

**Date:** 8 February 2024      **Ward:** Holgate  
**Team:** West Area      **Parish:** Holgate Planning Panel

**Reference:** 23/01494/REMM  
**Application at:** York Central, Leeman Road, York  
**For:** Reserved matters application for layout, scale, appearance, landscaping and access for the creation of a new public realm with associated infrastructure and landscaping and alterations to the existing road network pursuant to outline planning permission 18/01884/OUTM  
**By:** Homes England and Network Rail Infrastructure Limited  
**Application Type:** Major Reserved Matters Application  
**Target Date:** 21 November 2023 (Extension of Time: 12 February 2024)  
**Recommendation:** Approve subject to conditions

## 1.0 PROPOSAL

- 1.1 Reserved matters consent is sought for the layout, scale, appearance, landscaping and access for the creation of a new area of public realm serving both York Central and the wider City. The space largely sits to the front of the National Railway Museum and is within close proximity to Marble Arch/Leeman Road tunnel and the rear entrance of York Station. The Square would provide a predominantly hard surfaced space with some soft landscaping throughout to define the boundaries and provide some shading. The space would include provision for pedestrian and cycle access through and would provide cycle parking spaces. The space would also include provision of seating, lighting and wayfinding and opportunities for public art. An area dedicated to outdoor seating serving the proposed café at the National Railway Museum is also provided.
- 1.2 The proposals incorporate minor changes to the previously approved highway layout and crossing points adjoining the site and would remove previously consented coach drop off bays. The space would include a series of controlled bollards which would allow limited access for emergency services and vehicles servicing and delivering to the National Railway Museum and Network Rail. There would be no other access for vehicles through the site and no provision for car parking.
- 1.3 This application is the third reserved matters application for the development of York Central which follows outline approval 18/01884/OUTM for a major mixed use development.

- 1.4 Since the application was submitted in August 2023 there have been a number of amendments made to the scheme in response to comments received from interested parties and consultees. The amendments include a more generous paved area adjacent to the southern toucan crossing to ease pedestrian movement, revisions to the cycle lane adjacent to Plot F01a, relocation of the northern crossing closer to the Mineral Office Building which allows more pedestrian space, changes to the paving material and surface finish at the transition from pedestrian paving to cycle lane surfacing within shared space, re-positioning of Hostile Vehicle Movement bollards and introduction of raised planters and seating as HVM to reduce bollards, additional cycle hoops adjacent the toucan crossing and adjacent the Mineral Office Building, with provision for adapted/cargo bikes, additional planting and seating adjacent the National Railway Museum exit and introduction of a panel of smaller Yorkstone setts to the northern side of the Mineral Office building.

## **APPLICATION SITE**

- 1.5 The application site currently forms the forecourt to the front entrance of the National Railway Museum (NRM) and provides part of the staff and disabled visitor car parking. The site is largely tarmac/hard surfaced areas in differing materials.
- 1.6 The site then expands beyond the existing forecourt to take in the National Railway Museum's forecourt/service yard on the northern side of Leeman Road adjacent to the Great Hall and part of Leeman Road which is to be stopped up. It then extends up to the Hydraulic Power House and the approved but yet to be constructed Central Hall on the northern side and grade II listed former Goods Station (Station Hall) on the western side, the new cycle/footway referred to as Hudson Boulevard and yet to be developed Plot F01A on the south western side and the new road referred to as Cinder Street on the south and eastern sides. The public realm would wrap around the National Railway Museum's grade II listed Bullnose Building also referred to as the Mineral Office, Weighbridge, Gate Piers and Gates to the former York Goods Station which will remain in situ.
- 1.7 The application site falls within the area identified in the outline approval (18/01884/OUTM) as being a predominantly hard surfaced open space as identified on approved Parameter Plan YC-PP-012. The site falls within an area of the site referred to as Museum Gateway (the north half of New Square) as set out in the York Central Approved Parameter Plans and Design Guide submitted as part of the outline approval. The southern half of New Square which is currently the former Coal Drops would be developed as a separate reserved matters consent.

- 1.8 The site falls outside of the Conservation Area with the Central Historic Core Conservation Area Character Area 22 (Railway) being located to the east and encompassing York Railway Station and part of the city walls, which are also a scheduled monument. The site is identified as an Area of Archaeological Importance.

## **BACKGROUND AND RELEVANT PLANNING HISTORY**

- 1.9 The site forms part of York Central which is allocated under Policy SS4 of the Draft Local Plan for a mixed use development.
- 1.10 In 2019 outline planning approval (18/01884/OUTM) was granted with all matters reserved for redevelopment of the site to provide a mixed-use development of up to 379,729 m<sup>2</sup> of floorspace Gross External Area (GEA) primarily comprising up to 2,500 homes (Class C3), between 70,000 m<sup>2</sup> and 87,693 m<sup>2</sup> of office use (Class B1a), up to 11,991 m<sup>2</sup> GEA of retail and leisure uses (Classes A1-A5 or D2), hotel with up to 400 bedrooms (Class C1), up to 12,120 m<sup>2</sup> GEA of non-residential institutions (Class D1) for expansion of the National Railway Museum, multi-storey car parks and provision of community uses all with associated works including new open space, ancillary car parking, demolition of and alterations to existing buildings and associated vehicular, rail, cycle and pedestrian access improvements.
- 1.11 The outline approval was accompanied by an Environmental Statement as it comprised development falling under the Environmental Impact Assessment Regulations and was subject to 83 conditions together with a Section 106 agreement. A number of the outline conditions require information to be submitted as part of each reserved matters application or for matters to be discharged prior to commencement and these conditions have to be complied with as part of any reserved matters application which comes forward.
- 1.12 The first reserved matters application referenced 20/00710/REMM was granted in November 2020. The application sought consent for layout, scale, appearance, landscaping and access for the construction of the primary vehicle, pedestrian and cycle routes and included associated landscaping and alterations to the existing road network. The infrastructure works approved included the construction of Cinder Street, a new primary road which runs from Leeman Road tunnel to the south-west of The Square and Hudson Boulevard, a new pedestrian and cycleway which sits to the west of The Square. It also enabled the provision of shuttle working through Leeman Road tunnel as this reduces to one lane for traffic with a dedicated two-way cycle lane. Two coach parking bays were proposed to serve the National Railway Museum visitor coaches which were located immediately adjacent to The Square. Two signalised crossing points were also approved, one situated close to the listed

gateposts and one to the southern side of The Square to provide future connection through to The Station rear entrance. The approved infrastructure works are currently under construction.

- 1.13 The second reserved matters application 21/02793/REMM was granted in August 2022 for layout, scale, appearance, landscaping and access for the construction of Central Hall (F1 use class) at the National Railway Museum. The proposals included an entrance hall, exhibition space and café with associated access, parking, landscaping and external works including surface water attenuation tanks below The Square, following the demolition of the mess room and other structures. These proposals sit to the north/north-east of The Square and enabling works relating to this consent are currently being undertaken.
- 1.14 The fourth reserved matters application 23/02255/REMM for layout, scale, appearance, landscaping and access relating to Plot F01a for the erection of a six storey (plus basement) office building with self-contained retail and ancillary uses at ground floor, associated car and cycle parking, servicing and access, public realm and other associated infrastructure has recently been submitted in December 2023 and is pending consideration. This plot sits to the south-west of The Square.
- 1.15 There have been a series of discharge of conditions approved or pending decision relating to the above approved reserved matters applications.
- 1.16 Also of relevance to the proposals is a listed building consent for demolition of part of the boundary wall attached to the grade II listed gateposts which sits within the application site which was granted consent in October 2023 under reference 23/01652/LBC. The boundary wall has now been demolished.
- 1.17 It is also worth noting, application 22/02625/FUL at the Peter Allan Building (fronting Station Hall) and to the west of the site which approved a new door opening, scissor platform and 1.4m high timber enclosure around a proposed bin store, louvre panels to windows and relocation of condenser units after removal of ramp, platform and fire escape stairs. These works directly front onto The Square.
- 1.18 In addition of note is application 23/00713/FUL at the National Railway Museum which granted consent for the reconfiguration and surfacing of the car park at North Yard with access from Leeman Road with erection of cycle shelters, road train shed and associated landscaping works. This consent included provision for coach drop off and turning.

