



Notice of meeting of

West & City Centre Area Planning Sub-Committee

To: Councillors Watson (Chair), Gillies (Vice-Chair), Crisp, Galvin, Gunnell, Jeffries, Orrell, Reid and Semlyen

Date: Thursday, 18 August 2011

Time: 3.00 pm

Venue: The Guildhall, York

AGENDA

Site visits for this meeting will commence at 11.00am on Wednesday 17 August 2011 at Memorial Gardens.

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by 5pm the working day before the meeting, in this case **5pm on Wednesday 17 August 2011**. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

3. Plans List

To determine the following planning applications related to the West and City Centre Area.

- a) **Go Outdoors, Foss Bank, York YO31 7JB (11/01872/ADV)** (Pages 5 - 14)
Display of 2no. part illuminated signs, 3no. non illuminated Product listing signs and 2no. banner signs. *[Guildhall Ward]* **[Site Visit]**
 - b) **5 Wains Road, Dringhouses, York, YO24 2TP (11/01594/FUL)**
(Pages 15 - 20)
Detached summerhouse to rear. *[Dringhouses and Woodthorpe Ward]*
 - c) **Land Lying to the North of the Science Building, Askham Bryan College, College Service Road, Askham Bryan, York (11/01155/FULM)** (Pages 21 - 46)
Erection of 7 single storey buildings forming an equine hospital and training centre with associated outdoor facilities, car parking and new access. *[Rural West York]* **[Site Visit]**.
 - d) **Nairobi Stables, Boroughbridge Road, York, YO26 6AP (11/01044/FUL)** (Pages 47 - 60)
Erection of 5.5m diameter wind turbine on 9m tower and erection of detached garage. *[Rural West York Ward]* **[Site Visit]**
 - e) **47 Askham Fields Lane, Askham Bryan, York, YO23 3PS (11/01622/FUL)** (Pages 61 - 70)
Two storey side and single storey front and rear extensions. *[Rural West York Ward]* **[Site Visit]**
 - f) **Doctors Surgery, 40 Moorcroft Road, York YO24 2RQ (11/01398/FUL)** (Pages 71 - 78)
Four no. cooling units to side elevation (Retrospective). *[Dringhouses and Woodthorpe Ward]* **[Site Visit]**
4. **Any other business which the Chair considers urgent under the Local Government Act 1972**

Democracy Officers:

Name: Catherine Clarke and Louise Cook (job share)

Contact Details:

- Telephone – (01904) 551031
- E-mail – catherine.clarke@york.gov.uk and louise.cook@york.gov.uk

(If contacting us by e-mail, please send to both democracy officers named above)

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

- Registering to speak
- Business of the meeting
- Any special arrangements
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Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

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- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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WEST AND CITY CENTRE AREA PLANNING SUB COMMITTEE

SITE VISITS

Wednesday 17 August 2011

**Members of the sub-committee to meet at Memorial Gardens at
11.00am**

TIME	SITE	ITEM
(Approx)		
11.10	Go Outdoors, Foss Bank.	3a
11.45	Nairobi Stables, Boroughbridge Road (A59).	3d
12.10	Askham Bryan College (Equine Hospital).	3c
12.30	Askham Fields Lane.	3e
12.50	Moorcroft Road, Doctor's Surgery.	3f

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(i) 1 No. front entrance fascia sign (6425mm x 3225mm) attached to building. Sign to be non illuminated with the exception of the text below the main logo. The illuminated text would measure 280mm high.

(ii) 2 No. non illuminated product listing signs located at both ends of this elevation (2900mm x 4000mm).

SITE HISTORY

1.3 Retrospective advertisement consent was sought for the signage in situ at Go Outdoors in March 2011. The application was refused for the reason that the number of signs, the extent of illumination and their size, design and siting, would result in prominent, large scale commercial signs that would be unsympathetic to the design of the host building and would create advertisement clutter, harmful to the visual amenity of the Conservation Area.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Central Historic Core CONF

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

2.2 Policies:

CYHE8

Advertisements in historic locations

CYGP21

Advertisements

3.0 CONSULTATIONS

3.1 Internal

Environmental Protection Unit - No objections to this application but recommend a condition to ensure that the large oval "Go Outdoors" signage turns off when the store is not open to the public.

The Environmental Protection Unit has recently investigated complaints of these lights affecting nearby residential properties. Upon investigation it was determined that the lights were not sufficient to be a statutory light nuisance but were affecting the amenity of these residential properties. As a result of this a condition restricting the hours of illumination is recommended.

3.2 External

York Civic Trust - These unauthorised signs are already in position and in the opinion of the York Civic Trust there are too many signs and banners on this building and they are too garish. The subject signs have little regard to either the site or the area. If these signs are refused, that decision should be followed by a Discontinuance Notice in order to secure their early removal.

Consultation Period Expiry Date - 13 August 2011

Ten letters have been received from residents of the Eboracum Way flats development objecting to the application for the following reasons;

- (i) Light pollution to residents detrimental to people's sleep
- (ii) General light pollution
- (iii) Spoils the view of the Minster, Foss and City Walls
- (iv) Significant and unnecessary electricity consumption
- (v) size and colour of signs will be an eyesore
- (vi) Go Outdoors store is painted an unsightly blue, which does not fit the architecture of the area and the signs only further draw attention to this.
- (vii) It is unclear as to the extent of illumination, how bright the illumination will be and what hours it will be lit.
- (viii) When Homebase was on the site, these apartments had not been built. Given this change, it is important that the fall back position is not to look at the signage that Homebase had.
- (ix) the plans fail to acknowledge the presence of a large number of tents which are in front of the Go Outdoors building.

4.0 APPRAISAL

KEY ISSUES

4.1 The Town and Country Planning (Control of Advertisements) Regulations 2007 state that powers under these regulations can only be exercised in the interests of amenity and public safety. Factors relevant to amenity include the presence of any features of historic or architectural interest.

4.2 In considering amenity, it is a requirement of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve the character and appearance of the conservation area.

POLICY

4.3 PPG19 Outdoor Advertisement Control states that a building can contribute positively to a sense of pride and place, however it warns that the appearance of a building can be spoilt by a poorly designed or insensitively placed signs, or by choice of the sign/adverts materials, colour, proportion or illumination which are out of keeping with the building's design or fabric. Such signs can appear over-dominant and out of place. Paragraph 22 advises that Local Planning Authority's should use advertisement controls flexibly in Conservation Area, so as to conserve or enhance particular features of architectural or historic interest.

4.4 Of the Local Plan, policies GP21 and HE8 are relevant. Policy GP21 states that where advertisement consent is required, it will be granted for signs where: their size, design, materials, colouring and any form of illumination does not detract from the visual amenity of the areas in which they are displayed, particularly with regard to the character of listed buildings or conservation areas; where there is no adverse effect on public safety; and in residential areas and on sites clearly visible from roads, the advertisement is in keeping with the scale of surrounding buildings and public areas.

4.5 Policy HE8 states that within conservation areas, or on listed buildings, advertisements will consist of a design and scale that respects the character and appearance of the area; and good quality materials that are sympathetic to the surface to which they are attached. Within conservation areas, externally illuminated adverts that require large light fittings will not be permitted.

4.6 The former "Homebase" store now occupied by "Go Outdoors" is a 1980s flat roofed, metal framed building with obscure glazed panels. It

shares the site with "Sainsburys". The site is on the edge of the city centre in an area characterised by a mix of residential and commercial uses being close to the recently developed Foss Islands retail park. It is within the Central Historic Core Conservation Area and can be seen in the context of the City Walls and York Minster. Foss Bank beyond which is the River Foss, bounds the store on its north east and north west boundaries. On the opposite side of the River Foss to the north eastern elevation of "Go Outdoors" is a new residential development accessed from Eboracum Way.

4.7 Historically the signage for Homebase has been relatively low key, with internally lit individual lettering on the two principle elevations.

4.8 In March 2011, retrospective advertisement consent was sought for the display of various illuminated and non illuminated signage at the site. The signage included an internally illuminated oval shaped fascia sign on each of the principle elevations, 10 No. applied vinyl signs and a 6 metre high totem sign. The application was refused for the reason detailed in paragraph 1.3. With the exception of the totem sign, which has since been removed, the unauthorised signs continue to be displayed on site however the illumination of the signs was switched off in response to residents concerns.

4.9 The key improvements with the revised scheme comprise;

- (i) The oval shaped fascia signs have been reduced in size, sited on rectangular panels and the extent of illumination has been limited to the text below the main logo.
- (ii) The product listing signs are no longer externally illuminated
- (iii) The removal of the totem sign
- (iv) The reduction in the number of applied vinyl signs from eight to two.

IMPACT ON VISUAL AMENITY

Elevation A (opposite the car park)

4.10 As noted in previous paragraphs, the main entrance sign has been amended so rather than an oval logo sign which was not considered to respect the form of the building and which also protruded above the roof of the building, the proposed sign now comprises the oval logo set on a rectangular panel. The overall size has been reduced from 6500mm x 3985mm to 6425mm x 3225mm. Furthermore the extent of illumination of this sign has been limited to the bottom 280mm of the sign.

4.11 Given that the sign is not to be erected on the building but rather on steel goal posts sited 1.64m from the front wall of the building, officers acknowledge that this entrance sign would appear large. However in terms of views from public vantage points, the sign would only be partially visible above the high brick wall bounding Foss Bank and with the extent of illumination limited to the bottom 280mm of the sign, it is not considered that it would detract unduly from the visual amenity of the area.

4.12 With respects to the corner 'product listing' sign and the two vinyl applied signs, officers consider that, in view of the scale of the building and its setting within a mixed use area where public views of this elevation are again partially restricted by the high wall bounding Foss Bank, the proposed number and size of signs is not excessive and would not detract from views within the Conservation Area.

Elevation B

4.13 The fascia sign on elevation B has been reduced in size from 6580mm x 3985mm to 6425mm x 3225mm and again the extent of illumination has been reduced. It is proposed to retain the two product listing signs on both ends of this elevation however these signs would not be illuminated.

4.14 From public vantage points, the signs would be visible from Foss Bank and from the Monkgate roundabout but would not be seen in the context of views of the City Walls and York Minster. As noted with respects to Elevation A, in view of the scale of the building and its setting within a mixed use area, it is not considered that the number and scale of the signs as proposed is excessive. The comments from local residents with respect to the illumination of the oval signs are noted, however with the proposed limited extent of illumination and a condition requiring that the lights are turned off between 20.30 to 08.30 every day, officers do not consider that the impact from the illumination would be so significant as to warrant refusal.

4.15 With reference to comments made by residents in relation to the siting of tents within the curtilage of the store and the colour of the building, officers confirm that the outdoors sales area is included as part of the net sales area for Go Outdoors, as it did for Homebase, and therefore the siting of tents within this area is authorised. Furthermore, permission was not required for the repainting of the store.

SAFETY

4.16 The signs due to their location and limited extent of illumination would not have an adverse impact on safety.

5.0 CONCLUSION

5.1 In accordance with PPG19 and policies GP21 and HE8 of the Local Plan the proposed signage, due to its location, scale, design, materials and the proposed extent of illumination would not detract from the character and appearance of the conservation area.

