed drainage strategy and drainage calculations with the majority of the existing site hard paved. The proposal has been accompanied by a detailed surface water drainage layout and associated calculations based upon an attenuated system. Taking account of the overall reduction in hard surfaced area it is felt that subject to any permission being conditioned to require compliance with the surface water drainage scheme then the proposal is acceptable.

6.0 CONCLUSION

6.1 The proposal seeks planning permission to remove the present ad hoc arrangement of brick sheds and kiosks at the southern end of the Enclosure. At the same time the facilities provided by the Bustardthorpe Stand would be upgraded to standard matching that of the facilities at the northern end of the site. The site is not considered to be within the Green Belt. The proposal is considered to be acceptable in terms of its impact upon the Terry's /Racecourse Conservation Area and the setting of neighbouring Listed Buildings. It would secure the requirements of Sections 66 and 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act by securing the preservation and enhancement of the Conservation Area and securing the setting of the Listed racecourse clock tower and County Stand further to the north. whilst securing the long-term future of an important investor in the wider City economy.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

1524 RP001 LANDSCAPE STATEMENT;
1524 001 LANDSCAPE PROPOSALS PLAN;
C1074 102 REV 1 PROPOSED TOPOGRAPHY SITE PLAN;
23110-DR-C-0100-P4 DRAINAGE STRATEGY;
C1074 101 REV 2 PROPOSED SITE PLAN;
C1074 050 REV 1 BUSTHARDTHORPE STAND DEMOLITION;
C1074 105 REV 1 PROPOSED SITE PLAN DEMOLITION;
C1074 110 REV 1 PROPOSED BUSTARDTHORPE STAND FLOOR PLAN;
C1074 111 REV 1 PROPOSED BUSTARDTHORPE STAND ROOF PLAN;
C1074 115 REV 1 PROPOSED ROBERTO BAR PAVILION FLOOR PLAN;
C1074116 REV 1 PROPOSED ROBERTO BAR PAVILION ROOF PLAN;
C1074 201 REV 1 PROPOSED BUSTARDTHORPE STAND ELEVATIONS;
C1074 202 REV 1 PROPOSED ROBERTO BAR PAVILION ELEVATIONS
C1074 250 PROPOSED SECTIONAL PERSPECTIVE EAST/WEST ELEVATIONS
C1074251 PROPOSED SECTIONAL PERSPECTIVE NORTH/SOUTH
ELEVATIONS
C1074 301 REV 1 PROPOSED SECTIONS BUSTARDTHORPE STAND
C1074 305 PROPOSED PRELIMINARY SECTION ROBERTO BAR PAVILLION

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

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

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

Reason: So as to achieve a visually cohesive appearance.

4 Large scale details of the items listed below shall be submitted to and

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Item No: 4c

approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- i) Sectional Details through the proposed extension to the Bustardthorpe Stand at 1:20
- ii) Sectional Details at 1:20 through the proposed glazed canopy
- iii) Sectional Details at 1:20 through the proposed Roberto Bar.

Reason: So that the Local Planning Authority may be satisfied with these details.

5 Prior to commencement of the development, 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 shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the locality

6 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 0800 to 1800 hours
Saturday 0900 to 1300 hours

Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of the locality

7 Details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The approved machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason :To protect the amenity of nearby properties and the environmental qualities of the area.

8 All electronically amplified music emitted from the premises shall be played or reproduced through loud speakers and a tamper proof noise limitation device. The

device, the levels set and the installation shall be approved in writing by the Local Planning Authority before the use hereby approved commences. Thereafter the approved levels, equipment, installation, position and type of speakers shall be maintained in accordance with the planning permission; at no time shall they be modified without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenity of neighbouring properties and to secure compliance with Policy ENV2 of the Draft City of York Local Plan

9 There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval prior to work being undertaken above foundation level. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

10 A programme of post-determination archaeological mitigation, specifically an archaeological watching brief is required on this site.

The archaeological scheme comprises 3 stages of work. Each stage shall be completed and agreed by the Local Planning Authority before it can be approved.

A) No ground reduction or new development shall take place until a written scheme of investigation (WSI) for a watching brief has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

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

C) A copy of a report shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 2 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

This condition is imposed in accordance with Section 16 of NPPF.

Reason: The site is considered to be an area of archaeological interest. Therefore,

the development may affect important archaeological deposits which must be recorded prior to destruction.