1.19 As part of the Highway process, a stopping up order was granted on 6 October 2021 to enable closure of part of Leeman Road to facilitate the construction of Central Hall. Alongside this as part of their Highway functions, the Council entered into a Walkway Agreement with the National Railway Museum which approves a walkway route which runs through The Square and Central Hall until it re-joins Leeman Road. A section of the stopped-up road forms part of this application site.

## 2.0 POLICY CONTEXT

### 2.1 National Planning Policy

The revised National Planning Policy Framework (NPPF) was published in December 2023 and its planning policies are material to the determination of planning applications. Key chapters of the NPPF relevant are:

Achieving sustainable development (chapter 2)

Decision-making (chapter 4)

Promoting healthy and safe communities (chapter 8)

Promoting sustainable transport (chapter 9)

Achieving well designed and beautiful places (chapter 12)

Conserving and enhancing the natural environment (chapter 15)

Conserving and enhancing the historic environment (chapter 16)

### 2.2 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

2.3 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. Following examination it is expected the plan will be adopted in 2024. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.4 The key policies relevant to the proposals are:

D1 – Placemaking

D2 – Landscape and Setting

D4 – Conservation Areas

D5 – Listed Buildings

D7 – The Significance of Non-designated Heritage Assets

GI2 - Biodiversity

GI4 – Trees and Hedgerows

ENV1 – Air Quality

ENV2 – Managing Environmental Quality

ENV3 – Land Contamination  
ENV5 – Sustainable Drainage  
T1 – Sustainable Access

- 2.5 The following policies are also relevant to the planning application. They have outstanding objections, which will be considered through the Local Plan Examination process, but are consistent with national policy and can therefore be given limited weight.

SS4 - York Central

### **3.0 CONSULTATIONS**

#### **INTERNAL**

#### **STRATEGIC PLANNING POLICY**

##### **3.1 6 September 2023**

Advise that policies D1, D2, D4, D5 and D7 of the emerging Local Plan (inclusive of proposed modifications) can be afforded moderate weight in the determination. Policy SS4 sets out the criteria within which new high quality public realm should be delivered and can be afforded limited weight due to the level of unresolved objection.

#### **HIGHWAYS DEVELOPMENT CONTROL (HDC)**

##### **3.2 29 August 2023**

- a) Further information required on the extent of Leeman Road stopping up and adopted highway.
- b) Queries on location and management of bollards and hostile vehicle management measures, vehicular access off Cinder Street and emergency access and location of cycle parking.
- c) Concerns with the design of proposed traffic signals to address the interaction between NRM access(es), two way cycle track, pedestrian crossing and Cinder Street shuttle working at the pedestrian crossing south of the Mineral Office Building and the crossing east of Plot F01A.
- d) Concerns with no difference in level between the pedestrian area between the pedestrian crossing outside of Plot F01A and Hudson Boulevard or north of Hudson Boulevard. No proposed formal crossing point for pedestrians across the cycle route does not comply with LTN 1.20.
- e) Concerns that cycle route alongside Cinder Street needs to provide segregation between the cycle route and pedestrian area.
- f) Request that the temporary design and materials and signage strategy be conditioned.

### 3.3 **2 October 2023**

Still concerns on extent of areas for highway adoption, approach to and location of hostile vehicle mitigation measures, access points for vehicles, traffic signal design for access points, cyclists crossing points and cycle route design and materials. Need to condition cycle rack detail as not considered street furniture. Need clarity on temporary versus final arrangements.

### 3.4 **10 January 2024**

Still some areas of concern as follows:

- a) Extent of adopted highway required on an updated plan to enable assessment of highway rights for all users.
- b) Further details of traffic controls for the areas between bollards and Cinder Street.
- c) Concerns regarding removal of signal control for road train access on other side of Cinder Street could block the outbound carriageway.
- d) Concerns regarding Cinder Street signalised crossing south.
- e) Concerns regarding approach to segregation between cyclists and pedestrians on Cinder Street.
- f) Priority crossing requested for pedestrians to cross the cycle route between Cinder Street and Hudson Boulevard.
- g) Directional paving required to guide pedestrians.
- h) Comments on design of HVM including height and spacing.
- i) Need to identify vehicle routes into shared space.
- j) Location of street lighting apparatus to be confirmed.
- k) Cycle parking provision still seems very limited.
- l) Delineation of public highway pedestrian route through The Square needs to be delineated.

### 3.5 **26 January 2024**

Still some highway concerns regarding the extent of the adopted highway, the northern and southern pedestrian crossing, pedestrian crossing at the cycle lane, detail of cycle facilities, dropped crossing points/access, road train access, however it is acknowledged that most of these could be conditioned.

## **LEAD LOCAL FLOOD AUTHORITY**

### 3.6 **19 September 2023**

The Technical Note does not contain any proposed surface water drainage details or plans/layouts but appears to quote surface water being connected to dedicated highway drainage networks H1, H2 and H3 which will be adopted and maintained by the Highway Authority. A separate surface water system must be provided in accordance with Condition 76.

### 3.7 **18 October 2023**

Having assessed Drainage Note Revision 3 dated 13 October 2023, the Flood Risk Management Team has no objection in principle subject to the detailed design being sought and agreed in accordance with Conditions 75, 76, 77, 78, 80 and 81 of the 18/01884/OUTM application.

## **DESIGN AND SUSTAINABILITY**

### 3.8 **26 September 2023**

An investment and design reinvigoration of this large open space (circa 0.84 hectares) will be hugely beneficial and so is supported in principle. The overall design is strongly supported however there are some concerns and comments:

- a) More 3D work would help to explain the scheme.
- b) Condition provision of surface material samples/specification.
- c) Clarification on what is excluded e.g. art and wayfinding are shown but not provided for as part of the application.
- d) Explore moving the northern pedestrian road crossing away from the listed gates, it feels too cramped as drawn.
- e) Provision of detail of the complex/messy landscaping in the Cog feature area at the end of Hudson Boulevard.
- f) Review cycle strategy to remove risk that cyclists will try to continue in a straight line along Cinder Street rather than using Hudson Boulevard.
- g) Discourage pedestrians entering Marble Arch along the cycle path from the amphitheatre space because this is the natural desire line.
- h) Design detail around dropped or checked kerbs or flush surfacing as interfaces between differing materials is required.
- i) Detail on the secure line design potentially to resolve cyclist conflicts.
- j) Should be some vertical feature to represent the line of the removed wall.
- k) Explanation of the positioning of the side pass gates is required.
- l) Surfacing design should echo the presence of Leeman Road through choice of differentiated paving unit sizes and bonding patterns.
- m) Condition more detailed landscape treatment around the weigh office to ensure it does not feel annexed from context.
- n) Condition detail of weighbridge structures so their treatments can be understood and investigate signs of original north weighbridge.
- o) Consideration of how to approve lighting scheme that is about subtle visual quality impossible to describe, potential for real lighting mock ups.
- p) Clarification around interface with highway lighting and who maintains what.
- q) Condition street furniture (benches, wayfinding, CCTV, bins, lighting etc).
- r) Public art to be provided and details of an art scheme or how this would be commissioned and when with mechanisms to ensure its delivery.



- s) Provision of design detail for all secondary equipment needed for openable secure line bollards, includes comms poles, control poles, cctv and their poles, electrical cabinets etc, this kit is often extensive and visually obtrusive and needs design with care.