5.2 There would not be an adverse impact on safety, due to the location of the signs and type and extent of illumination proposed.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Drawing No: 15 (proposed elevations) dated August 2011 and received 3 August 2011

Plan detailing additional frameworks supports in position received 3 August 2011

Sign Details (insign) dated 1 August 2011 and received 3 August 2011

Supporting statement received 3 August 2011

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

2 All illumination shall be turned off between the hours of 20.30 to 08:30 every day.

Reason: In the interests of visual amenity

3 The existing unauthorised signs and their means of illumination shall be removed within one month of the date of this permission.

Reason: In the interests of visual amenity

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance for the following reasons:

In accordance with PPG:19 Advertisements and policies GP21 and HE8 of the City of York Local Plan, the proposed signage, due to its location, scale, design, materials and the proposed extent and means of illumination would not detract from the character and appearance of the conservation area.

There would not be an adverse impact on safety, due to the location of the signs and the extent of illumination proposed.

Contact details:

Author: Rachel Tyas Development Management Officer (Wed - Fri)

Tel No: 01904 551610

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COMMITTEE REPORT

Date: 11 August 2011 **Ward:** Dringhouses And Woodthorpe
Team: Householder and Small Scale Team **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 11/01594/FUL
Application at: 5 Wains Road York YO24 2TP
For: Detached summerhouse to rear
By: Mr Matthew Parkinson
Application Type: Full Application
Target Date: 26 August 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 No. 5 Wain's Road comprises a two storey brick built semi-detached former local authority house circa 1930 lying to the west of the City Centre. Planning permission is sought for erection of a replacement timber built summer house on a stone flagged base some 2.8 x 2.8 metres in area and 2.85 metres to the ridge within the rear garden area. It does not fall within the householder's Permitted Development Rights because of its height and proximity to the site boundary.

1.2 The application is being dealt with at Area Sub-Committee because the applicant is an employee of the Authority.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

2.2 Policies:

CYGP1 Design

3.0 CONSULTATIONS

3.2 Dringhouses and Woodthorpe Planning Panel were consulted with respect to the proposal on 1st July 2011. Any comments will be reported verbally at the meeting.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- * Impact upon the residential amenity of neighbouring properties;
- * Impact upon the visual amenity of the street scene.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES:-

4.2 Policy GP1 of the York Development Control Local Plan sets a firm policy presumption in favour of new development which respects or enhances the local environment, is of a scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials and ensures that residents living nearby are not unduly affected by noise disturbance, overlooking, overshadowing or dominated by overbearing structures. The current proposal envisages the erection of a timber built detached summer house on a flag stone base reused from the base of the previous summer house that was removed in the very recent past. It would stand in close proximity to the garage of No 3 Wains Road and the garden boundary with No 7 Wains Road. The boundary is currently defined by a close boarded timber fence 1 metre in height. The applicant has indicated that this will shortly be replaced by one some 1.8 metres in height. The proposed structure would have some impact upon the residential amenity of users of the gardens of No 3 and No 7 but this is not felt to be materially significant, particularly when compared with the previous structure. The terms of Draft Local Plan Policy GP1 are therefore felt to have been complied with.

IMPACT UPON THE VISUAL AMENITY OF THE STREET SCENE:-

4.3 The application site comprises a two storey brick built former local authority semi-detached house circa 1930 set within modest gardens to the west of the City Centre. The proposed summer house would sit within the rear garden area which in common with its neighbours within the wider locality contains a variety of garden related structures. The scale, massing and proposed material for the summer house would not appear unduly alien or out of place when compared with its surroundings and it is felt that the replacement summer house would not adversely affect the visual amenity of the street scene.

5.0 CONCLUSION

5.1 In terms of its scale, massing and palette of materials the summerhouse would closely match similar garden structures within the surrounding area and any impact upon the visual amenity of the wider street scene would be modest. In terms of any impact upon the residential amenity there is clear intervisibility with neighbouring gardens, particularly No 7. However the impact upon the amenity of those using neighbouring gardens would be minimal especially when compared against the impact of the pre-existing summer house. The terms of Policy GP1 would thus be complied with and approval is therefore recommended.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Application Drawings Received and Date Stamped 1st July 2011.

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

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the residential amenity of neighbouring properties and impact upon the visual amenity of the street scene. As such the proposal complies with Policy GP1 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

Contact details:

Author: Erik Matthews Development Management Officer

Tel No: 01904 551416

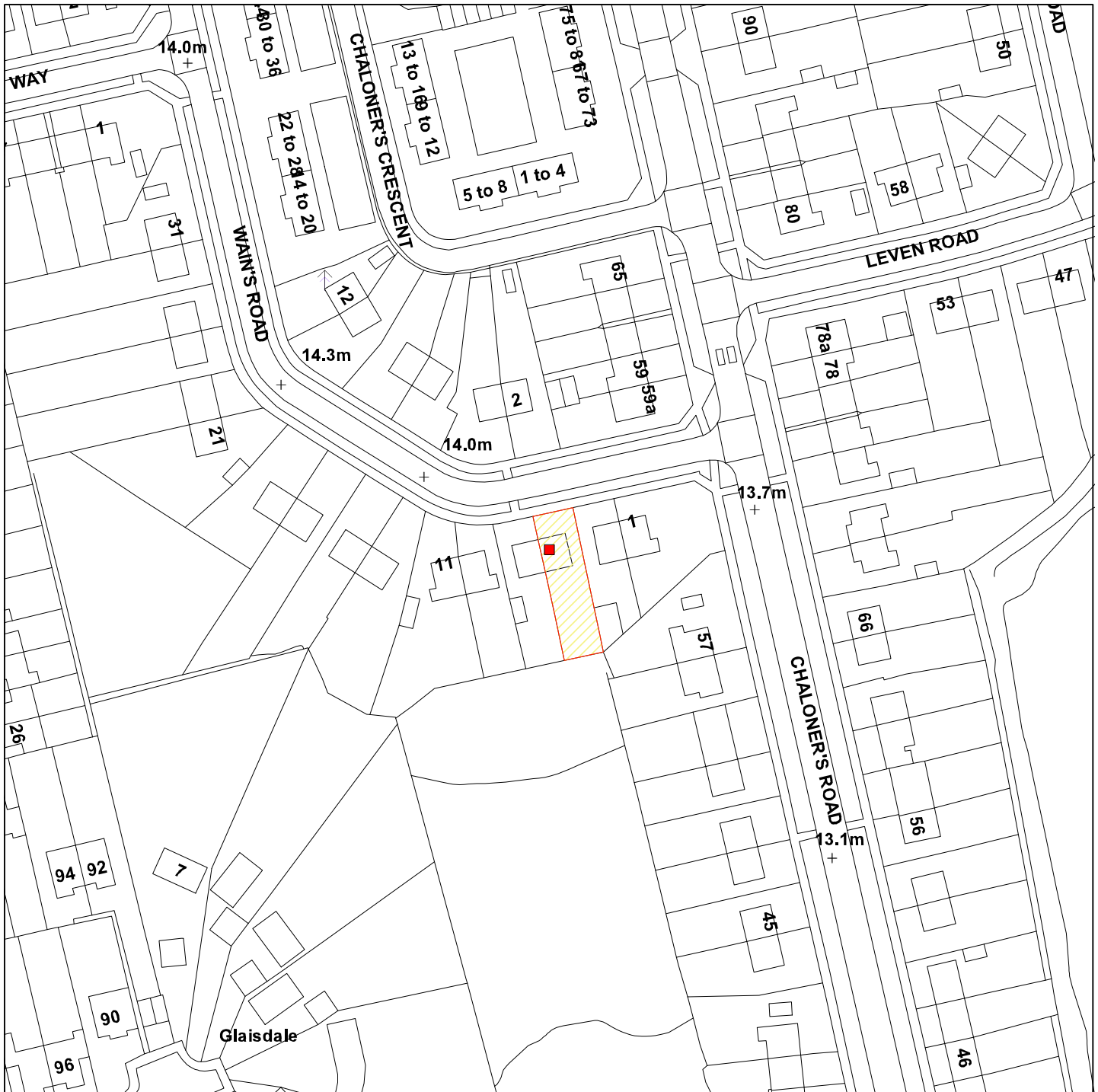
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11/01594/FUL

5 Wains Road, YO24 2TP



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Scale : 1:1250

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Organisation	City of York Council
Department	City Strategy
Comments	Not Set
Date	05 August 2011
SLA Number	Not Set

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1.3 An administration building which includes the reception area, waiting area, offices, staff room, dispensary, and laboratory. The building would be sited adjacent to the vehicle entrance and would be 14.2 metres by 23 metres and would be 5.1 metres to the ridge height. The building would be on a blockwork base with steel profile sheeting walls and roof.

1.4 The stable block/intensive care block is an L shaped building sited to the south of the proposed car park. The building would include a triage area with a number of stables and intensive care stables. The building would also include two staff bedsits and a staffroom/office. The building would measure 12.7 metres along its shortest elevations and 25.95 metres along its west elevation and 34.4 metres along its south elevation, the building would be 4.5 metres to the roof ridge. The building would be on a blockwork base of varying heights with steel profile sheeting walls and roof in green.

1.5 There would be a forge measuring 7.3 metres by 4 metres, and 3.2 metres to the ridge height and the external material would be steel profile sheeting.

1.6 The adjacent hay barn would be 11.85 metres by 4.45 metres, and would be 4.15 metres to the ridge height and the external material would be steel profile sheeting.

1.7 To the west of the stable block/intensive care block is the theatre block this measures 36.5 metres by 19.2 metres and would be 5.65 metres to the roof ridge. The building includes a number of different types of theatres and associated facilities.

1.8 The lameness building measures 24.77 metres by 25.38 metres and 6.1 metres in height to the roof ridge. The building would be on a blockwork base of varying heights with steel and ventilated steel profile sheeting walls and roof in green. The building would provide further stables, MRI, Ultra sound, X-ray, scint bone scan, and an office.

1.9 To the north of the lameness building, adjacent to the paddocks is the isolation block which is 11.4 metres by 5.1 metres, and 3.15 metres to the roof ridge.

1.10 The applicant, Minster Veterinary Practice, operates from five locations in and around York at Salisbury Terrace, Haxby, Earswick, Copmanthorpe and Poppleton, and has existing affiliations with Askham

Bryan College. The Poppleton site houses the present equine part of the practice. The applicant would like to provide a better service and facilities and has aspirations of the proposed development to attaining RCVS Tier 3 status. The applicant contends that the provision of such a service can only be provided by the provision of a new facility, which in turn would generate other opportunities.

1.11 The proposed development would employ 23 staff, transferred from the other surgeries. It is intended that the existing surgeries will remain open with the exception of equine services at Poppleton.

1.12 Revised plans have been submitted for the theatre building, the administration building, and the stable block/intensive care block. The original plans had shown 2 bedsits and 3 intern flats. However there was no justification for the three flats, and staff living on the site 24/7 (as their only residence), and as such this was removed. The revised plans now show only two bedsits in the proposed stable block/intensive care building.

1.13 There is an extant planning permission on this site for an equine, farm animal, and small animal hospital (07/00753/FULM). The application was approved by West and Centre Planning sub Committee on 21 June 2007. The previous application has been made by the same applicants as in this case. The reason the development was not constructed was due to cost.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1
Design

CYGP4A
Sustainability

CGP15A
Development and Flood Risk

CYGP9
Landscaping

CYGB1
Development within the Green Belt

CYGB11
Employment devt outside settlement limits

CYED5
Further and Higher Education Institutions

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

3.1 Would like Conditions HWAY11, HWAY14, HWAY18, HWAY19, and HWAY31

COUNTRYSIDE OFFICER

3.2 As the site largely consists of bare earth and previously disturbed land, it has a relatively low ecological value and the proposed redevelopment of this site is unlikely to have any significant impact on any protected species or their habitats.