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

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

12 The development hereby authorised shall be undertaken in strict accordance with the details shown in Drainage Strategy 23110 DR-C-0100 (Revision P4) Dated 29/08/2023. Unless otherwise approved in writing by the Local Planning Authority.

Reason:- In the interests of safe and satisfactory drainage and to secure compliance with Policy ENV5 of the Draft City of York Local Plan (2018)

8.0 INFORMATIVES:

Notes to Applicant

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

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) and having taken account of all relevant national guidance and local policies including imposition of appropriate conditions, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

Contact details:

Case Officer: Erik Matthews

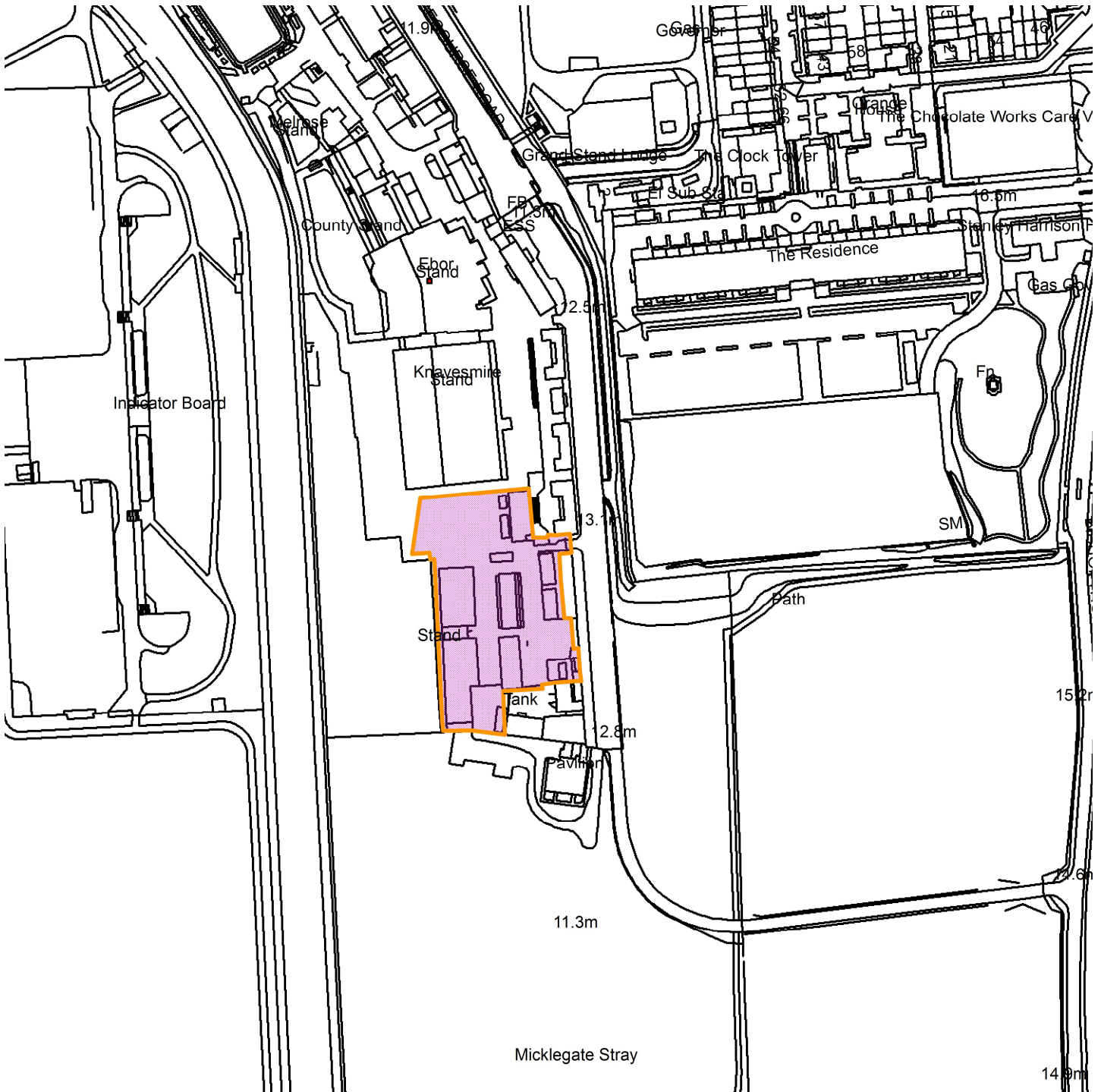
Tel No: 01904 551416

York Racecourse, Knavesmire, YO23 1EJ

23/01421/FULM



GIS by ESRI (UK)