### 3.9 **24 January 2024**

No further comments received to amended plans.

## **LANDSCAPE ARCHITECT**

### 3.10 **4 October 2023**

- a) Investigate design options between Weighbridge and Hudson Boulevard, to increase functionality extend areas of soft planting and opportunities for natural/informal play.
- b) Planted edge and seating parallel with Cinder Street could take on an asymmetrical zig-zag line to increase the soft planting and create a more dynamic edge and sculptural seating arrangement.
- c) To mitigate effects of climate change two/three more stand-alone specimen trees could be set within the expansive paved area e.g. within the circular periphery of the 'milling space' and the space to the south of the Weighbridge.
- d) Concerned at too much use of *Quercus palustris* along Cinder Lane. For diversity and climate resilience better to opt for another resilient species.
- e) Two oaks adjacent plot F01A are too broad for the proximity to the building. Drawing notes 'species, sizes, and densities are typical only; species may be added or omitted following detailed design'. This can be discussed later.

### 3.11 **10 January 2024**

- a) The potential for public art, permanent or temporary to have a 'play' role is fine as an idea but there are no suggestions or ideas. There are two locations for 'plonk' art on the latest landscape plan, these are fine as locations for some art installation, but are they likely to provide play provision in these locations? Given that provision for play could be included elsewhere across York Central these are comments rather than an objection, but am conscious that if nothing comes forward from the NRM this could be a rather lifeless space.
- b) Additional planting at the museum entrance is noted. Would still like the planting at the weighbridge to be increased. The design ethos is fine but the thinner beds look too thin for the scale of space. Would like to see these made deeper by protruding a segment out of the circle to create a wider bed. This is not a big ask and would make a significant difference to the effect and would not impact on the circle and rods theme.

- c) Do not accept that trees should be omitted in order to provide clear sight lines and aid visitor orientation. The NRM is a pretty big building and visitors will be able to see it and know where it is, besides these will be clear stemmed trees i.e. there would be no branches below eye level on the main stem. There is scope for more tree planting, nonetheless, it is accepted that there is a reasonable quantity of proposed, sizeable tree cover around the periphery of the main space which helps to shape it.
- d) Note the explanation for use of Oak (although a different species of Oak, North American to what would have been used on the railways) a portion of the quantity may need substituting due to increased demand for UK grown Oak as a result of the importation of oak processionary moth. To note, the list of species within the landscape strategy is not exhaustive and can be added to. Agree that planting species can be agreed later.

### 3.12 **23 January 2024**

Having had another look on site to assess the scale of the space in light of the correspondence exchange, it would be preferred to have a little more planting but design rationale is accepted and there is no objection to the proposed scheme. The soft landscaping general arrangement plan and typical landscape details plan can be approved notwithstanding the use of species *Quercus palustris* adjacent to Plot F01a. The reason being the species is too broad-spreading for the proximity to the future building line.

## **ECOLOGIST**

### 3.13 **21 August 2023**

- a) The requirement for additional bat surveys is highlighted within the Preliminary Ecology Appraisal (PEA) and the Environmental Statement (ES) Compliance Statement and this is required.
- b) The Biodiversity Enhancement Management Plan (BEMP) may need to be altered based on findings of bat survey work.
- c) Bird, bat and insect boxes are suggested in street tree planting. The lighting report states trees will be up lit. It is recommended that trees are not lit to create darker areas more likely to be used by bats, birds and invertebrates. Given the size of trees proposed it is unclear whether they are suitable to support boxes.
- d) A recommendation to retain a patch of mixed scrub in the northern section of the site next to the Great Hall is made in the ES Compliance Statement. This area is not marked for retention, but shown as ornamental planting.

Confirm if the Ecologists' comments have been considered within the landscape design.

**3.14 6 September 2023**

Bat surveys for Central Hall are now out of date. The scope of updated bat surveys should include all buildings and structures to be impacted and disturbed by the works.

**3.15 9 January 2024**

a) Having reviewed the information provided by Wold Ecology no additional bat survey work is required, given the confirmed status of the buildings and low activity levels of bats found in previous surveys. No further information has been provided regarding biodiversity enhancements and habitat retention, which was raised in the response of 21 August 2023. It would be useful to see an updated enhancement plan in response to these points.

b) If tree sizes do not support bat and bird boxes (which should be installed at about 4m high) the applicant could look at alternative locations just outside the red site boundary, or offer alternative products i.e. invertebrate boxes, rather than bat and bird boxes.

c) In terms of the requested enhancement plan, if we can get all the enhancement features agreed upon, we would not necessarily need an updated plan, although even a hand annotated plan would be really useful.

**3.16 23 January 2024**

Happy to condition lighting which should include a lighting contour plan that shows light spill (including that which extends beyond the site boundary), lux levels and lighting spectrum (kelvin). We need to ensure enhancement features are not illuminated and dark corridors are available for light sensitive species.

## **ARCHAEOLOGIST**

**3.17 14 August 2023**

Do not wish to impose any archaeological conditions. The original ground levels in this area have been reduced removing any archaeological resource in the process.

## **PUBLIC PROTECTION**

**3.18 27 August 2023**

Light

The applicant has submitted a lighting report that provides details on the type of lighting that is being proposed, the lighting levels and the environmental

zone for the development. It is accepted that due to the distance to the nearest residential properties no further information is required.

### Noise

It is accepted that due to the distance to the nearest residential properties no further information is required in relation to noise.

### Air Quality

Most of the mitigation measures outlined in the wider Emission Mitigation Statement (EMS) are not relevant to the site-specific EMS. However, relevant measures that are applicable have been outlined and are acceptable. The 'Transport Note' states that refuse collection from Station Hall is to be undertaken by an electric vehicle. This is not specifically mentioned in the site-specific EMS but is welcomed to further reduce emissions.

### Contamination

The submitted Geo-Environmental Desk Study Assessment is acceptable and fulfils the requirements of outline condition 55. A remediation strategy (including details of the proposed clean cover system and procedures for dealing with unidentified areas of contamination) should be submitted in due course.

## **WASTE SERVICES**

3.19 No response received.

## **ACCESS OFFICER (COMMUNITIES)**

3.20 **4 September 2023**

Overall the scheme was well received, a lot of consideration had gone in to keeping pedestrians, cyclists and vehicles separate. There was good consideration given in designing out the steep drop in different levels using an amphitheatre style just make sure the sloped seating is easily identified.

We discussed that all crossings should have priority for pedestrians, style of HVM bollards with preference for black with red contrast markers, inclusion of accessible cycle racks in both rack locations, reviewing the Equality Impact Assessment once progressed through MIMA, for consultation to be undertaken directly with York Access Forum (YAF), signage and wayfinding to be consulted via the YAF and YDRF including new Changing Places signage, use of large stone blocks for seating instead of bollards in certain places, but in a contrast colour and similar consideration for any other obstacles to be highlighted in a way to make them more visible to the visually impaired.

## **EXTERNAL**

### **HOLGATE PLANNING PANEL**

3.21 **15 August 2023** - No objections.

### **CONSERVATION AREAS ADVISORY PANEL**

3.22 No response received.

### **HISTORIC ENGLAND**

3.23 **24 August 2023**

We have previously provided advice at outline and pre-application stages and the issues raised have been addressed. We are not offering advice and suggest seeking views of the Council's specialist conservation and archaeological advisers.

### **NORTH YORKSHIRE POLICE DESIGNING OUT CRIME OFFICER**

3.24 **21 August 2023**

A security and public safety defensive line, using bollards and a range of street furniture, has been incorporated into the design and layout. The lighting strategy contributes to making this new space safe. The proposals accord with the core principles and design objectives in the National Planning Policy Framework in respect of developments creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

3.25 **12 October 2023**

Having had the opportunity to review the Hostile Vehicle Mitigation Defensive Line alongside the Vehicle Dynamics Assessment and the Security Concepts and Parameters, are confident that counter terrorism and crime prevention measures for this stage of York Central will be fit for purpose.