3.3 The hedgerow to the north of the site is not species rich and consists predominantly of hawthorn with some elder. Under the Hedgerow Regulations 1997, this hedge would not qualify as an important hedgerow and so the removal of a short section in order to create a new vehicular access onto site would not be a problem. It is though a good mature hedgerow and contributes to the local hedgerow network, providing important habitat for a range of wildlife species as well as potentially a

commuting corridor for bat species. It is important therefore that such habitat is retained where possible, and that any loss is mitigated for through new planting. It is also very likely that nesting birds will use the hedgerow and for this reason any removal should be carried out outside of the bird breeding season in order to avoid any disturbance or destruction of nesting habitat.

3.4 Within the Habitat Phase One survey report (March 2011), it is recommended that this loss of habitat is mitigated for through the planting of a new native mixed hedgerow to the south of the development, although this has not been included on the proposed site plan. Equally, there does not appear to be any mitigation for the loss of the small trees and shrubs within the western part of the site which are also to be removed.

3.5 The ecological assessment carried out on the site in August 2010 and March 2011 also assessed the sites potential for supporting protected species such as bat species and great crested newts and other species recorded nearby such as badger. The level of information provided is sufficient and agree with the evaluations and recommendations set out.

LANDSCAPE ARCHITECT

3.6 There are a number of young and semi-mature trees along the western edge of the site in front of the line of Poplars. The group in the northwest corner consists of young Rowan, Willow, Oak, and some old Poplar, one of which has previously collapsed. Close to this lies a young copse of Rowan and Beech. There is also a young single Rowan, Cherry and Horse chestnut. Whilst some of these young trees have future potential, they are easily replaced because of their young age. The trees worth retaining are a mature Hawthorn, two Birches and an Alder. In the south west corner are an Apple, a Laburnum and a Lime (with damage to the trunk) none of which are good specimens. The development would result in the loss of all of these trees, leaving only the line of aging thin Lombardy Poplars that mark the western boundary, which are an identifiable landscape feature in the larger landscape, and help screen the site, but have a limited safe useful life. The proposed loss of trees is not insignificant, but it will not have a hugely detrimental impact on the larger landscape. Nonetheless the change in the character and nature of the site will be more marked by the absence of trees and other vegetation.

3.7 Any opportunities for tree planting, hedge planting, and climbers should be utilised in order to settle the development in to its greenbelt context. Although the BREEAM pre-assessment expresses a desire to

carry out some tree planting, we would need a commitment to at least an indicative planting scheme for the development to be acceptable. The hedge along York Road provides a substantial amount of screening in the summer months, but there will be four substantial buildings spread across the site, and the cumulative impact. The site is visible from the rear of properties on St. Nicholas Croft in Askham Bryan. Thus because of the rise in the land across the site one must consider more distant views as well. There appear to be opportunities for replacement tree planting along the boundaries of the south west corner; within the corners of the paddocks; either side of the site entrance; and within the lorry park & staff parking - the turning areas appear to be very generous here; and between blocks A and B. Perhaps the courtyard could have a central tree. Hedge planting could be attained along the western and possibly southern boundary.

3.8 The relationship between the southern boundary of the site and the existing fencing roughly parallel with it, creates a rather messy collection of fencing. It would benefit the development if this access route could be softened in any way.

3.9 The graphics along the eastern boundary suggest there are two lines of fencing - timber and palisade - both are not required. Internal fencing appears to be timber post and rail and the entire perimeter fencing palisade.

3.10 The surfacing between the lunges appears to be a continuation of the courtyard material, which in turn appears to be a continuation of the car park, in which case that's an awful lot of tarmac. It is assumed that the paddocks are laid to grass.

3.11 Note from the BREEAM pre-assessment that the applicant will consider rain water harvesting. The extent of sheet roofing and the need to do a lot of washing down of floors etc. seems to present an ideal opportunity. The water would be ideally suited for watering new trees.

3.12 There is no mention of renewables within the BREEAM pre-assessment, yet there appear to be good opportunities for photovoltaics on the south facing roofing; also possibly an anaerobic digester for all that manure in combination with the other stables and cattle

SUSTAINABILITY OFFICER.

3.13 All commercial applications above 500m² are required to achieve BREEAM 'Very Good' as a minimum. The applicant has stated a commitment to achieving this requirement. To fully comply the Council would expect to see the Design and Procurement Assessment prior to work beginning on site and the Post Construction Report and Certificate prior to occupation. Both assessments should document a 'Very Good' rating or better. Recommend applying conditions to ensure the submission of this information.

3.14 As part of the minimum standards of the IPS the applicant is required to commit to a level of performance equivalent to that required under the Considerate Constructors Scheme and to achieve certification under said scheme. The applicant, through the Management category of the BREEAM Pre-Assessment, has indicated that the development is to be registered through the Considerate Constructors Scheme, thus fulfilling the IPS requirement on this issue.

3.15 A development of this size is required to provide 10 per cent of its regulated energy demand from renewable energy sources. Through the Energy category of the BREEAM Pre-Assessment the applicant has indicated they will be considering low and zero carbon technologies in the development. To comply with this minimum standard officers would like to see a firmer commitment to achieving 10 per cent or greater renewable energy provision. To ensure compliance officers would recommend applying conditions for the submission of calculations demonstrating 10 per cent or greater is to be achieved from renewable technologies.

3.16 Further minimum standards specified through the IPS are for the production of a Site Waste Management Plan, avoidance of light pollution and responsible sourcing of materials. All elements have been satisfied through information submitted as part of the Waste, Pollution and Materials categories of the BREEAM Pre-Assessment Report.

STRUCTURES AND DRAINAGE - Object

3.18 Insufficient information has been provided by the developer to determine the potential impact the proposals may have on the existing drainage systems

ENVIRONMENTAL PROTECTION UNIT - No objections

CITY DEVELOPMENT

3.19 Proposal complies with Policy GB10.

3.20 The commercial element of the proposals are considered inappropriate. The applicant has put forward a case for very special circumstances in the submitted Planning Statement. Given the inherent links between the commercial aspect of the proposal and the educational links, alongside the previous planning permissions on the site it is considered that very special circumstances exist to justify the development.

3.21 Given that the proposals, if approved, would allow for the development of additional new full time and part time courses in the future it is likely that this development will result in an increase in student numbers. It should be considered whether further evidence should be submitted by the applicant relating to the impact an increase on student numbers at the college will have on student housing provision both in the private rented sector and on their own managed student accommodation.

EXTERNAL CONSULTATIONS/REPRESENTATIONS

ENVIRONMENT AGENCY

3.22 Would like condition stating that no development shall begin until an acceptable surface water scheme has been submitted.

3.23 Would like informative relating to the disposal of clinical waste

ASKHAM BRYAN PARISH COUNCIL - No objections

3.24 Support the use of the site for such a positive, significant and sustainable increase in the college academic opportunities.

3.25 Concerned regarding access to York to Askham Richard road. The speed survey shows 22% pass the site at over 50mph and a small percentage over 60mph. Could cause a potential accident blackspot. Concerned that there will be a temptation to overtake slow horseboxes and therefore the access would be better further away from the T-Junction and Chapel Lane. The access could be through the college. Vehicles coming though the village may ignore the signage using the main college entrance. Traffic more likely to use ring road than access though the village.

3.26 The increase in surface water into the main drain may cause issues. There is an existing flooding issue at the end of York to Askham Richard Road

4.0 APPRAISAL

RELEVANT SITE HISTORY

07/00753/FULM - Proposed erection of veterinary hospital with associated outbuildings, car parking and vehicular access - Approved

KEY ISSUES

- Policy background
- Educational links with Askham Bryan College
- Consideration of very special circumstances
- Design and landscape considerations
- Traffic, highway and access issues
- Sustainability
- Drainage

ASSESSMENT

PLANNING POLICY

4.1 The application relates to the erection of an equine hospital within the curtilage of Askham Bryan College. The site is within an area of Green Belt, but is identified as a "major developed site in the Green Belt" on the City of York Development Control Local Plan Proposals Map.

4.2 The Askham Bryan Parish Plan (2006) discusses the College site and its importance to the area. The design guidelines set out in the Plan refer to the setting of the village and the retention of the agricultural character of the village and there is little mention of the college site. However some of the guidelines are considered to be applicable: developments must reflect and complement the character of the immediate surrounding area particularly with regard to scale, density, and mix of design; no development should be permitted which would interrupt the open character and setting of the village approaches.

4.3 Policy YH9 and Y1 of the Yorkshire and Humber Regional Spatial Strategy (May 2008) sets out the extent of the City of York Green Belt. Although the Coalition Government has made clear its intention to pursue the revocation of Regional Strategies this has been challenged at law and the process has not been concluded, however the intention to remove the RSS is a material consideration. However the York Greenbelt is specified in PPG2 and the boundaries of the Green Belt are clearly detailed on the Proposals Map of the City of York Council Development Control Local Plan.

4.4 Central Government advice in Planning Policy Guidance Note 2 "Green Belts" (PPG2) is relevant to the proposal. This states that there are five purposes of including land in Green Belts: to check the unrestricted sprawl of large built up areas; to prevent neighbouring towns from merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. It also states that there is a general presumption against inappropriate development within the Green Belt. Such development should not be approved, except in very special circumstances. PPG2 states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. PPG2 states that the construction of new buildings inside the Green Belt is inappropriate unless it is for certain specific purposes, one of which relates to "limited infilling or redevelopment of major developed sites identified in adopted local plans", subject to the development meeting the criteria referred to in Annex C of PPG2.

4.5 The advice in PPG2 is reflected in Policy GB1 of the City of York Development Control Local Plan, which states that within the Green Belt, planning permission for development will only be granted where: a) the scale, location and design of such development would not detract from the open character of the Green Belt; and b) it would not conflict with the purposes of including land within the Green Belt; and c) it would not prejudice the setting and special character of the City of York; and it is for one of a number of specific purposes, which includes "limited infilling or redevelopment of existing major developed sites". All other forms of development within the Green belt are considered inappropriate, and very special circumstances will be required to justify instances where this presumption against development should not apply.

4.6 Annex C of PPG2 sets out Central Government advice in relation to the future of major developed sites in the Green Belt. This states that these sites should remain subject to development control policies for Green Belts, and the Green Belt notation should be carried across them. If a major developed site is specifically identified in a local plan, limited infilling or redevelopment (which meet the criteria in paragraph C3 or C4) is not inappropriate development. Such infilling should have no greater impact on the purposes of including land in the Green Belt than the

existing development, should not exceed the height of the existing buildings, and should not lead to a major increase in the developed proportion of the site. These criteria are repeated in Policy GB10 of the CYC Development Control Local Plan, relating to major developed sites in the Green Belt. In addition, Policy GB10 states that redevelopment of major developed sites (or part of the sites) for the "preferred" use (in this case education) will be permitted subject to the above criteria being satisfied and where the redevelopment would not occupy a larger area of the site than the existing buildings, unless this would achieve a reduction in height, which would provide a net benefit to visual amenity.

