

Decision details

To conduct the consultation process required under Section 122 of the Local Government Act 1972 for the appropriation of open space to be used as highway on Wigginton Road, at the access to the Cocoa Gardens development

- [Find out more about this issue](#)

Decision Maker: Director of City Development

Decision status: Decision Made

Is Key decision?: No

Is subject to call in?: No

Decision:

As part of the planning permission granted in 2022 (planning reference 21/01371/FULM) for the development of the Cocoa Gardens housing site, the developers have undertaken to provide an improved junction design for their access off Wigginton Road, suitable pedestrian and cycle access between their site and Wigginton Road, and improved bus stop facilities in the vicinity of the site. The delivery of these improvements requires the appropriation of some open space land (see plan provided in Annex 1), which is owned by the Council and forms part of Bootham Stray. The land disposed of would become adopted highway (and remain in the ownership of the Council).

The process to enable the disposal of open space land is set out in Sections 122 and 123 of the Local Government Act 1972. It requires the Council to advertise the proposed disposal in a newspaper for two consecutive weeks and consider objections received before making a decision on the proposed disposal.



This officer decision enables the notices to be published, starting the required consultation process.

Feedback and objections received will then be reported to the Executive/Executive Member for a decision on the proposed disposal to be made at a public decision session.

Options Considered:

- Progress the consultation process to receive feedback on the proposed open space disposal – recommended
- Not to progress the consultation process and refuse to consider the disposal, preventing the developers from constructing the junction, paths, and bus stop improvements which are required as part of their planning consent – not recommended

Options Rejected:

Not to progress the consultation process and refuse to consider the disposal

Publication date: 13/10/2025

Date of decision: 13/10/2025

Accompanying Documents:

- [Annex 1 - Plan of Proposed land disposal.pdf](#) PDF 866 KB

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