### **YORK CIVIC TRUST**

3.26 **3 October 2023**

Museum Square could define York Central as a destination of great interest and appeal. However, this opportunity has not been fully grasped in the proposed scheme. We therefore offer general comments as way of progressing the scheme to one we would look to support:

- a) The need for a unified space. Concerned the design is proposed without design intentions for the Coal Drops. It is critical they are designed to complement and reinforce each other's contribution to public realm.
- b) Conflicts between The Square and Cinder Street as traffic control and queues conflicts with the enjoyment of the space. A decision needs to be taken to restrict the tunnel to buses, taxis and essential vehicles, and redesign the Square accordingly.
- c) The design proposes shared pedestrian and cycle paths at certain points on the western approaches. These are incompatible with government guidance. Dedicated cycle tracks fail to meet government guidance. The cycle track heading east towards the tunnel mouth, to link with the cycle route in the city centre-bound lane of the tunnel needs to be installed in advance of completion of Museum Square.
- d) Concerned that no provision is made for blue badge parking for users of the Square.
- e) Concerned that the Emissions Mitigation Statement is inadequate. The focus on 'after the fact' clean-up of emissions once released into the atmosphere using trees is unlikely to be effective. If there is likely to be considerable queuing, then this aspect should deserve specific attention. Ideally, some atmospheric dispersion modelling should be carried out.
- f) Is disappointing that the uniqueness of the York site, complete with its high heritage credentials, is not being put to the fore in the design. It risks Museum Square being read as a smaller, cheaper copy of the Granary Square model, York Central and the city deserve better.
- g) The scheme is over-complicated for a small space, leading to cluttering with physical objects and desired uses. The proposal is very busy, with each pocket of the square allocated for a specific use. There is none of the relaxed charm from the openness offered by modern public squares across Europe.
- h) Rather than introducing too many new heritage interpretations and interventions, thought should be given to how this heritage interacts with the wider heritage of the York Central site. The use of 'framing' key views and vistas with such heritage should be key to this.
- i) The line that connects Peter Allen Building, the weighbridge building, and the Mineral (Bullnose) Building offers a perfect axis to tell different aspects of York's railway heritage with a clear space for programmed 'activities' well away from transactional spaces. This is currently not being grasped.
- j) Proposed street furniture relies heavily on use of corten steel for surface finish to the raised planters, tree grilles, cycle stands, bollards and detailing of some benches. Corten is not a traditional railway heritage material. This risks being a disingenuous approach to heritage, is too generic, insipid and a lazy association.

- k) Use of Yorkstone paving is too formal for what was historically a dirty working commercial space without care for refinery; Yorkstone paving is more akin to a Georgian civic square.
- l) If a playfulness is to be achieved, the use of materials, street furniture, lighting, water, and planting will be important. There is no sense of fun coming out the design proposed.
- m) Opportunities associated with the weighbridge are not being grasped - allowing families and school parties to see how many of them it would take in cumulative weight to represent, say, a full mineral wagon or "shunter" steam engine, helping to give insight for heritage-associations of the site.
- n) The horseshoe of flora surrounding the weighbridge building does not frame, reveal or celebrate the importance of this Listed structure. It risks obscuring it and confounding visitor understanding of it. The Heritage Impact Assessment concludes that the planting area does distract from its former use. We recommend removing it.

## **YORKSHIRE WATER**

### **3.27 1 September 2023**

We have no objections.

### **3.28 29 December 2023**

We have no additional comments to make.

## **NATURAL ENGLAND**

### **3.29 13 September 2023**

No objections

### **3.30 11 January 2024**

No objections

## **ACTIVE TRAVEL ENGLAND (ATE)**

### **3.31 9 October 2023**

ATE welcomes this application, it demonstrates how it carefully considers its role as a vital conduit for active travel for the broader York Central development and with further enhancements, as outlined, has the potential to be a best-practice public amenity.

- a) The cycle path on the southern perimeter of the square has a bi-directional width of 3m with a small narrowing to 2.7m due to physical constraints, is segregated and in principle aligns with LTN 1/20. There is an abundant amount of seating, an excellent lighting strategy along with other soft

infrastructural measures which will help ensure this square is a destination in its own right.

- b) Subsequent phases can benefit from an enhancement to the Framework Travel Plan targets set in the outline application for the entire York Central Scheme. In particular the FTP includes walking and cycling targets of 40% for staff and 46% for residents. Targets in future applications should be highly ambitious and exceed aims of the UK government that at least 50% of short urban trips are to be walked, wheeled and cycled.
- c) ATE is satisfied that the development will act as a highly effective conduit for active travel and contribute to high numbers of walking, wheeling and cycling. To ensure that this is maximised and embedded from the outset, there are two broad areas of concern to be addressed to ensure the development is of the highest standard possible. These are:
  - 1. Many visitors will park bicycles and micro mobility vehicles at the proposed cycle hub planned for York Station, it is important to incorporate more suitable cycle parking in locations near the site which is safe and secure in a locked facility which is visible and benefits from a degree of passive surveillance. The number of spaces should be expanded to more than 20, in consideration the expected increase in demand from visitors, residents and employees.
  - 2. The cycle route on Hudson Boulevard to the junction with Cinder Street cannot be classified as a segregated route as there is no delineation between the footway and the cycleway. This is a necessity and in line with LTN 1/20 Principle 2, cycles must be treated as vehicles and not as pedestrians. Surface materials should be suitable for both pedestrians and cyclists. The dimensions as well as the type of material will need to be specified rather than generalised at this stage of the process.

ATE recommends that further information is submitted in order to progress this application to a point where planning conditions can be formulated.

### 3.32 **9 January 2024**

ATE welcomes the amendments which include the introduction of five additional cycle hoops adjacent the Toucan crossing and two including additional space near the Mineral Office for a total minimum of 28 external spaces for visitors. ATE also recognises that the applicant has considered spaces for adapted cycles and cargo bikes. This will provide a complementary facility for the extensive cycle hub facility proposed at York Station, less than 400m away. Furthermore the applicant has also incorporated dropped kerbs for safe transition to the carriageway's cycle amenity.



The applicant has responded favourably to ATE's advice in the initial response to improve surfacing and ensure that there is clearer delineation between cyclists and pedestrians. This includes the use of Yorkshire Setts (large scale) for the cycle way for a more suitable surface and also for delineation between it and the footway, in line with LTN 1/20 Principle 2 'cycles must be treated as vehicles and not pedestrians'.

ATE appreciates the revisions and recommends the details are secured by planning condition.

## **4.0 REPRESENTATIONS**

4.1 The application was advertised by neighbour letter, site notice and advertisement in the local newspaper resulting in two letters of objection being received one from a local resident and one from York Central Co-Owned, the comments can be summarised as follows:

- a) The space is full of possibility and excitement, but fails to deliver.
- b) The Square lacks purpose and ability to respond to uses it could accommodate.
- c) It could be a place where people meet, tourists gather, citizens meet friends and visitors, but the space lacks enclosure, seating which accommodates groups and genuinely engaging focal points.
- d) The space could engage and delight families. The Wonderlab at the NRM is a playful and educational celebration of movement, where is the outdoor version of this sort of experience?
- e) How does the flat paving enable children to let off steam without fear of running into nearby traffic?
- f) Would question how the design of raised planters, sculptural seating and level changes could provide more enclosure and a more playful environment?
- g) Would question how could the weighbridge be used in more creative ways?
- h) As climate change progresses we need to think of how to make public spaces usable all year. The design includes some tree planting but this appears mainly marginal and will provide limited shade.
- i) Are there ways of providing broader shade through more tree planting or other means of shading?
- j) Pursuing the issue of playfulness can we not have water which provides both cooling and engagement for children.
- k) The response to HVM relies almost entirely on bollards, which cut directly across spaces, creating visual clutter and disrupting their use.
- l) The application notes the need to resolve level differences but seems to miss the opportunity to do this in a way which integrates protection, using

sculptural seating, raised planters or protected trees to prevent unwanted vehicular movement.