4.7 In the case of Askham Bryan College, the "major developed site" boundary, within which the site is located, has been generously drawn around the campus. However, it is considered that the proposed development would not comply with Policy GB10, as it could not be regarded as limited infilling. In addition, with a site area of approximately 1.12 ha, it is considered that the proposal would result in a significant increase in the developed proportion of the whole site. It is accepted that the new buildings would not exceed the height of the existing buildings on the site. Nevertheless, the proposal is considered to constitute inappropriate development in the Green Belt, and very special circumstances would be required in order to justify the development.

4.8 Whilst the development would have educational links to the college, the proposal would have a predominant commercial element in the form of the veterinary practice. Policy GB11 states that planning permission will only be granted for new industrial and business development outside defined settlement limits in the Green Belt and open countryside where it involves the re-use or adaptation of an existing building or it is for a small scale extension to an existing building, and it provides benefit to the rural economy and the local residential workforce. Policy ED5 states that existing further and higher educational institutions (including Askham Bryan College) will be retained within their current use. Their development will be encouraged in accordance with Local Plan policies and subject to adequate measures for providing the necessary levels of student housing. Where the development is capable of a joint or dual use for community benefit this will be encouraged.

4.9 Planning Policy Statement 7 'Sustainable Development in Rural Areas' states that when determining planning applications for development support should be given to countryside-based enterprises and activities which contribute to rural economies, and/or promote recreation in and the enjoyment of the countryside

4.10 Other relevant Local Plan policies include GP1 (Design), which states that development proposals will be expected to respect or enhance the local environment, be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials, and avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment. Policy GP4a requires new development to have regard to the principles of sustainable development as set out in the policy.

4.11 Policy GP9 states that where appropriate, development proposals will be required to incorporate a suitable landscaping scheme, which must be planned as an integral part of the proposals, include an appropriate range of indigenous species, reflect the character of the locality and surrounding development, and form a long term edge to developments adjoining or in open countryside.

4.12 The relevant development plan is The City of York Council Draft Deposit Local Plan, which was placed on Deposit in 1998. Reflecting points made, two later sets of pre inquiry changes (PICs) were published in 1999. The Public Local Inquiry started in 1999 but was suspended by the Inspector for further work to be done on the Green Belt. A Third Set of Changes addressing this further work was placed on deposit in 2003. Subsequently a fourth set of changes have been drafted and approved by Full Council on 12th April 2005 for the purpose of making Development Control Decisions, on the advice of the GOYH.

EDUCATIONAL LINKS WITH ASKHAM BRYAN COLLEGE

4.13 The proposal comprises the blending of training facilities within a "state of the art" commercial equine hospital located on the college campus. There will be no specific teaching facilities within the building unlike the previous application (07/00753/FULM). The College has had a longstanding association with Minster Veterinary Practice since the early 1950`s, and the intention is that the proposed development would enable this to be extended through the provision of enhanced training opportunities in veterinary nursing and equine studies. 4,700 students enrolled at the college in 2009/2010.

4.14 The below are the courses that would benefit from the proposed equine hospital:

- BSc in Equine Management (3 years) - 8 students per year
- Foundation Degree in Equine Management (2 years - 15 students per year
- National Diploma in Horse Management (2 years) - 35 students per year
- Foundation Degree in Veterinary Nursing (3 years) - 14 students per year
- Diploma in Veterinary Nursing (3 years) - 8 students per year

4.15 The applicants anticipate that there would be a 10% increase in the students on all equine related courses. It is also anticipated that the college would be able to run an equine veterinary nursing option in the second year of the nursing courses, which would result in an increase of 15 students in each of the two courses.

4.16 The teaching input for each course would include:

- BSc in Equine Management - These students are only in college 2 days per week. The input would be of the order of 1 hour per month in the form of a talk or a tour of facilities. Support would also be given to these students with their dissertations in the form of practical case studies taken from their practical experience or information from access to the Equine Hospital.
- Foundation Degree in Equine Management - 2 hours per week, 1 hour per group in the form of lecture or demonstration within the Equine Hospital.
- National Diploma in Horse Management - 2 hours per week given to 2 groups of 10 students with an hour each.
- Foundation Degree and Diploma in Veterinary Nursing - 1 hour per week in first year covering subjects such as stable management, isolation, bio security etc. With a more clinical input in the second year.
- Equine Veterinary Nursing - More clinical input in the region of 10 hours /1.5 days per week for one student placement plus specialist teaching.

4.17 The teaching will take the form of lectures and practical demonstrations either within the Equine Hospital when there are small groups or through video links for larger groups. It is intended that Minster Equine Veterinary Practice will assist in the production of equine

veterinary resources for the college and also provide support with student dissertations. The proposed laboratory within the equine hospital could also be used to instruct students on laboratory techniques.

4.18 It is anticipated that at any one time 2 students per day will be gaining work experience on the hospital site. This will be level 2 National Diploma students working in the stable block and veterinary nurses working in the theatre or lameness diagnostic building. A final year degree student would also have a placement in the administration building gaining administration experience dealing with insurance work, office management, and drug legislation.

4.19 It is also anticipated that short courses would be run for horse owners. These would be on subjects such as first aid and laminitis, which have been run to a limited extent at the present veterinary premises. These courses would be partly based in college lecture theatres and within the hospital for practical sessions.

4.20 Askham Bryan College has hosted several continuing education courses for veterinary surgeons, which are organised by the British Equine Veterinary Association. If the hospital was constructed the college would seek to host more courses with a greater practical element. Other educational opportunities would involve hosting seminars or exams for farriers, physiotherapists, etc

CONSIDERATION OF "VERY SPECIAL CIRCUMSTANCES"

4.21 A number of benefits could arise from the granting of planning permission both to the veterinary practice in terms of its enhanced reputation, and to the college in terms of the provision of additional learning opportunities. It is accepted that the provision of an on-site facility within the college campus would enable these benefits to be maximised. The proposal would enable a resource to be established on the site with links to the college, enhancing the reputation of York as a provider of high class education facilities.

4.22 The proposed facility is not considered to have the regional significance that the previous application put forward by virtue of there being similar facilities in Malton. Currently Minster Equine Veterinary Clinic is RCVS (Royal College of Veterinary Surgeons) accredited for Equine General Practice. The aim of the practise is to provide better facilities and potentially attain a Tier 3 (equine hospital) status as accredited by RCVS. There are 18 other equine hospitals of Tier 3 status

in Scotland, England, and Wales. There are a number of criteria to achieve a Tier 3 these include: the buildings constructed to a certain standard, staff present on site 24 hours a day, ready access to an exercise yard or paddock of suitable size, minimum of 6 stables, evidence of the monitoring and up-to-date hospital records, isolation facilities, size and type of theatres, diagnostic equipment, laboratory available on the premises at all times etc

4.23 A facility of this type and size, by their very nature, will be situated in open areas and in York this will almost inevitably be on Green Belt land. The proposed development would be contained within clearly defined boundaries formed by the rows of tall conifer and poplar trees along the eastern and western boundaries respectively, and the screening effect of the trees would limit views of the new buildings from these directions. The development would also be well related to existing built development on the campus, located to the south and east of the application site. The single storey nature of the proposed buildings, together with the gently rising nature of the site, would result in the development being viewed in context of the existing buildings to the south. The existing established hawthorn hedge along the frontage of the site would be retained; in addition landscaping could be conditioned. The overall impact of the buildings would be limited by the characteristics of the site.

4.24 PPG2 states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. On balance, it is considered that the above considerations whilst individually could not be considered special circumstances; cumulatively they are capable of amounting to very special circumstances sufficient to outweigh the limited harm that would be caused to the Green Belt. Furthermore, the inclusion of the site within the boundary of the "major developed site in the green belt" in the Development Control Local Plan, and the limited visual impact of the proposal also weigh in favour of the proposal.

DESIGN AND LANDSCAPE CONSIDERATIONS

4.25 The proposed single storey buildings are placed around the site, the three larger buildings are to the south of the site, closest to the college buildings and on the highest part of the site. The proposed buildings would be viewed in context of the existing college buildings and would be no taller than the existing college campus buildings. Whilst the number of

buildings has increased from the previous application, the buildings are smaller and have a more 'agricultural' appearance than the previous application. In addition the units would have less visual bulk and massing than the previous application. To the north of the site is the paddock area which creates a visual break between the road and the buildings to the south. The paddocks and the areas surrounding the lunges and trotting strips would be grass. The lorry parking and staff parking area is rather large and the agent has specified this as gravel. The large courtyard area would also be crushed stone. The size of the parking area and courtyard appear to be rather large and the materials are considered to further impact on the developed appearance of the site. The existing row of tall conifers that delineates the eastern boundary of the site would be retained. The existing frontage hedge would also be retained. The line of poplars along the western boundary provide a reasonable degree of seasonal screening. The development would result in the loss of some trees, leaving only the line of aging thin Lombardy Poplars that mark the western boundary, which are an identifiable landscape feature in the larger landscape, and help screen the site, but have a limited safe useful life. Nonetheless the change in the character and nature of the site will be more marked by the absence of trees and other vegetation. Given the size of the site is it considered that there could be more areas of soft landscaping without harming the running of a business on the site and as such it is considered that a landscaping scheme be conditioned.

4.26 The plans indicate an excessive amount of external lighting and flood lighting and as such there are concerns that they would cause harm to the visual amenity and open rural character of the greenbelt. As such it is recommended that a condition requesting further details of the lighting should be submitted, the lighting details should also include a reduction in the lighting.

4.27 In addition no details regarding the height and design of the fencing especially along the boundary have been submitted, it is considered that these can be requested through a condition.

4.28 Due to a combination of these factors, it is considered that the new development subject to appropriate conditions would have an acceptable appearance in the landscape and would not be unduly harmful to the rural appearance of the area.

TRAFFIC, HIGHWAY AND ACCESS ISSUES

4.29 The site would be served by a single point of access from York Road, located to the north east corner of the site. A total of 29 marked parking spaces would be provided for staff and visitors, including one disabled parking bay. There will be 23 staff employed at the proposed development, 19 will be on site at any one time. Minster Vets expects three cases per day per each site based vet (15 cases in total). These cases would be expected between 08.30 and 17.00 hours Monday to Saturday.

4.30 In terms of the effect on the local road network, it is likely that the majority of traffic will join the A64 and will be readily absorbed into existing traffic flows without causing additional congestion. It is considered that adequate sight lines can be provided at the new access to the site.

SUSTAINABILITY

4.31 The Sustainability Officer has confirmed that the proposal addresses the criteria contained within Policy GP4a of the Draft Local Plan, and the application contains a commitment to achieve an overall BREEAM (bespoke) rating of at least "very good". A development of this size is required to provide 10 per cent of its regulated energy demand from renewable energy sources. Through the Energy category of the BREEAM Pre-Assessment the applicant has indicated they will be considering low and zero carbon technologies in the development. To comply with this minimum standard would require a firmer commitment to achieving 10 per cent or greater renewable energy provision, this could be sought through a condition.

4.32 By virtue of the nature of the proposal, it is unlikely that clients would use public transport to travel to the equine hospital and the majority of journeys are likely to be by private car and horse box or lorry. There are likely to be some benefits arising from co-locating the facility within the Askham Bryan College campus, in that students would be able to make use of training on-site rather than having to travel to other locations in order to gain practical experience.