Scale : 1:2706

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	27 September 2023
SLA Number	Not Set

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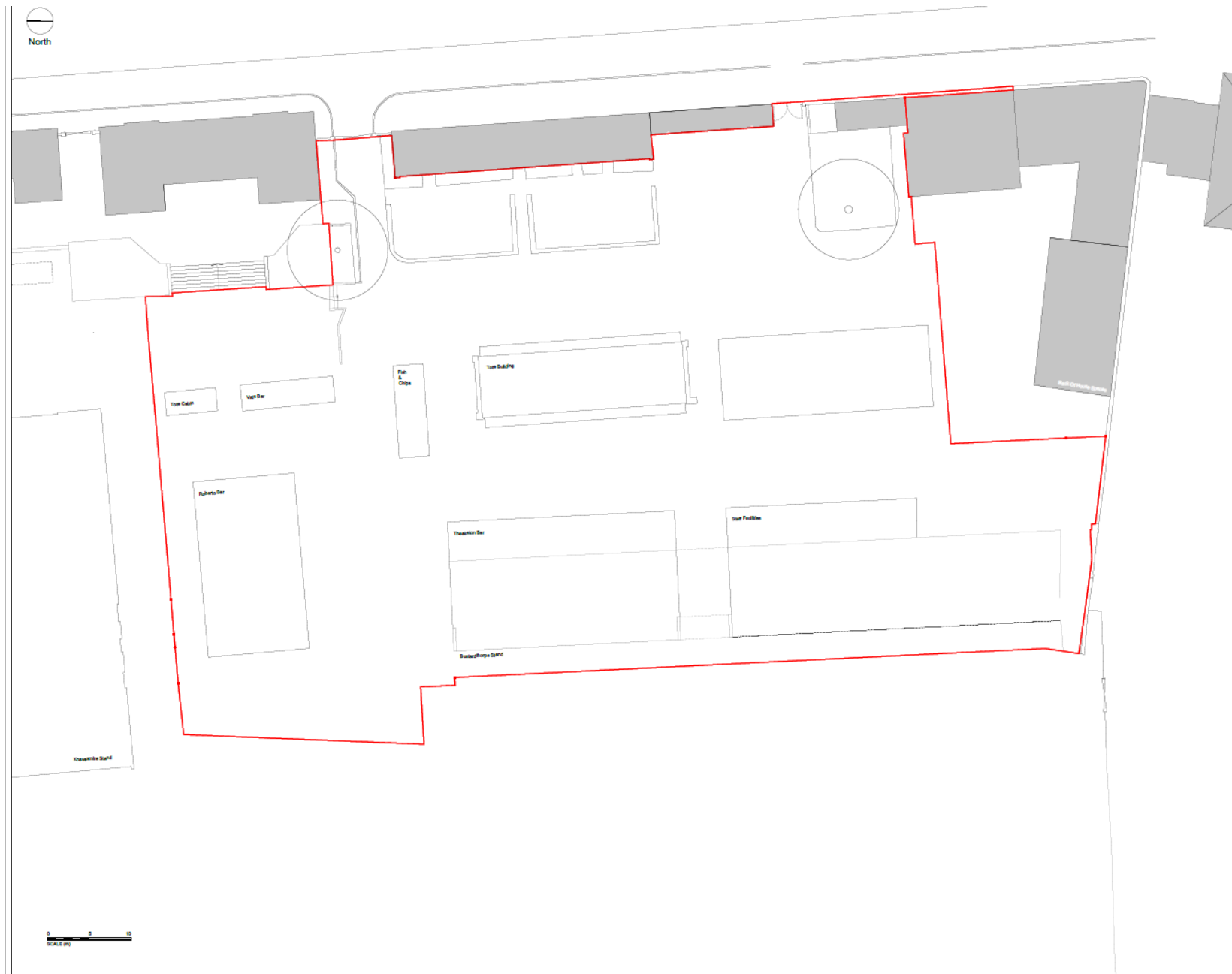