- m) The application talks of pop-up activities and art but shows no active effort to encourage these.
- n) The space could have easy access to power and lighting to allow local groups to use the space for performance or rehearsal.
- o) There is no mention of how the space will be managed and how this will engage with potential users.
- p) Considerations about functionality, how provision of seating, bins, drinking fountains and toilets respond to failures elsewhere which have prompted consultation underway in the city at present.
- q) Illustrative material fails to acknowledge the impact of Cinder Street, a road with similar levels of traffic to Gillygate. All ground images face away from the road suggesting a traffic-free space when the road will have a huge impact visually and in terms of noise and smell.
- r) If there will be traffic queuing how will this impact, where exactly will traffic controls and hence queues be?
- s) Public engagement needs to be honest, failure wastes the opportunity to get public creative in exploring solutions to challenges and squanders public trust.
- t) Issues around timing ahead of proposals for the other half of the square (including the Coal Drops) and the Government Hub site which as one of the enclosing buildings. It is appreciated that co-ordination is hard, but could make greater efforts to at least suggest ways in which the broader space might be shaped and how this might be half of a coherent whole.
- u) Here is a wonderful opportunity to express something of what it means to be a UNESCO Creative City of Media Arts.
- v) The location of the square carries meaning beyond it being the 'waiting room' to the Railway Museum. It provides an important glimpse for travellers by rail, of an important part of the City of York. Such insights are immensely important in establishing the identity of a place. The standard here should be the spectacle of Durham or Newcastle rather than the clumsy banality of Doncaster.

Two further letters were received, one neither objecting or supporting and one in support. The comments can be summarised as follows:

- a) Proposal will be a significant improvement from existing environment.
- b) Proposals place too much emphasis on hard landscaping which misses the opportunity to respond positively to climate change.
- c) Hard landscaping necessitates need for attenuation storage tank to manage surface water run-off.

- d) Increasing soft landscaping, incorporating rain gardens and more nature surfaces would provide a greener, more natural and attractive space which is environmentally resilient and promotes dwell time amongst its users.
- e) A musical fountain can provide a profoundly moving experience, many European cities have them why should York miss out.

## **5.0 APPRAISAL**

5.1 The key issues for consideration are as follows:

- Context within which to assess this Reserved Matters Application
- Sequencing of Delivery
- Design matters
- Heritage Impacts
- Highway matters
- Ecology/Biodiversity
- Flooding and Drainage
- Environmental Protection

### **CONTEXT WITHIN WHICH TO ASSESS THIS RESERVED MATTERS APPLICATION**

- 5.2 The outline approval referenced 18/01884/OUTM granted outline consent with all matters reserved for the principle of the redevelopment of York Central to provide a mixed-use scheme with associated works including new open space and associated vehicular, rail, cycle and pedestrian access improvements. The outline consent also established the principle of stopping up Leeman Road to vehicles and providing alternative access routes through the site, shuttle working (one way traffic) through Leeman Road tunnel, a dedicated cycleway through Leeman Road tunnel, an improved pedestrian and cycle link to Wilton Rise or Chancery Rise and inclusive access into the rear of York Railway Station.
- 5.3 The outline application was subject to an Environmental Impact Assessment which assessed in detail the anticipated environmental impacts arising from the development. These environmental impacts covered air quality, traffic and transport, archaeology and built heritage, townscape and visual, noise and vibration, ecology, ground conditions, socio-economics and population, waste resources, water resources, flood risk and drainage, wind, daylight and sunlight, climate change, health and a cumulative impact assessment. This reserved matters submission confirms that no new environmental effects have been identified beyond those identified and assessed at outline stage and as such any mitigation requirements set out in the Environmental Statement

remain relevant and unaltered by the proposals.

- 5.4 When outline consent was granted 83 conditions were attached, many of which require the developer to submit details alongside the reserved matters submissions, prior to commencement or at other relevant trigger points within the development process. Therefore where information has not been presented as part of this reserved matters application each section of the report confirms which relevant outline conditions would deal with any outstanding matters. Any new conditions imposed should relate directly to the matters reserved and should not repeat those set out at outline stage given that these still need to be complied with.
- 5.5 The proposals are also considered within the context of the Parameters Plans (Condition 6) and Design Guide (Condition 7) approved at outline stage. The approved Parameter Plans cover aspects of the scheme such as the limits of deviation within which access and circulation routes and areas of open space would be developed. It also sets out the different types of development zones across the site together with proposed site levels and restrictions on building heights. The approved Design Guide is a key document which encourages the quality of design which should be reflected in subsequent reserved matters applications. The document includes mandatory codes which each reserved matters proposal must adhere to. The application has therefore been assessed within the context of this approved framework.
- 5.6 This reserved matters site falls within the area identified in the York Central Approved Parameter Plans and Design Guide as Museum Gateway (the north half of New Square). The design guide describes the area as providing a 'city scale' open space which is not just the front door the National Railway Museum but a key public space within York Central. The proposals submitted align with the Design Guide in that they propose a new area of public open space within the spatial parameters identified at outline stage. The principle of development has therefore already been established and thus the focus of this application is on the layout, appearance, access, scale and landscaping proposed.
- 5.7 The application is also assessed within the context of the approved infrastructure works (20/00710/REMM) which show the proposed alternative vehicular route to Leeman Road along Cinder Street, provision for bus laybys and bus stops along Cinder Street and proposes new segregated pedestrian and cycleways through various parts of the site, the main route being Hudson Boulevard.
- 5.8 The proposals also need to have regard to the approved works for Central Hall (21/02793/REMM) at the National Railway Museum and in the context that

Central Hall includes an outdoor café seating area, underground water storage tanks and cycle parking within The Square.

- 5.9 The proposals also need to take account of the relationship of The Square to Plot F01a which proposes a new office block building with a self-contained café at ground floor. A reserved matters application for which has recently been submitted (23/02255/REMM).

## **SEQUENCING OF DELIVERY**

- 5.10 In order to assess the proposals it is also useful to understand the proposed sequencing for delivery of the reserved matters schemes already consented and those that are to follow.
- 5.11 The primary infrastructure works relating to York Central were approved under 20/00710/REMM. These works include the construction of the main spine road (Cinder Street and Park Street), Foundry Way which spurs off from Leeman Road and links through to Hudson Boulevard which runs alongside Station Hall and provides the main pedestrian and cycle route once Leeman Road is stopped up. It also includes the imposition of shuttle working for vehicles using Leeman Road tunnel and includes a segregated two way cycleway. These works are currently being delivered on site.
- 5.12 Central Hall was the second reserved matters approval under reference 21/02793/REMM, this sees the demolition of the existing NRM entrance and the former Mess Room (attached to the Bullnose building/Mineral Office) and construction of a new building serving the National Railway Museum and connecting the existing Museum buildings (Station Hall and the Great Hall). Central Hall will be constructed over Leeman Road however will provide a walkway through for use of local residents which was secured through the highway process by virtue of a Walkway Agreement. The reserved matters application also included the provision of an outdoor café area and cycle parking which would sit on The Square and had the provision of underground drainage tanks which sit below The Square. Enabling works have commenced for this and it is anticipated that this will be constructed during 2025.
- 5.13 This application for The Square, is the third reserved matters scheme which is expected to be delivered alongside Central Hall during 2025.
- 5.14 The fourth reserved matters application relating to the erection of a six storey (plus basement) office building (referred to as a Government Hub) with self-contained retail and ancillary uses at ground floor, associated car and cycle parking, servicing and access, public realm and other associated infrastructure

has recently been submitted and is pending determination. It is anticipated that this building would be constructed during 2026 and operational by 2027.