DRAINAGE

4.33 Objections have been put forward from the Structures and Drainage team regarding the surface water drainage and the lack of information. In response further surface water drainage information has been submitted, at the time of writing the report no feedback had been received from the

Structures and Drainage team. The comments will be reported at the committee meeting.

5.0 CONCLUSION

5.1 The application relates to the erection of an equine hospital and training facility. The site is within the boundary of a "major developed site in the Green Belt" as defined by the City of York Development Control Local Plan. However, due to the scale of the proposed development, it is not considered that the proposal meets the criteria set out in Policy GB10 relating to such areas. Thus the proposal is considered to constitute inappropriate development within the Green Belt. Central Government advice in PPG2 makes it clear that such development should not be approved, except in very special circumstances. On balance, it is considered that the establishment of a veterinary facility with improved facilities, together with the additional educational opportunities that would result from the collaboration with the college are positive factors that weigh in favour of the proposal. In design and visual terms the proposal compares favourably with the extant permission.

5.2 A facility of this type and size, by its very nature, will be situated in an open area and in York this will almost inevitably be on Green Belt land. Together with the limited visual impact of the proposal due to the existing and proposed screening arrangements and the particular site characteristics would minimise the harm to the Green Belt. As such, it is considered that cumulatively they are capable of amounting to very special circumstances sufficient to outweigh the limited harm that would be caused to the Green Belt.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Drawing Number BS 1995 - 1000 Revision B received 25 July 2011
Drawing Number BS 1995 - 1001 Revision A received 26 July 2011
Drawing Number BS 1995 - 1002 Revision A received 25 July 2011
Drawing Number BS 1995 - 1003 Revision B received 26 July 2011
Drawing Number BS 1995 - 1004 received 25 May 2011

Drawing Number BS 1995 - 1005 received 25 May 2011;

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

2 TIME2 Development start within three years

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

Reason: So as to achieve a visually cohesive appearance.

4 The development hereby approved shall be constructed to a minimum of BREEAM standard of 'very good'. No building work shall take place until a BREEAM Pre-Assessment Estimator (Design and Procurement Stage) is submitted to the Local Planning Authority documenting a 'very good' rating. A formal Post Construction assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate shall be submitted to the Local Planning Authority prior to occupation of the building. Should the building fail to achieve a "very good" BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a "very good" rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

5 No building work shall take place until details have been submitted and approved in writing by the Local Planning Authority, to demonstrate how the development will provide from on-site renewable energy sources, 10 per cent of the developments predicted energy requirements. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development. The site thereafter must be maintained to the required level of generation.

Reason: To ensure that the proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

6 Notwithstanding the submitted plans and prior to the commencement of the development hereby permitted full details of the method and design of external illumination for the site including light spillage calculations shall be submitted to and approved in writing by the Local Planning Authority. A full Lighting Impact Assessment for all proposals involving floodlighting, shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Impact Assessment shall include the following:

- A description of the proposed lighting: number of lighting columns and their height, and proposed lighting units.
- Drawings showing the illuminance levels (separate drawings for each item listed):
- A statement of the need for floodlighting.
- A contour map with illumination levels of the area to be lit and the spill beyond the lit area given in lux in the horizontal plane;
- The angle of the lights and details of the beam - whether asymmetric or otherwise

Reason: In order to protect the amenities of neighbours and the character and appearance of the area from excessive illumination.

7 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 development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

- 8 HWAY11 Initial 10m of access surfaced
- 9 HWAY14 Access to be approved, details reqd
- 10 HWAY18 Cycle parking details to be agreed
- 11 HWAY19 Car and cycle parking laid out
- 12 LAND1 IN New Landscape details

13 The existing hedge along the northern boundary of the site shall not, except with the prior approval of the Local Planning Authority (via an application for planning permission), be removed nor reduced in minimum height below 2 metres above ground level other than to construct the approved access to the site, and shall be adequately protected from harm throughout the construction phase of the development.

Reason: In the interests of amenity and the maintenance of landscaping measures on the site.

14 ARCH2 Watching brief required

15 The bedsits forming part of the development hereby approved shall be occupied solely on a temporary basis as overnight accommodation by employees of the veterinary hospital; the bedsits shall not be occupied on a permanent basis as a main residence.

Reason: In order to prevent the permanent and unrestricted occupation of the accommodation in an area where it would normally be strictly controlled.

16 There shall be no conversion of rooms to bedsits or flats except with the prior approval of the Local Planning Authority (via an application for planning permission).

Reason: In order to prevent the permanent and unrestricted occupation of the accommodation in an area where it would normally be strictly controlled.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the openness of the Green Belt, design and landscape considerations, and highway issues. It is considered that very special circumstances, namely the establishment of a veterinary facility with improved facilities, together with the additional educational opportunities that would result from the

collaboration with the college, together with the limited visual impact of the proposal due to the existing and proposed screening arrangements and the particular site characteristics would minimise the harm to the Green Belt. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, Policies GB1, GP1, GP9 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

2. DEMOLITION AND CONSTRUCTION - INFORMATIVE

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch 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.	

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) 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.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

3. ENVIRONMENT AGENCY INFORMATIVE

Due to clinical waste being produced on site, the premises may need to

register as a Hazardous Waste Produced to comply under the Hazardous Waste Regulations 2005. If you produce or hold hazardous waste at any premises in England and Wales you must register it each year, unless the total quantity is less than 500kg each year. It is an offence to produce hazardous waste (waste which is dangerous to people, the environment or animals) at premises, or remove that waste from premises, unless those premises are either registered with us or exempt.

For further advice, please refer to our website: <http://www.environment-agency.gov.uk/business/topics/waste/32198.aspx> or telephone 08708 502 858.

4. HIGHWAYS 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:

Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

Contact details:

Author: Victoria Bell Development Management Officer

Tel No: 01904 551347

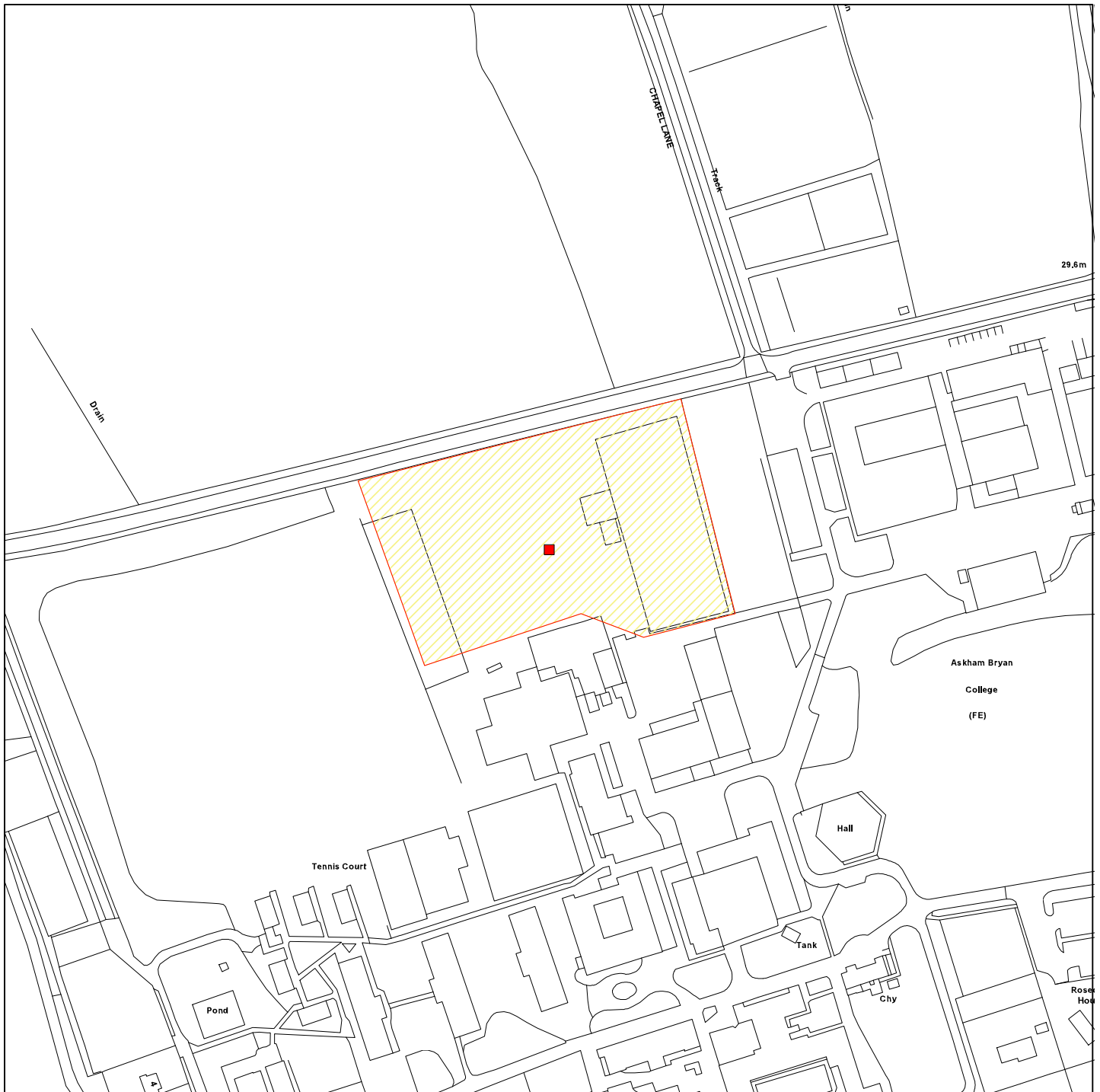
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11/01155/FULM

Askham Bryan College



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Organisation	City of York Council
Department	City Strategy
Comments	Not Set
Date	05 August 2011
SLA Number	Not Set

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COMMITTEE REPORT

Date: 18 August 2011 **Ward:** Rural West York
Team: Householder and **Parish:** Upper Poppleton Parish
 Small Scale Team Council

Reference: 11/01044/FUL
Application at: Nairobi Stables Boroughbridge Road York YO26 6AP
For: Erection of 5.5m diameter wind turbine on 9m tower and
 erection of detached garage
By: Mr R Wood
Application Type: Full Application
Target Date: 29 July 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks permission for the erection of a 9m wind turbine with 5.5m diameter wind turbine and the erection of a detached garage to house equipment and for the storage of vehicles.

1.2 RELEVANT SITE HISTORY

09/00539/CLD - Certificate of lawfulness to the siting of a static caravan on the land for a period in excess of 10 years (resubmission) - Refused
 - From the supporting information, the Local Planning Authority does not consider that "on the balance of probability" sufficient precise and unambiguous evidence has been submitted to demonstrate that the site, to which this lawful development certificate application relates, has been used continuously for the siting of a caravan for a period of ten years.

08/01899/CLD - Certificate of lawfulness to the siting of a static caravan on the land for a period in excess of 10 years - Refused
 - From the supporting information, the Local Planning Authority does not consider that "on the balance of probability" sufficient precise and unambiguous evidence has been submitted to demonstrate that the site, to which this lawful development certificate application relates, has been used continuously for the siting of a caravan for a period of ten years.

08/00589/ADV - Display of 1 no. non-illuminated trailer advertisement - Refused

- The proposed trailer advertisement by virtue of its siting, scale, and design would be an unduly prominent, atypical and visual intrusive feature that would cause harm to the area and the open character of the greenbelt and would prejudice the setting and special character of the City of York and therefore is contrary to Policies GP1, SP3, GB1 and GP21 of the City of York Council Development Control Local Plan (2005); and national planning guidance Planning Policy Guidance 19 - Outdoor Advertisement Control.