Planning Committee B

23/01421/FULM

York Racecourse Racecourse Road

Existing Site Plan



All dimensions to be checked on site
 Any discrepancies to be reported immediately to the Architect
 Drawing to be read in conjunction with all relevant design information, including Architect, Civil and Structural Engineers drawings
 All existing site, tree, building and survey information has been compiled from different sources, including information supplied by third parties

NOT FOR CONSTRUCTION

Drawing Note:
 - Solid red line indicates the extent of the Southern End development site (S11021414)

Rev 1 Updated to 'Planning' level status
 2023.07.18

C1074 001 Rev 1

TITLE EXISTING DRAWING
 SITE PLAN

SCALE 1:200 @ A1

PLANNING

PROJECT YORK RACECOURSE
 SOUTHERN END MASTERPLAN
 YORK RACECOURSE
 RACECOURSE ROAD
 YORK YO3 5EY

CLIENT YORK RACECOURSE ENVIRONMENT LLP

DAWSON WILLIAMSON
 ARCHITECTS

Bradford Edinburgh
 01274 551 300
 info@dawsonwilliamson.co.uk

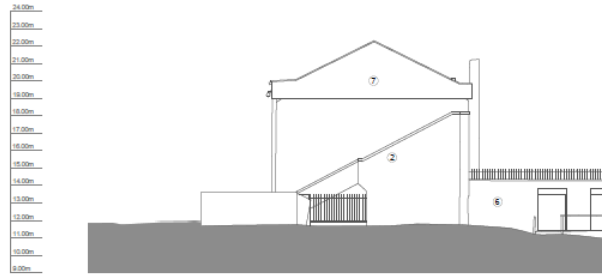
THE DETAILS SHOWN ON THIS DRAWING ARE CONFIDENTIAL & THE OWNERSHIP OF THIS DRAWING IS RESERVED BY DAWSON WILLIAMSON ARCHITECTS. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DAWSON WILLIAMSON ARCHITECTS.

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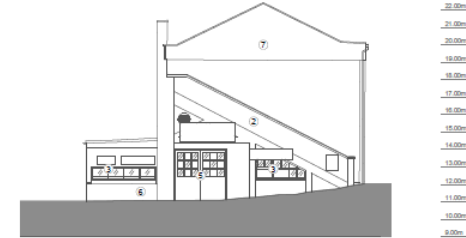
Bustardthorpe Stand Existing



ELEVATION FACING EAST
ONTO NEW LAIRNS



ELEVATION FACING SOUTH
ONTO THE STANDS



ELEVATION FACING NORTH
TOWARDS ROBERTO PAVILLON / ROYALMIDWAY STAND

Notes
 All dimensions to be checked on site
 All dimensions to be reported immediately to the Architect
 Drawing to be read in conjunction with all relevant design information, including Architect, Services, Civil and Structural Engineers drawings
 All existing site, tree, building and survey information has been supplied from official sources, including information supplied by third parties
NOT FOR CONSTRUCTION

- Drawing Notes:**
- 1 Natural Slate Roof Covering
 - 2 Concrete Frame, Fins & Panels
 - 3 Timber Framed Windows, Glazed Panels & Louvre
 - 4 Gargoyle
 - 5 Timber Doors
 - 6 Facing Brickwork
 - 7 Bustardthorpe Link

Rev 1 Updated to Planning level notes
 2023.07.18

C1074 021	Rev 1
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TITLE EXISTING DRAWING
 BUSTARDTHORPE STAND
 ELEVATIONS
 SCALE 1:125 @ A1