- 5.15 Within the submission and consultation responses reference is made to a proposed multi storey car park and cycle hub within the wider York Central site. There is no reserved matters submission or confirmed date for delivery of these aspects of the scheme at present.

## **DESIGN MATTERS**

### Relevant policies

- 5.16 Chapter 12 of the NPPF relates to achieving well-designed and beautiful places with Paragraph 131 emphasising the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.17 Paragraph 135 goes on to state that planning decisions should ensure that developments will (among other criteria), function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 5.18 Policy D1 of the Draft Local Plan relates to placemaking and states development proposals will be supported where they improve poor existing urban and natural environments, enhance York's special qualities and better reveal the significances of the historic environment. The policy goes on to set out detailed design points relating to urban structure and grain, streets and spaces, building heights and views and character and design standards. Policy D2 of the Draft Local Plan relates to landscape and setting and sets out a series of detailed criteria for consideration.
- 5.19 Policy SS4 relates specifically to York Central and sets out further design criteria specific to this site which includes, creating a distinctive new place of outstanding quality and design which complements the existing historic urban fabric of the city and respects those elements which contribute to the distinctive historic character of the city and assimilates into its setting and surrounding communities.

## Assessment

- 5.20 The Design and Access Statement submitted at outline stage described the design intent of the development and the key townscape and placemaking considerations. It described how the site would be divided into five distinct areas, each defined by a differing mix of uses and each with its own character, responding to constraints and opportunities and to the design drivers of the development.
- 5.21 The outline Design Guide advanced the design intent in the Design and Access Statement and provided guidance for developers in the successful delivery of the development. The Design Guide sets out mandatory requirements which subsequent reserved matters applications must adhere to alongside advisory aspirational guidelines which need to be taken into account on each reserved matters application. The Design Guide was conditioned as part of the outline approval (Condition 7) in order to deliver a coherent approved vision in accordance with design guidance as detailed in National Planning Guidance. In addition a series of parameter plans were also approved at outline stage (Condition 6).
- 5.22 The outline planning consent showed the areas of public open space. The proposals sit within Development Zone G and more specifically an area referred to as the Museum Gateway, this being the northern half of New Square. This area of public open space is seen as a key gateway to York Central and described as a 'public front door to the National Railway Museum'.
- 5.23 The approved Design Guide envisaged that this area would provide a compelling city-scale open space which highlights the history and railway heritage of the site within its design. It suggests that in order to resolve the level changes between Marble Arch and the Museum, useful flexible surfaces for events and social interaction should be incorporated, with seating for waiting, relaxation and spill-out space for café seating. It also recommends utilising tree planting alongside the road with reference to the former Goods Station enclosure, with terrorism defences considered where possible and the provision of lighting and security measure to ensure safety of all users. The proposals accord with the design intentions of the approved Design Guide and are discussed in further detail below.

## Layout and Functions

- 5.24 This reserved matters application seeks consent for provision of the public realm on the northern side of Cinder Street. The outline parameter plans envisage that a further area of public realm would be provided on the southern side of Cinder Street within the former Coal Drops. York Civic Trust have

expressed concerns that the public realm is not being proposed as a unified space. Whilst this may have been a welcomed approach, there is nothing to suggest that the delivery of the public realm in two phases would fail to achieve coherence. In addition York Civic Trust have concerns regarding the impacts of the road on the public realm overall and The Square itself. It should however be noted that the approved outline masterplan and Design Guide always intended that the two areas of public realm be situated either side of the road so this does not change by virtue of the proposals. Officers also note that images presented of The Square are indicative and do not reflect the level of traffic that is likely to be adjacent to the site. The application is however in line with the outline parameters and has therefore to be assessed on its own merits in the knowledge that a future reserved matters application would design the space to the south.

5.25 The proposed public realm would be largely enclosed by existing National Railway Museum (NRM) buildings on the north and west and the approved road alignment to the south and east (known as Cinder Street). Plot F01a would provide a further boundary to the south west. Existing National Railway buildings also sit within the site including the Mineral Office building, also known as the Bullnose building and the weighbridge both of which are listed. Whilst it is regrettable that these buildings are currently without use, it has been indicated that it is the intention that they be brought into use in the future. The outline parameters indicates that the weighbridge building could have any permitted use (excluding residential) and the Bullnose building could have a retail use at ground floor with any permitted use (excluding residential) at first floor this would be considered in detail under future planning applications. However the proposals ensure that the layout of the site would not adversely impact on their re-use by ensuring window and door openings are not obstructed. Bringing these buildings into re-use should further activate the areas around these buildings and enhance The Square further which would be welcomed.

5.26 As the NRM is visited by many families with children of all ages, the Applicants were asked by Officers during the pre-application process, that consideration should be given as to how younger people would be engaged with the content of the space, for example climbing, hanging around, kinetic/visual elements. There was also suggestion, through representations received both during the pre-application consultation and during the application, of water features being incorporated. The Applicants advise that this could be catered for within the coal drops public realm and within other designated play space across the wider York Central site. Officers note that although it may be the role of the coal drops open space to facilitate more play, there could have been some provision to keep a child's interest within The Square, which is part of the wider public realm available to York Central and the city. This suggestion has



been dismissed by the Applicant as they consider this is not the intended role and function of The Square and there are other areas of the site which would cater for play areas. Having had regard to the outline Design Guide it was never the intention of this space to provide for play or recreation and although it could have been designed with a sense of play the proposals align with the approved Design Guide. Aside from this, Officers note that the space does not preclude the introduction of more fun/play elements in future should the Applicant wish to do so.

5.27 Aside from providing a key a number of other functions, it leads up to the new main entrance of the National Railway Museum, also providing space for an outdoor café area and incorporating cycle parking spaces for its users. It is required to enable limited access for servicing and deliveries to the Peter Allan Building which fronts Station Hall at the National Railway Museum and for Network Rail to access the rear of the Great Hall. It also allows provision for an outdoor seating area for Plot F01a if this were required and cycle parking close to this plot.

5.28 The site also incorporates part of the key pedestrian and cycle routes through to Hudson Boulevard which will be the main segregated pedestrian and cycle route through York Central. Whilst highway matters are discussed in greater detail later in this report, it should be noted that the layout proposes some minor alterations to the approved infrastructure works. These alterations include the removal of two coach bays which were proposed to the south of the former goods yard wall which enables provision of a continuous cycleway running from Leeman Road tunnel and sitting on the southern side of the former Goods Station wall. It also removes the stub end of Leeman Road and integrates this area into The Square through soft landscaping and stepped features which address the change in levels. In addition it is proposed that the pedestrian/cycle crossing point near the Mineral Office/Bullnose Building is located further away from the gate posts which provides a more generous space for pedestrians. Officers consider that from a design perspective these works improve the overall infrastructure layout and ensure that The Square and infrastructure blend more seamlessly together.

5.29 The submission makes reference to the fact that temporary events or exhibitions could take place within The Square, however there is no further detail in respect of what these may be or how often. Officers acknowledge that without details of events it is difficult to control these by condition, however acknowledge that The Town and Country Planning (General Permitted Development) (England) Order 2015 sets out restrictions for temporary buildings and uses. It is therefore acknowledged that there are some controls in place which would need to be complied with. Should events fall outside the definition of a temporary use or involve any operations

requiring planning permission then a separate planning consent would need to be sought. It is also recognised that the Council would have further controls through the Licensing process. Officers are content that the use of the space aligns with the aspirations of the outline Design Guide. Overall given the number of functions this space needs to incorporate, the proposed layout is appropriate given the surrounding context and aligns with the approved Design Guide and outline parameters.