- The proposed sign by virtue of its siting, scale and design would cause a distraction to vehicle users on the A 59 and therefore would have a detrimental impact on the safety of road users and therefore is contrary to national planning guidance Planning Policy Guidance 19 - Outdoor Advertisement Control.

05/02708/CLD - Use of former storage building as a single dwellinghouse
- Granted.

05/00383/CLD - Application for a Lawful Development Certificate for continued occupation of former storage building as a dwelling - Refused.
- In the opinion of the Local Planning Authority the evidence submitted does not, on a balance of probability, demonstrate continued occupation of the building in question, as a dwelling, for a period of four years prior to the 23 February 2005.

02/00299/FUL - Removal of condition 10 of planning permission 98/02845/FUL to allow angling and the construction of a car park and bund along the north west boundary of the site - Approved.

01/01882/FUL - Retention of embankment at existing fish breeding farm - Finally disposed of.

01/00421/FUL - Proposed extension of existing fish farm - Approved.

98/02845/FUL - Retention and conversion of existing buildings and change of use of paddock to form fish farm - Approved.

1.3 The application has been called in by Cllr Steward following on from the concerns expressed by the Parish Council.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

Floodzone 2 GMS Constraints: Floodzone 2

Floodzone 3 GMS Constraints: Floodzone 3

2.2 Policies:

CYSP2

The York Green Belt

CYSP3

Safeguarding the Historic Character and Setting of York

CYGP1

Design

CYGP5

Renewable energy

CYGB1

Development within the Green Belt

CYGB4

Extension to existing dwellings in GB

3.0 CONSULTATIONS

3.1 Internal

Environmental Protection Unit - Whilst considered unlikely to result in a loss of amenity to other residential properties additional information was required. This was submitted identifying noise levels. This information

indicated that at a wind speed of 8m/s a sound pressure level of 28dB(A) would result at the nearest dwelling, approximately 500m away. However, noise levels at a higher speed have not been submitted. A background noise level survey should have been undertaken.

Highway Network Management - No objections

Design, Conservation and Sustainable Development - It is not considered that the siting of a small turbine here would be a problem from a nature conservation point of view. There are few geese and ducks in this area, and there is also unlikely to be many bats, particularly as the hedgerows within this vicinity are all very low and are also fairly fragmented. Additionally, there are no known bat roosts within the immediate surrounding area. It is also considered unreasonable to request any further wildlife information as part of this application, based on this location, the type of turbine proposed and with this scale of development.

3.2 External

Upper Poppleton Parish Council - Object on the following grounds:
The top of the propeller will be 11.75m tall, considerably higher than any adjacent trees
It will be highly visible as the surrounding landscape is flat
An intrusive addition to the approach to the village

4.0 APPRAISAL

4.1 KEY ISSUES

1. Impact on the greenbelt
2. Impact on neighbouring property

ASSESSMENT

PLANNING POLICY

4.2.1 Planning Policy Statement 1 - 'Planning for Sustainable Development' aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue. Small scale renewable schemes should be encouraged by local authorities at the same time the quality of the natural and historic environment both rural and urban should be protected and enhanced

4.2.2 Planning Policy Guidance note 2 'Green Belts' sets out the purposes of including land within Green Belts and establishes specific categories of development that are appropriate within Green Belts. All other development is deemed inappropriate and therefore harmful to the Green Belt. For such development to be acceptable in Green Belts very special circumstances must be demonstrated to show that the harm is outweighed by other considerations. The boundaries of the Green Belt are detailed on the Proposals Map of the City of York Council Development Control Local Plan (CYCDCLP) and this site clearly falls within the Green Belt.

4.2.3 Planning Policy Statement 22: Renewable Energy advises that the development of renewable energy supplies will make a vital contribution to the Government's energy policy as set out in the Energy White Paper. It is considered that the increased development of renewable energy resources is vital to facilitate the delivery of the Government's commitments on both climate change and renewable energy. The Energy White paper indicates that local and regional bodies should be involved to deliver the Government's objectives, including establishing regional targets for renewable energy generation. This statement is supported by "Planning for Renewable Energy - A Companion Guide to PPS22".

4.2.4 The wider environmental and economic benefits of all proposals for renewable energy projects, whatever the scale, are a material consideration that should be given significant weight in determining whether proposals should be granted planning permission. LPAs should not make assumptions about the technical and commercial feasibility of renewable energy projects. Small-scale projects can provide a limited valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning Authorities should not therefore reject planning applications simply because the level of output is small. Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures

4.2.5 When located in the Green Belt elements of the many renewable energy projects will compromise inappropriate development, which may impact on the openness of the greenbelt. Careful consideration will therefore need to be given on the visual impact of projects and developers will need to demonstrate very special circumstances that clearly outweigh any harm by reason of inappropriateness and any other harm if projects

are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

4.2.6 Of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. However, in assessing planning applications, local authorities should recognise that the impact turbines have on the landscape will vary according to the size and number of the turbines and the type of landscape involved, and that these impacts may be temporary if conditions are attached to planning conditions which require the future de-commissioning of turbines.

4.2.7 LPAs should ensure that the renewable energy developments have been located and designed in such a way to minimise increase in ambient noise levels

4.2.8 Supplementary Planning Guidance - Poppleton Village Design Statement (2003) sets down a series of design guidelines for proposed development. To maintain the village's rural character/atmosphere, there should be green and open land between Poppleton and York. This is not only important for Poppleton but for York so that it remains a contained and attractive city rather than being surrounded by unsightly urban sprawl. Expansion of Poppleton outside the existing curtilage towards the Ring Road should be discouraged. Any new development on the village periphery should be in keeping with both the surrounding properties and the countryside and should give a high priority to landscape design, to protect and enhance the external views of the village.

4.2.9 Policy SP2 'The York Green Belt' in the City of York Council Development Control Local Plan (2005) states that the primary purpose of the York Green Belt is to safeguard the setting and historic character of the City of York.

4.2.10 Policy SP3 'Safeguarding the Historic Character and Setting of York' in the City of York Council Development Control Local Plan (2005) states that high priority will be given to the protection of the historic character and setting of York.

4.2.11 Policy GP1 'Design' of the City of York Council Development Control Local Plan includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly

affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.2.12 Policy GP4a 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development.

4.2.13 Policy GP5 'Renewable Energy' in the City of York Council Development Control Local Plan (2005) states that the development of renewable energy will make a vital contribution to the reduction of carbon dioxide emissions, facilitating the delivery of the Government's commitment on climate change. Proposal for the development of renewable energy facilities will therefore be encouraged providing there is no significant adverse effect on the existing landscape, air quality, biodiversity, water resources, agricultural land or sites of archaeological or historic importance.

4.2.14 Policy GB1 'Development in the Green Belt' of the CYCDCLP follows the advice contained in PPG2 in stating that permission for development will only be granted where: the scale, location and design would not detract from the open character of the Green Belt; it would not conflict with the purposes of including land within the Green Belt; and it would not prejudice the setting and special character of the City, and is for a type of development listed as appropriate development. All other forms of development are considered to be inappropriate and very special circumstances would be required to justify where the presumption against development should not apply.

4.2.15 Policy GB4 'Extensions to Existing Dwellings' states that the extension and alteration of dwellings in the green belt and open countryside will be permitted providing the proposal: would not cause undue visual intrusion; is appropriate in terms of design and materials and is small scale compared to the original dwelling.

PROPOSAL

4.3 The application site is located outside of the settlement limits of Poppleton and along the A59. At present the site comprises of a number

of fishing lakes, associated dwelling and cafe. The application seeks permission for a 9m tower with a 5.5m diameter turbine to be used to generate electricity for the dwelling with any surplus being used to serve the cafe. The tower would be constructed of galvanised steel with the blades being constructed of thermoplastic glass polypropylene composite. It would turn at 200rpm and a wind speed of 12m/s and would yield approximately 6,000 to 12,000kWh per year. However PPS22 states that LPA's should not make assumptions about the technical feasibility of renewable energy projects.

4.4 As part of the scheme a detached garage with car port is proposed. This would measure 9.9m by 7m deep with a pitched roof rising to 4m. It is proposed to house the equipment within part of the garage which converts the power from the turbine into usable electricity. The remainder of the building would be used for vehicles associated with the existing dwelling. The garage would be located approximately 100m back from the highway within the area immediately to the side of the existing dwelling. It would back onto the existing site bund and as such would not be readily visible from outside of the site.

IMPACT ON THE GREENBELT

4.4 The turbine would be located approximately 60m back from A59 and located on an existing bund which surrounds the site. The proposed wind turbine does not fit into any of the permitted uses set out in PPG2 or Policy GB1 and as such is considered to be inappropriate development. Very special circumstances are required to justify instances where this presumption against development should apply. The very special circumstances put forward by the agent amount to the fact that the site is not connected to the electricity grid. Therefore, at present the site gets its electricity by using generators. The generators are housed within an area to the side of the dwelling. They are considered to be inefficient, noisy, harmful to the environment and costly. The provision of energy provided by the turbine would result in a reduction in the number of generators currently running on site and the hours they would be run, depending on the energy produced.

4.5 The provision of renewable energy is considered to have significant weight by virtue of the encouragement of renewable energy by central government as set out in national planning policy. PPS 22 states that the wider environmental and economic benefits of all proposals for renewable energy projects, whatever the scale, are a material consideration that

should be given significant weight in determining whether proposals should be granted planning permission.

4.6 The turbine would be visible from outside of the site and by passing vehicles using the A59. However, it is set back from the highway verge and a certain degree of screening is provided. The turbine is for domestic purposes and therefore is relatively small scale and officers consider that its design limits its impact on the openness of the green belt. On balance, in this case the environmental benefits are considered to outweigh the harm to the greenbelt.

4.7 In connection with the proposed garage Policy GB4 states that extensions to dwellings should not result in undue visual intrusion, is appropriate in terms of design and materials and is small scale compared to the original building. A figure of 25% increase in footprint is given in the supporting text to the policy. The proposed garage would result in an increase of 49%. However, the garage is also used to house the equipment in association with the turbine and as such has a dual purpose and arguably therefore, there are very special circumstances which justify the larger size of the building which are connected to the provision of the turbine. In addition it would result in the removal of the generator from within the site which has the potential to be both visually harmful and noisy. The garage would be well screened and as such it is considered that it would not be visually intrusive or result in harm to the green belt.

IMPACT UPON AMENITY

4.8 The proposed turbine by virtue of its distance from the nearby dwelling (min. 500 metres) it is not considered to be unduly prominent or dominate the outlook from the nearby dwellings. With regard to noise it is considered that at low speeds the impact upon the amenity would be minimal. No information has been provided in connection with noise output at high speed. Environmental Protection Officers have requested a background noise level assessment to be carried out. However, officers consider that at these distances and with the volume of traffic using the A59, the impact upon amenity of the turbine on residential properties 500m away be negligible. Furthermore, there are two quite distinct types of noise source within a wind turbine. The mechanical noise produced by the gearbox, generator and other parts of the drive train; and the aerodynamic noise produced by the passage of the blades through the air. The proposed turbine has been developed without a gearbox with the express purpose of reducing noise output.

