

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 through the village may ignore the signage using the main college entrance. Traffic more likely to use ring road than access through 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