### Appearance and Materials

- 5.30 The approved Design Guide states that the civic material palette is to be used in New Square (The Square) with use of natural stone strongly recommended (e.g. Yorkstone, granite, basalt). It recommends use of stone setts as paving for the carriageway with stone gutters and kerbs. It also suggests that proposals utilise a design language and material palette that reflects the site's railway heritage. Condition 24 of the outline consent relates to site specific landscaping and requires details of all proposed hard landscape works, including retaining walls, steps, ramps, paving materials and other hard surfacing and landscape features to be provided prior to commencement. This condition therefore has to be complied with in due course.
- 5.31 The submitted plans show the majority of The Square would be finished with Yorkstone paving with Yorkstone sett paving used for some of the feature paving and cycleways. Contrasting black granite setts are proposed to provide contrasting bands and circular features which the applicants reference as being taken from the railway language of cogs and rods. Kerbing is proposed as silver grey granite. These proposed materials accord with the civic materials expected within the Design Guide and the Council's Design and Sustainability Manager considers the resurfacing in these high quality natural materials to be very beneficial and supports their use subject to a condition that material samples be provided through the discharge of Condition 24.
- 5.32 There would be a space described as an amphitheatre to the north-east of the site which would also be a welcome addition and responds well to the level changes in this part of the site. Cast concrete in a buff finish will be used for the stepped/terraced feature which is accepted subject to material samples to ensure coherence with the texture and colour palette of other hard surface materials.
- 5.33 The material palette presented is acceptable and should result in an appropriate appearance for The Square and aligns with the approved Design Guide subject to compliance with Condition 24 and physical samples being presented.

## Soft Landscaping

- 5.34 The approved Design Guide states that street trees are an integral component of the green infrastructure of urban development and provide a wide range of benefits to their surroundings, most importantly improving the health and quality of life of those that live, work and visit York Central. It states street trees shall be selected to provide seasonal interest, colour, texture and form and large species shall be utilised wherever space allows. It emphasises the need for adequate space between trees and street lights and signage to ensure that future growth will not impede their beam and sighting.
- 5.35 Condition 24 of the outline consent, relates to site specific landscaping and requires details of locations of utilities in particular in relation to tree planting, species, stock size, density (spacing), and position of trees, shrubs hedging, bulbs and other plants and seed mix, sowing rate, and mowing regimes, details and specifications of ground preparation, tree pits/trenches, soil cells, means of support, protection and water and timing and phasing of soft landscaping to be submitted and approved prior to commencement. This condition will need to be complied with accordingly.
- 5.36 The soft planting scheme proposes a combination of street trees, ornamental trees, ground level and raised planters and a wild area around the weighbridge. A new soft landscape bed which incorporates trees at regular intervals would be provided along the approximate line of the removed wall/railings attached to the listed gate posts. This provides a defined edge to The Square and was part of the justification for the removal of the wall in terms of it retaining the sense of enclosure of the former Goods Station yard. There would be an area by the stepped amphitheatre which would include ornamental trees, trees defining the edge of the outdoor café and seating around and the seating alongside the Mineral Office, an area around the weighbridge which would include a wild area and areas adjacent Plot F01a which include ornamental trees. A variety of planters are also to be incorporated which would introduce ornamental grasses and herbaceous plants intended to provide flower and foliage which offers a variety of colour, form and height.
- 5.37 The Council's Landscape Architect considers there is scope for the introduction of more trees within The Square and does not accept the argument presented by the Applicant that trees should be omitted to provide sight lines and aid visitor orientation to the National Railway Museum which is a large building in itself. Notwithstanding this it is accepted that a reasonable quantity of sizeable tree cover around the periphery of the main space would be provided, which helps to shape it. One of the chosen tree species has been queried due to its size in relation to the proximity of Plot F01a and a

condition is recommended in order that this be reviewed. Otherwise the Council's Landscape Architect is satisfied with the chosen species shown on the softworks general arrangement plan and the layout, number and species shown should be taken forward into any subsequent discharge of condition 24.

- 5.38 The Council's Landscape Architect would like to see the planting around the weighbridge increased as she considers that whilst the design ethos is fine the thinner beds appear too thin for the scale of the space. It has been suggested that these could be made deeper by protruding a segment out of the circle to create a wider bed which would make a significant difference to the effect and would not impact on the circle and rods theme. The Applicant considers that the extent of landscaping is acceptable taking into account factors such as the potential future use of the weighbridge, the re-installation of the second weighbridge (from an artistic not functional perspective), the existing doors to enable pedestrian routes/access, servicing, refuse collections as well as pedestrian and vehicle movement. Officers accept this position. The soft landscaping scheme aligns with the approved Design Guide subject to the discharge of Condition 24.

### Lighting

- 5.39 Condition 22 of the outline consent requires that the reserved matters application include a strategy for lighting of external/public areas. It goes on to state that the strategy shall explain how artificial lighting would conform to meet the Obtrusive Lighting Limitations for Exterior Lighting Installations for the relevant Environmental Zones as detailed in the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Lighting. Condition 24 of the outline consent relates to site specific landscaping and requires details of locations of street lights in relation to trees to be submitted and approved prior to commencement. This condition would need to be discharged accordingly.
- 5.40 The approved Design Guide states that lighting is to be utilised to enhance York Central's architectural features and provide visual comfort while helping to create spaces that are inspiring and adaptable. It goes on to state that a well-integrated lighting design will be critical to providing safe places for pedestrians and cyclists while minimising unnecessary light pollution. It also suggests minimising potentially obtrusive light poles within the public realm with the use of concealed light fittings within street furniture or buildings where feasible.
- 5.41 The application is accompanied by a lighting strategy which explains that it seeks to use layers of light to provide an essence of fun and interest while assisting with wayfinding and ensuring that users of the space feel safe when

it is dark. It advises that aspects of the feature lighting could be controlled through a timeclock to be switched on at dusk and turned down at 11pm whilst ensuring sufficient lighting conditions are met through the night.

- 5.42 There are various aspects of lighting proposed to build up the proposed layers of light. These are as follows:
- 5.43 Installation of 3no. large sculptural feature lighting columns to light large parts of the public realm which will provide the main ambient lighting. The design intention is for these to be to a height of approximately 12m with adjustable spotlights. They are intended to reduce lighting equipment clutter as they would light a larger area, for them to have an industrial, rail inspired appearance with corten finish with exposed fixings and provide an opportunity for placemaking signage to be integrated into the lower part of the column.
- 5.44 A series of smaller lighting columns would be located around the pedestrian seating areas, walkways and cycle routes. These lighting columns would have the ability to house CCTV, speakers and temporary power outlets for events to reduce surface clutter.
- 5.45 It is proposed that buried uplights would illuminate selected trees, providing ambience and a night-time green feel to the space. Lighting would also be integrated into low level furniture, seating and planters.
- 5.46 Façade and wall mounted lighting would be used to contribute to lighting levels where required and would be used to express historic façade details at night. It is acknowledged that the wall mounted and façade lighting for existing listed buildings would require separate listed building consents from the National Railway Museum. In addition lighting proposals for Central Hall at the NRM have been taken into account. It is anticipated that there would be liaison between the Applicant and the NRM, as partners on the York Central project, to ensure a coherence of lighting provision. Officers will consider the relationship between lighting of both Central Hall and The Square further once subsequent discharge of conditions are submitted to address Condition 24.
- 5.47 Finally it is also proposed to have in ground colour changeable feature lighting which would be recessed into the paving. The intention is that this lighting would be white, with colour changing utilised for events.
- 5.48 The lighting report states it provides indicative positions final quantities, types, positions and lighting calculations to be developed during next design phase.
- 5.49 Having consulted the Council's Design and Sustainability Manager he supports the commissioning of lighting as a public realm design consideration

and supports the lighting report including the design for industrial bespoke lighting columns. He has expressed some concerns of how to approve the lighting scheme that by its nature is about subtle visual quality impossible to describe in documents. He has therefore suggested real lighting mock ups be conditioned for approval.