5.0 CONCLUSION

5.1 The proposed wind turbine is considered to be inappropriate development in the greenbelt. However the environmental benefits of the proposed scheme are considered to outweigh the harm to the greenbelt and as such the proposed wind turbine would comply with national guidance - Planning Policy Guidance 2 "Green Belts" and Planning Policy Statement 22 "Renewable Energy. In addition the proposed wind turbine is not considered to unduly harm the residential amenity of the occupants of the nearby dwellings. The size and location of the proposed garage / equipment store in connection with the turbine is also considered to represent appropriate development in the green belt. Approval subject to the following conditions is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing numbers 2010.013.25 No 100 Rev A received 17th May 2011

Drawing numbers 2010.013.25 No 101 Rev A received 17th May 2011

Drawing numbers 2010.013.25 No 201 Rev A received 21st July 2011

Drawing numbers 2010.013.25 No 202 Rev A received 17th May 2011

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

3 The colour and finish of the turbine should be submitted to and approved in writing to the Local Planning Authority.

Reason: To achieve a visually acceptable form of development.

4 The materials to be used externally in the construction of the garage shall match those of the existing buildings in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

5 Apart from the area to be used in connection with the provision of electricity conversion, the garage shall be used for purposes ancillary to the enjoyment of the dwelling house only and not for any commercial purposes.

Reason: Additional commercial development on the site would be contrary to green belt policy and constitute inappropriate development.

6 The existing generators shall be removed from the site within 1 month of the wind turbine hereby approved being brought into use. Equipment used in connection with the generation of electricity from the turbine hereby approved shall only be housed within the garage building hereby approved.

Reason. In the interests of ensuring that the development represents appropriate development in the Green Belt.

7.0 INFORMATIVES:

Notes to Applicant

1. In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the locality and the greenbelt. As such, the proposal complies with Policies GP1, GB1, GB4 and GP5 of the City of York Council Development Control Local Plan (2005); national planning guidance contained in Planning Policy Guidance 2 "Green Belts", Planning Policy Statement 22 "Renewable Energy" and "Planning for Renewable Energy - A Companion Guide to PPS22".

Contact details:

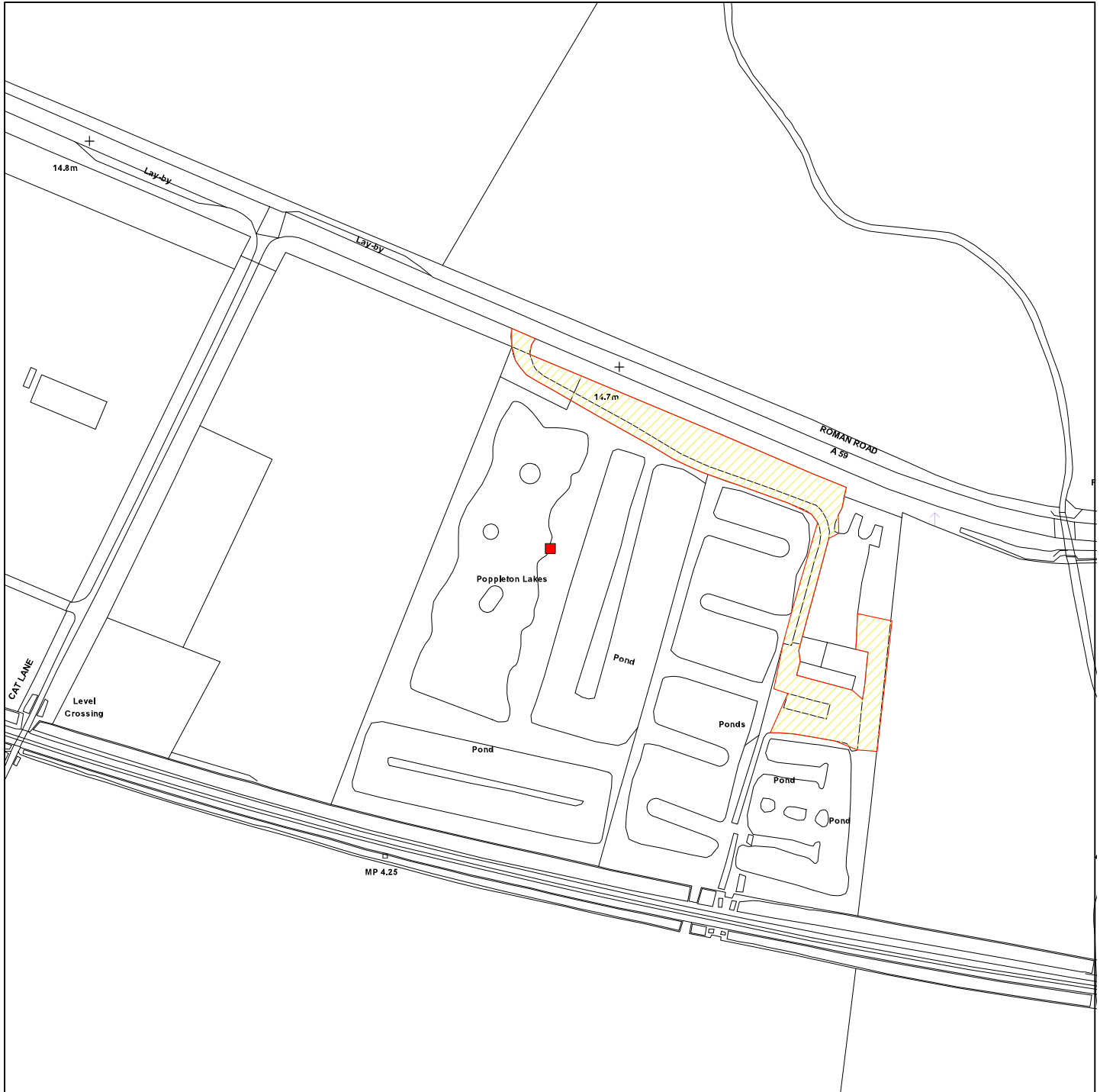
Author: Heather Fairy (Mon - Wed) Development Management Officer

Tel No: 01904 551352

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11/01044/FUL

Nairobi Stables, Boroughbridge Road



Scale : 1:2500

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Organisation	City of York Council
Department	City Strategy
Comments	Not Set
Date	05 August 2011
SLA Number	Not Set

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COMMITTEE REPORT

Date: 18 August 2011 **Ward:** Rural West York
Team: Householder and **Parish:** Askham Bryan Parish
Small Scale Team Council

Reference: 11/01622/FUL
Application at: 47 Askham Fields Lane Askham Bryan York YO23 3PS
For: Two storey side and single storey front and rear
extensions
By: Mr Ian Thornton
Application Type: Full Application
Target Date: 19 August 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks permission for the erection of a single storey rear extension, two storey side extension and a detached garage at 47 Askham Fields Lane, York.

1.2 The application has been brought to committee at the request of Cllr Steward on the grounds that development is too big and projects too far forward.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

CYGB4
Extension to existing dwellings in GB

3.0 CONSULTATIONS

3.1 External

Askham Bryan Parish Council - Object on the following grounds:

Scale is inappropriate

Mass and scale not in keeping with the existing property

Building to the front inappropriate

Side extension should not be deeper than the lounge

Plans indicate stairs leading to the first floor

Should not be painted

Neighbours - Two letters from 42 and 49 Askham Fields Lane objecting on the following grounds:

Front extension is out of keeping

Should be matching bricks not painted

Mass and scale not in keeping with the street

Kitchen wall built close to the boundary

4.0 APPRAISAL

4.1 Key Issues

- Design
- Impact upon neighbours amenity

4.2 The relevant City of York Council Draft Deposit Local Plan Policies are H7, GP1 and GB4. Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of the area and spaces

between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.3 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.4 Policy GB4 'Extensions to Existing Dwellings' states that the extension and alteration of dwellings in the green belt and open countryside will be permitted providing the proposal: would not cause undue visual intrusion; is appropriate in terms of design and materials and is small scale compared to the original dwelling.

LOCATION

4.5 The application site is a semi-detached house located along Askham Fields Lane. The site forms part of a short row of semi-detached properties located within the grounds of Askham Bryan Agricultural College. The properties differ in character and are not uniform in their design. The site is within a major development site (Askham Bryan College) as allocated in the draft local plan where limited infilling in connection with the educational use of the site is permitted providing the development has no greater impact on the purposes of including the land in the green belt than the existing development. This however refers to the educational use of the site as opposed to this extension to a residential house. Despite this allocation the site is still washed over green belt.

TWO STOREY SIDE EXTENSION

4.6 The scheme seeks permission for various additions. A two storey side extension is proposed. This would be set back from the front elevation of the dwelling by 200mm and dropped down in ridge. It would extend to the side by 4.6m and would have a depth of 10.2m, resulting in the extension projecting past the rear elevation of the host dwelling by 4.2m. The front

elevation would have simple window openings to match the existing. To the rear a balcony is proposed to the first floor.

4.7 It is considered that in terms of design this element is acceptable. Whilst the set back is less than usually allowed there would be no issues of terracing arising as the dwelling sits at the end of the road and has a substantial side garden bounded by mature conifer trees. Whilst the rearward projection is large it would not have any detrimental impact upon the adjoining neighbour due to its distance of 7.7m to the shared boundary. Furthermore, the site lies to the north of the adjoining neighbour and as such there would not be any loss of light. A privacy screen is proposed to the side elevation of the balcony to prevent views to the neighbouring garden.

REAR EXTENSION

4.8 Also proposed is a single storey rear extension. This would project out by 5.7m and have a width of 5.5m. It would be constructed with a gable end with the roof pitching in from the boundary. The adjoining neighbour has a conservatory which runs along the shared boundary and has high level glazing facing onto the application site. The erection of the extension would result in the loss of light to these windows but as this is 'borrowed' light it would not constitute a reason for refusal. Furthermore, light can enter through 9th polycarbonate roof. The extension would finish in line with the rear elevation of the conservatory and as such would not be readily visible from inside the ground floor of the neighbouring property.

FRONT EXTENSION

4.9 Also proposed to the front elevation are two bay windows and a porch which are connected by a continuous canopy. The bay windows would project out by 800mm and have a width of 2.1m with the porch projecting out by 1.3m. Whilst front extension are not usually encouraged these works do not appear to have any detrimental impact upon the streetscene. The adjoining neighbour has installed projecting bay windows and a canopy to the entrance way and whilst these do not extend to the ground or project out as far as the proposed they break up the uniformity of the front elevation and allow the proposed works to become more in keeping.

GARAGE

4.10 As part of the scheme a large detached garage is also proposed. This would be located to the north eastern corner of the site,

approximately 11m from the shared boundary. It would provide a double garage at ground floor, which would be accessed off the existing rear lane, and storage within the roof space. It would measure approximately 6.7m by 6.7m with an eaves of 3m and a ridge height of 5.6m. Whilst this is a large structure it would be located away from the neighbouring property and would back onto mature conifer trees and waste ground owned by the college. It lies to the north of the adjoined neighbour and as such has no impact in terms of loss of light or overdominance.

GREEN BELT POLICY

4.11 As stated the site lies within the green belt, although within the major development site of the college. Green belt policy states that extensions should be small scale and should not cause undue visual intrusion . A figure of 25% increase in footprint is suggested. The proposed extension to the dwelling calculates at 150% increase and when the garage is added approximately 230%. This is clearly contrary to policy. However, a number of the properties in the row have had previous large extensions.