PLANNING

PROJECT HORR RACECOURSE
 SOUTHERN END MASTERPLAN
 HORR RACECOURSE
 RACECOURSE ROAD
 1023 5X

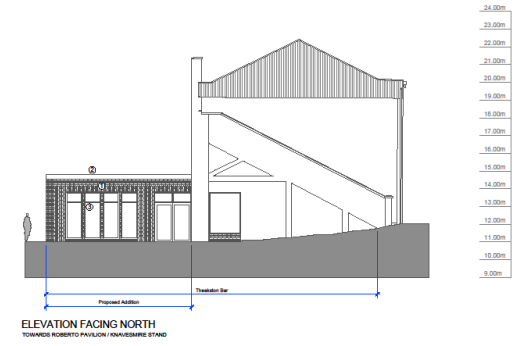
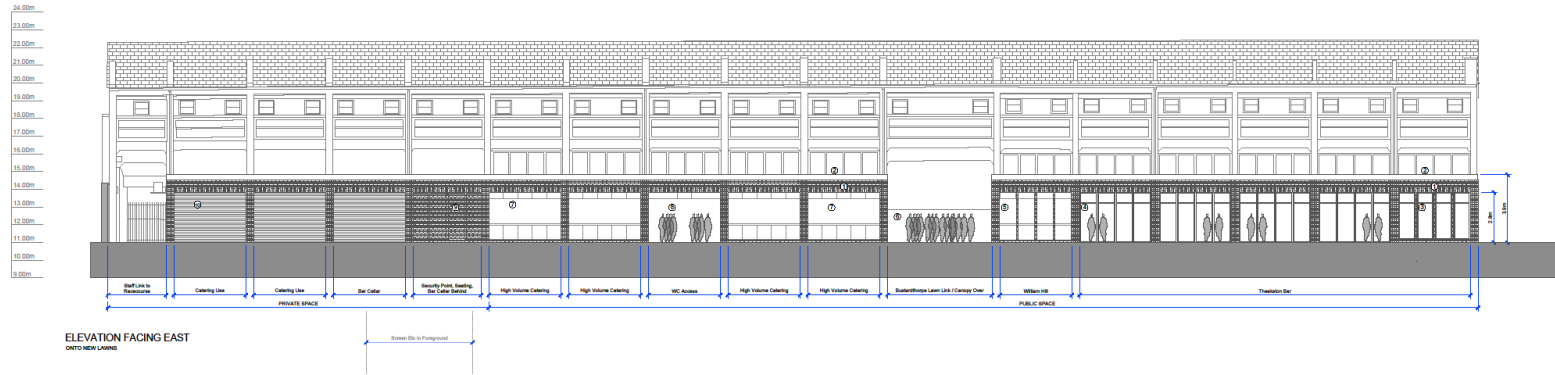
CLIENT HORR RACECOURSE (SHAWESBERRY) LLP

DAWSON WILLIAMSON
 ARCHITECTS

B u r g o s s E d i n b u r g h
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Bustardthorpe Stand Proposed



Notes
 All dimensions to be checked on site
 Any discrepancies to be reported immediately to the Architect
 Drawing to be read in conjunction with all relevant design information, including Architect's, Services, Civil and Structural Engineers drawings
 All existing site, tree, building and survey information has been compiled from different sources, including information supplied by third parties

NOT FOR CONSTRUCTION

Drawing Notes:

- 1 Facing Brickwork
- 2 Painted Verge Boxes
- 3 Aluminium Framed Glazing
- 4 Aluminium Framed Bi-Fold Doors
- 5 William Hill Counter
- 6 Bustardthorpe Lift
- 7 High Volume Catering Countertops
- 8 WC Access
- 9 Brickwork Panel At Security Vest.
- 10 Shutters

Rev 1 Updated to 'Planning Issue' status
2023.07.10

C1074 201	Rev 1
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TITLE PROPOSED DRAWING
BUSTARDTHORPE STAND
ELEVATIONS
SCALE 1:125 @ A1