4.12 The main ones relate to 38 Askham Fields Lane for a single storey side extension with an increase footprint of 90%, 46 Askham Fields Lane for a two storey side and rear extension with a 104% increased footprint, 49 Askham Fields Lane for a two storey rear, single storey side and conservatory to the rear with an increased footprint of 125% and 36 Askham Fields Lane with a two storey side extension calculating at 170% increase.

4.13 Due to the presence of these large scale extensions, such developments have become somewhat characteristic of this lane. Whilst the development proposed is clearly contrary to established green belt policy, in this particular instance officers consider that a precedent has been set here for allowing large scale extensions and, on balance, officers consider that as such it would now be more difficult to refuse this application on the grounds of inappropriate development in the green belt and the resultant harm to the openness of the green belt.

5.0 CONCLUSION

5.1 It is considered that although the extension is large it would not detract from the streetscene. The two storey element is subservient when viewed from the front and would not have any detrimental impact upon neighbours amenity or the character of the area. Whilst front extensions are not usually encouraged these are considered to be small scale and in

keeping with the works which have previously been carried out to the adjoined neighbour. The rear extension aligns with the neighbouring conservatory and lies to the north and as such would not have any detrimental impact in terms of loss of amenity. Whilst the garage is large it does not detract from the character of the area or result in a loss of amenity for the neighbours. The presence of other large scale extensions along this lane further mitigates what would otherwise be inappropriate development in the green belt. Officers recommend approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing numbers TAFL/1/02 and TAFL/1/03 received 23rd June 2011

Drawing numbers TAFL/1/04A received 12th July 2011

Drawing numbers TAFL/1/05A, TAFL/1/06B and TAFL/1/08A received 4th August 2011

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

3 VISQ1 Matching materials

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the streetscene, residential amenity or the openness of the green belt. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, H7 and GB4 of the City of York Development Control Local Plan and Government policy contained within Planning Policy

Guidance note 2 'Green Belts'.

Contact details:

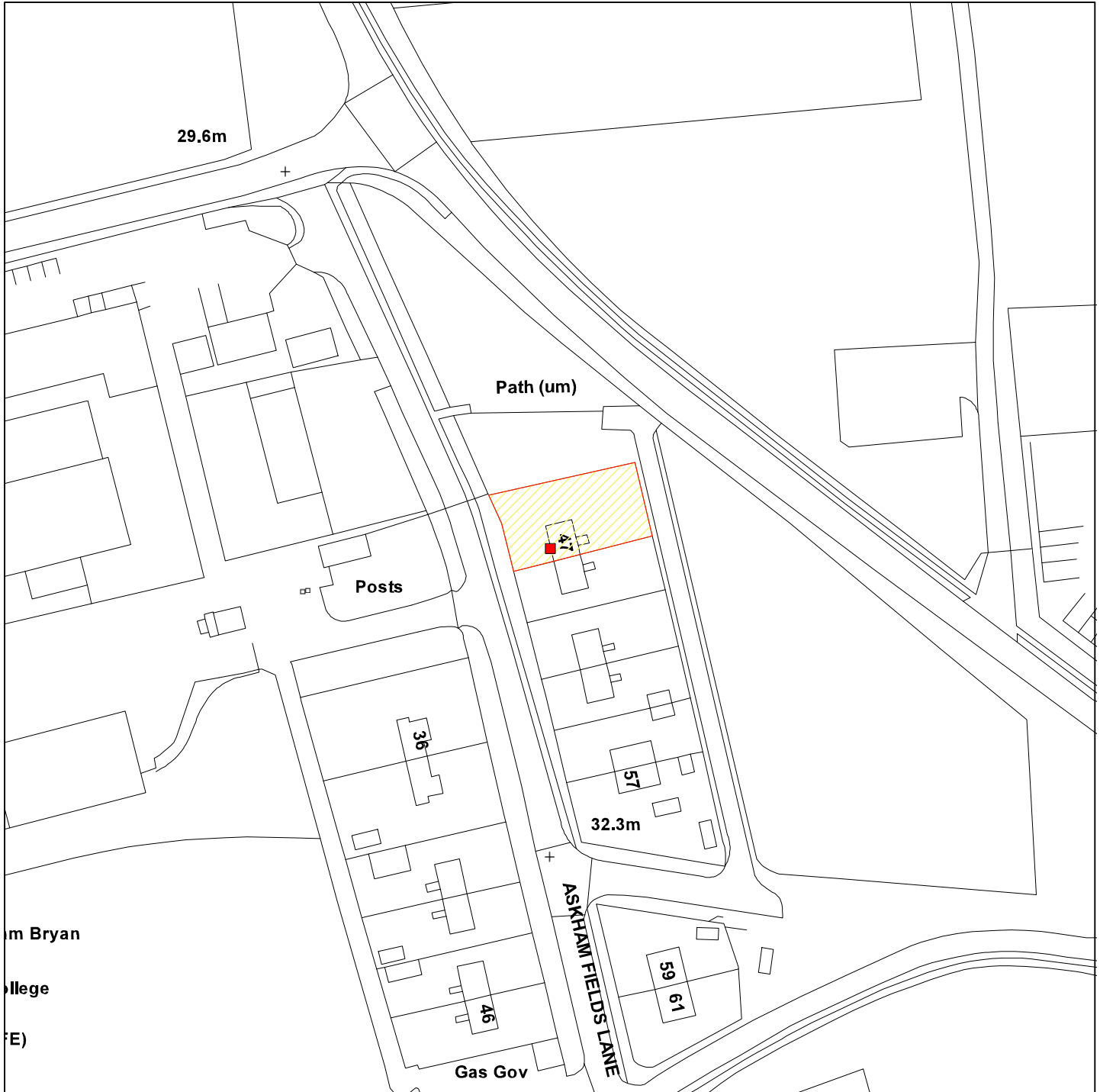
Author: Heather Fairy (Mon - Wed) Development Management Officer

Tel No: 01904 551352

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11/01622/FUL

47 Askham Fields Lane, YO23 3PS



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Organisation	City of York Council
Department	City Strategy
Comments	Not Set
Date	05 August 2011
SLA Number	Not Set

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COMMITTEE REPORT

Date: 18 August 2011 **Ward:** Dringhouses And
Woodthorpe
Team: Major and **Parish:** Dringhouses/Woodthorpe
Commercial Team Planning Panel

Reference: 11/01398/FUL
Application at: Doctors Surgery 40 Moorcroft Road York YO24 2RQ
For: Four no. cooling units to side elevation (Retrospective)
By: The Partners York Medical Group
Application Type: Full Application
Target Date: 26 August 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks retrospective planning permission for the installation of four air conditioning units to the side elevation of the doctors surgery.

1.2 Planning permission was granted in March 2010 for the erection of a replacement doctors surgery. No air conditioning units were identified on the plans but have since been installed.

1.3 The application has been called to committee by Cllr Anna Semlyen on the grounds that the units compromise the space between the surgery and the neighbouring residential property.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP18

External attachments to buildings

3.0 CONSULTATIONS

3.1 Internal

Environmental Protection Unit - No objections to the application. The noise was assessed on the site visit with the units running at full power. It is considered that there would not be a loss of amenity during daylight hours but that the units should not be used during the night time. As such a restrictive operating hours should be conditioned.

Highway Network Management - No implications

3.2 External

Cllr A Semlyen - Objects to the development. Neighbouring residents have complained that:

The application is retrospective.

There is no adequate drainage for the condensing water which will run off to the neighbours wall.

Loss of amenity due to noise.

Units are inconsistent with the character of the properties close by.

Units are in the 1 metre space between the surgery and house despite CYC having made space a condition of the development.

Units not in original planning brief

Dringhouses/Woodthorpe Planning Panel - No objections

Neighbours - Letters of objection from 36 and 38 Moorcroft Road and 108 Bramble Dene on the following grounds:

Units are easily visible from the street.

Make the development inconsistent with the residential character of the properties close by.

Should be screened from the street.

Should not be placed near residential properties.

Units are placed within the 1m gap between the surgery and neighbouring dwelling, despite the CYC making the gap a condition.

Units drain onto the path below and onto the foot of the house wall.

Possible noise issues.

Units should be relocated.

Restrictive hours of use condition should be attached if permission is granted.

4.0 APPRAISAL

4.1 Key Issues

- Impact upon neighbours amenity

4.2 The relevant City of York Council Draft Deposit local Plan Policy is GP18 'External Attachment to Buildings'. This states that where planning permission or listed building consent is required for external attachments to buildings, such as security alarms, CCTV cameras, light fittings and roller blinds, permission will be granted where their design, location, materials and colour do not significantly detract from the visual appearance of the building or the visual amenity of the area, or the character and appearance of conservation areas.

PROPOSAL

4.3 The application site consists of the recently constructed doctors surgery at 40 Moorcroft Road. During the construction of the surgery four air conditioning units have been erected to the side elevation of the surgery without the benefit of planning permission. This application seeks to regularise this situation. The units are located to the southern elevation of the surgery, within a 1 metre wide space between the surgery and the neighbouring residential property at 38 Moorcroft Road. The units are located approximately 2.3m back from the front elevation and are positioned to provide air conditioning for the ground floor and first floor. The units fill approximately half of the width of the passageway at a height of approximately 2.2m.

NOISE

4.4 Concerns have been raised that the units would result in an unacceptable amount of noise being generated resulting in a loss of amenity to the neighbouring residential property. Environmental Health Officers visited the site and witnessed the units running on full power. It was considered that there would not be a loss of amenity during the

daytime but that there may be some loss of amenity during the evening. Conditions are therefore proposed to allow the running of the units during daytime hours only.

VISUAL IMPACT

4.5 The units are located within a narrow gap between the surgery and the neighbouring residential property. As such they are not considered to be prominent and can only be seen when stood directly to the front of the passage way. The units do narrow the passage way at this point but due to the fact that they are set back from the front elevation the sense of space around and between the property has not been compromised and does not result in an unacceptable degree of separation between the properties.

RELOCATION OF UNITS

4.6 The application for the units is retrospective and the applicant wishes for the scheme to be considered as submitted. It would be difficult to relocate the units to a different elevation due to the level of interconnection between the external units and the internal ones. In addition if they were to be relocated they would still lie in close proximity to residential properties and would be more visually prominent. If maintenance is required to the neighbouring properties elevation the external housing can be temporarily removed to give access.

DRAINAGE

4.7 Concerns have been expressed that the units would drip water into the passageway between the properties. Air conditioning units do condense a small level of liquid from the circulated air and this is discharged through an external drainage pipe and onto the ground. However, the amount of water expelled would not be to a level that would damage the neighbouring property or its foundations.

5.0 CONCLUSION

5.1 It is considered that the proposed air conditioning units are acceptable. There would not be any unacceptable loss of amenity due to the level of noise generated and the visual impact is minimal. Officers recommend approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Drawing number WOODTHORPE PP 03 Rev A received 4th August 2011

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

2 The hereby approved air conditioning units shall only be operated between the hours of 08:00 to 18:00 Monday to Sunday and at no other time

Reason: In the interests of the amenities of nearby residential properties

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the character of the area or neighbouring residential amenity. As such the proposal complies with Policy GP18 of the City of York Development Control Local Plan.

Contact details:

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11/01398/FUL

40 Moorcroft Road, YO24 2RQ



GIS by ESRI (UK)



Scale : 1:1250

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Comments	Not Set
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