PLANNING

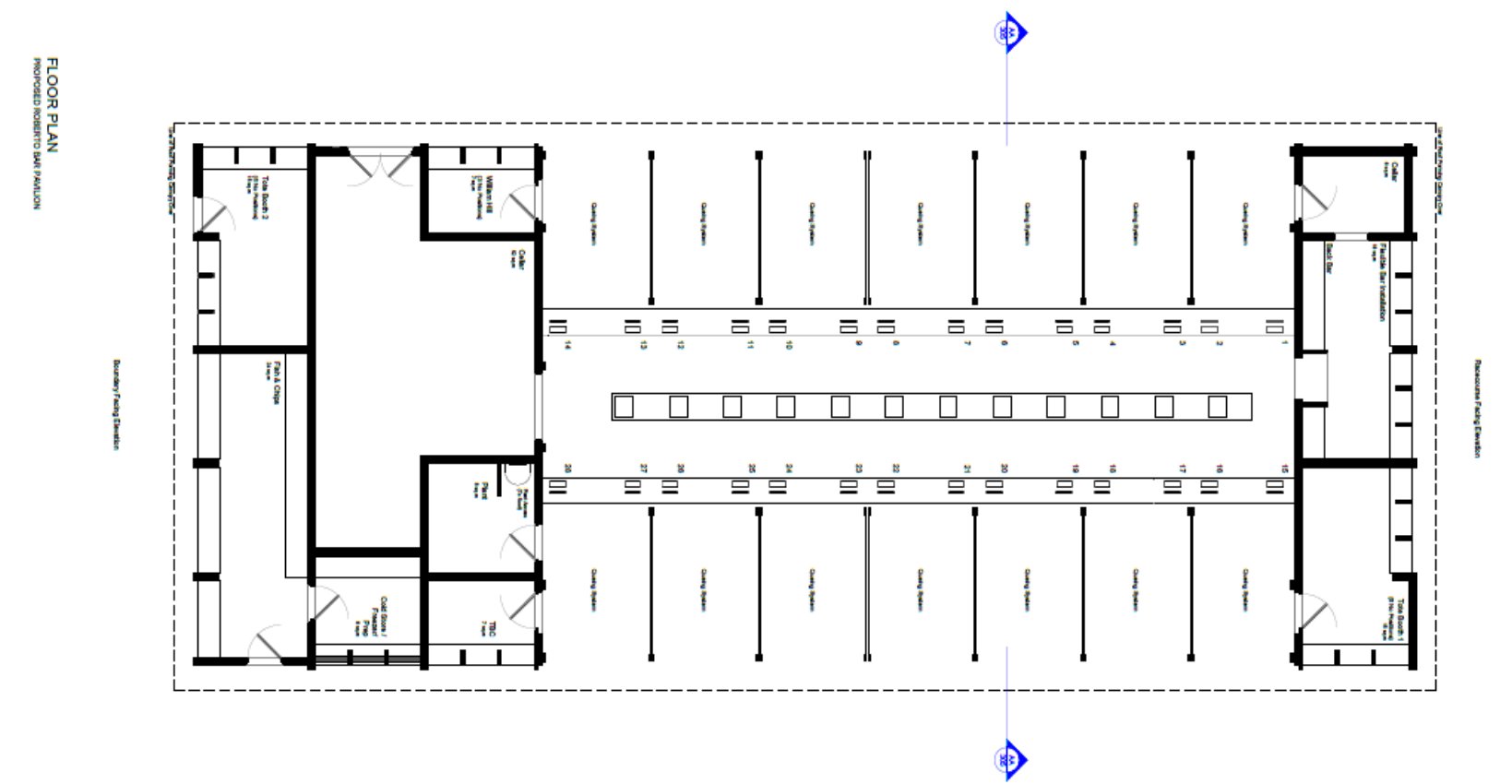
PROJECT YORK RACECOURSE
SOUTHERN END MASTERPLAN
YORK RACECOURSE
RACECOURSE ROAD
YORK, UK

CLIENT YORK RACECOURSE (MANESBIRE) LLP

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Roberto Bar Floor plan



FLOOR PLAN
PROPOSED ROBERTO BAR PLAN/ION

Proposed sectional perspective



Notes
 All dimensions to be checked on site
 Any discrepancies to be reported immediately to the Architect
 Drawing to be read in conjunction with all relevant design information, including schedules, drawings, bills and detailed engineering drawings
 All citing to site, etc, building and survey information has been compiled from different sources, including information supplied by third parties

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Drawing notes:

Page 89

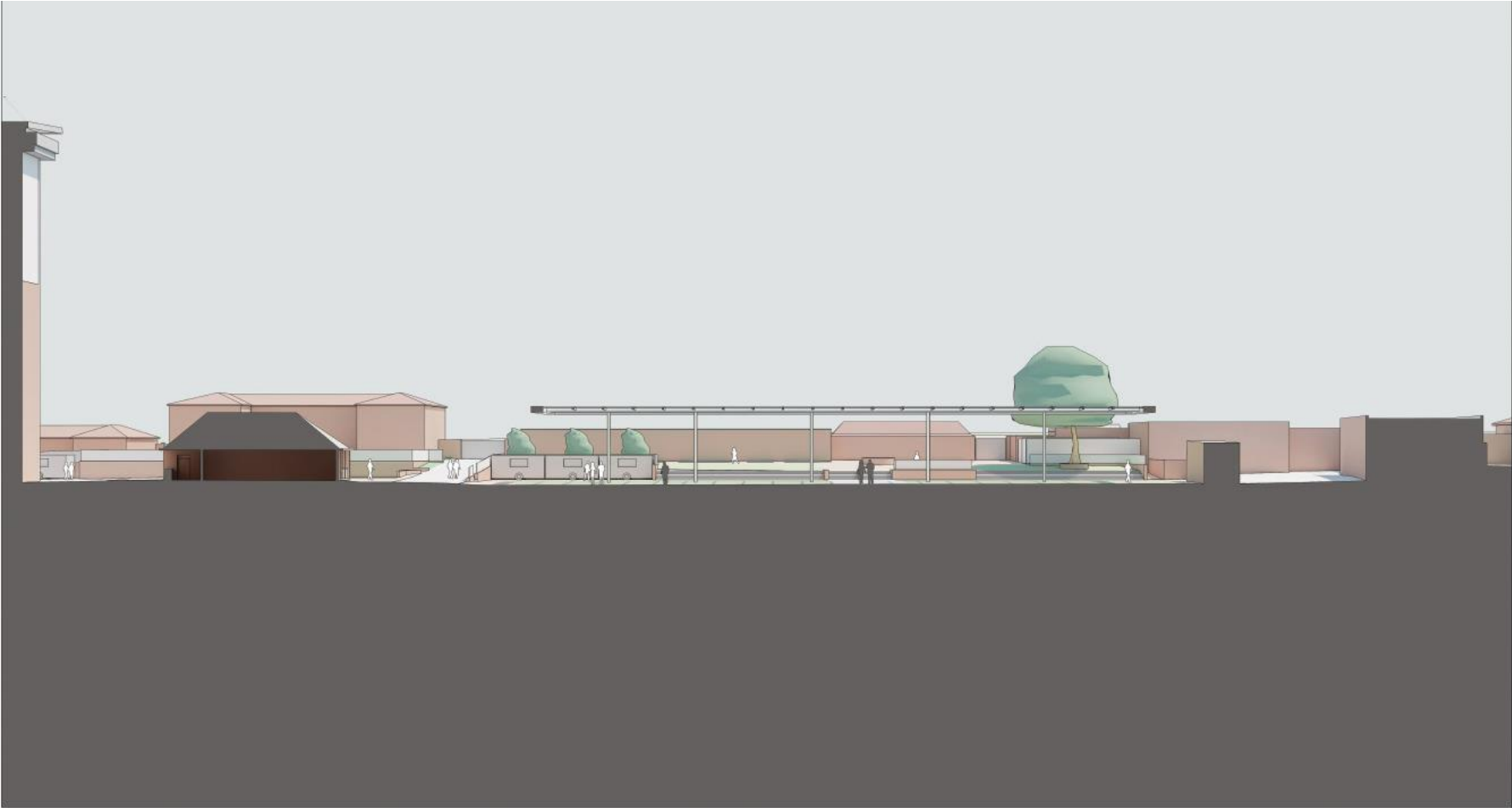
C1074 250	Rev 0
TITLE	PROPOSED DRAWING SECTIONAL PERSPECTIVE EAST / WEST AXIS
SCALE	Not To Scale
PLANNING	
PROJECT	YORK RACECOURSE SOUTHERN BUSH BUILDING YORK RACECOURSE RACEDAY ROAD YO61 3EX
CLIENT	YORK RACECOURSE (MANAGEMENT) LLP

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 1274 123 300
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 1274 123 300
 1274 123 300

Proposed sectional perspective



C1074 251	Rev 0
TITLE	PROPOSED DRAWING SECTIONAL PERSPECTIVE NORTH / SOUTH AXIS (1)
SCALE	Not To Scale
PLANNING	
PROJECT	YORK RACECOURSE SOUTHERN END MASTERPLAN YORK RACECOURSE RACECOURSE ROAD YO13 9JH
CLIENT	YORK RACECOURSE (RHA) LIMITED LLP
DAWSON WILLIAMSON ARCHITECTS 8 Telford Edinburgh G12 74 551 308 info@dawsonwilliamson.co.uk <small>THE DETAILS SHOWN IN THIS DRAWING ARE TENTATIVE. THE DRAWING IS THE EXCLUSIVE PROPERTY OF DAWSON WILLIAMSON LTD. NO USE, COPY OR REPRODUCTION OF THIS DRAWING FOR ANY PURPOSES IS PERMITTED WITHOUT THE WRITTEN PERMISSION OF DAWSON WILLIAMSON LTD. © Dawson Williamson Ltd 2023</small>	

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