- 5.50 North Yorkshire Police have commented that the lighting strategy contributes to making this new space safe and in respect to designing out crime they consider the proposal accords with the core principles.
- 5.51 The Council's Environmental Health Officer has also considered the lighting report submitted, albeit from an amenity perspective and has raised no objections to the proposals presented.
- 5.52 Officers support the design intentions set out within the submitted lighting strategy and the location of lighting as shown on the submitted general arrangement plan, however recommend that a condition is imposed to secure the precise positions, final quantities, design, materials, appearance and lighting calculations given that this detail is not covered by outline conditions.

#### Public Art

- 5.53 The approved Design Guide states that York Central's new public realm presents a range of opportunities for public art in all its forms, from physically integrated artworks to ephemeral digital projections and temporary installations. It recognises that works of public art that are strategically sited create a sense of place and will encourage a sense of ownership and respect from residents and visitors. The Design Guide stipulates that public art shall be site specific and culturally relevant to York and those that live in, work in or visit York Central, adding to the understanding of the place, its past, and cultural fabric. Condition 23 of the outline consent requires a site wide strategy for public realm which includes a strategy for public art. This condition has not yet been discharged and as such there is no established strategy for how and when public art will be delivered at York Central.
- 5.54 Whilst the application shows indicative locations for public art provision near Central Hall and the proposed amphitheatre, no specific art strategy or proposal for public art has been detailed at this stage. It is suggested that the new weighbridge could include script that references the former Goods Yard, creating opportunity for public art. The Council's Design and Sustainability Manager advises that public art should be provided as part of this application and details are required of an art scheme, how this would be commissioned and when with mechanisms to ensure its delivery. This could be conditioned.

5.55 The Council's Landscape Architect comments that the Applicants intention that public art permanent or temporary would have a 'play' role is fine as an idea but notes there are no suggestions or ideas presented at this stage. She notes that there are two locations for 'plonk' art given on the landscape plan and comments these are fine as locations for some art installation. It is also suggested that the proposed granite kerb edge to the planting bed along Cinder Street could feature etched text that references both the location of the former Goods Yard and activities/use/goods transferred which would be supported. However she has some concern that if nothing comes forward from the National Railway Museum, this could be a rather lifeless space. Given the nature of the space and its historic surroundings it is ideally placed to incorporate various types of public art and it is therefore expected that public art will be explored in more depth and delivered on site. Condition 24 requires the location and details of public art, where applicable, are to be provided prior to commencement. Officers consider that with a lack of a site wide strategy for public art (as required by Condition 23) and given the vague wording contained in Condition 24 to secure its delivery a specific condition relating to public art should be attached.

#### Wayfinding

5.56 The approved Design Guide specifies the principles which should be observed in terms of wayfinding, these include that signage elements shall consistently reflect the hierarchy of streets and open spaces, shall be legible and accessible to all through use of clear and consistent graphics, the scale and composition of signage shall be sympathetic to the space or building to which it relates as well as the overall character of the public realm and it shall be developed complementary to CYC standards.

5.57 The layout plan shows four locations for wayfinding which are supported in principle, however no specific detailing has been provided in terms of the precise location, size, design and finish. The Council's Design and Sustainability Manager recommends that a condition be attached for provision of wayfinding. Condition 24 of the outline consent requires elements of hard and soft landscaping to be approved prior to commencement, which includes items of street furniture, and whilst wayfinding is not specifically referenced it does fall under hard landscaping. For the avoidance of doubt Officers expect that the full detail for wayfinding be presented as a subsequent discharge of this condition.

#### Street furniture

5.58 In terms of street furniture the approved Design Guide states that street furniture is a vital component of usable streetscapes and open spaces and

when strategically sited and comprising well chosen materials, it enhances and complements the spaces in which it is located. Street furniture inspired by the site's pre-rail and railway heritage and the skill, craft and mechanical production associated with this is encouraged. Key principles are set out which include ensuring user's health and safety, design reflecting the hierarchy of streets, street furniture to respond to the particular identity of each neighbourhood, enhancing each area's urban and landscape characters and reinforcing its sense of place to create comfortable and pleasant environments and the use of recycled materials is encouraged.

5.59 The submitted layout plan shows seating provided in various locations across The Square, including some parallel with Cinder Street, to the west of the Mineral Office (Bullnose Building), around the weighbridge office, outside the Goods Station and to the east of Plot F1a, with informal seating provided around the stepped amphitheatre. Outdoor seating would also be provided outside the NRM café (up to 120 seats). The seating appears in logical locations and at reasonable intervals, Officers therefore support the layout of seating shown. Some representations suggest that there is insufficient seating provided, however Officers consider that there is a reasonable amount to serve the space and note there would be nothing to prevent further seating being added if it was felt necessary at a later date. No specific locations have been shown for bins at this stage and it is important that the layout of these is also carefully considered. It should be noted that Condition 24 requires the precise locations and detailed design of street furniture which shall include seating and bins, to be approved prior to commencement and this condition would need to be complied with.

### Hostile Vehicle Measures

5.60 Hostile vehicle measures are required for this space and would be provided through a combination of bollards, raised planters and seating. The evolution of the design to avoid the reliance on bollards alone to achieve the required security is welcomed and the measures appear well considered and integrated into the proposed scheme. The measures inevitably create some visual clutter in the space however it is accepted that these are fundamental safety requirements and this outweighs the very minor visual impacts they would have. Officers consider that the design approach is appropriate and this is supported by North Yorkshire Police. The Council's Design and Sustainability Manager notes that full details would be required for the secure line of bollards as these can come with additional control poles, CCTV and their poles and electrical cabinets. Condition 19 of the outline consent relates to security measures and requires details including, CCTV, security lighting and would extend to security bollards and any associated equipment and as such this condition will need to be complied with prior to commencement so there will be



further opportunity to review the full package of security measures including locations to reduce clutter at discharge of condition stage.

5.61 The proposals would see a significant improvement to the appearance of the site and the fundamentals of the design appear logical given the constraints and variety of functions and roles the public realm needs to achieve. The proposals would make a positive contribution to the character and appearance of the area and the wider City. The proposals are in compliance with the approved parameter plans and approved design guide and align with the Environmental Statement submitted at outline stage and with local and national policies. Any matters of detail outstanding are either covered by existing outline conditions which need not be repeated or through new conditions as set out at the end of this report.

## **HERITAGE IMPACTS**

### Impact on the setting of Heritage Assets

5.62 The impacts on heritage assets are assessed in the context of whether the detailed proposals submitted accord with what was set out at outline stage and to establish whether the conclusions of the ES remain valid. In addition applications should be considered in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, which states in section 66(1) that local authorities shall have 'special regard to the desirability of preserving the building or its setting' when considering proposals affecting listed buildings or their settings. Section 72 of the same Act requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.63 Relevant paragraphs of Chapter 16 of the NPPF set out how Local Planning Authorities (LPAs) should approach determining applications that affect heritage assets. Paragraph 201 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of evidence and any necessary expertise. Paragraph 212 states that LPAs should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

5.64 Policy D2 of the Draft Local Plan relates to landscape and setting and details a series of design criteria to be encouraged. Policy D5 of the Draft Local Plan relates to proposals affecting a Listed Building or its setting. It states they will

be supported where they preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. The more important the building, the greater the weight that will be given to its conservation.

### Assessment

- 5.65 The application site sits outside the historic core of York and lies outside of the conservation area, however it is enclosed by a number of grade II listed buildings and as such the impact on the setting of these heritage assets needs to be taken into consideration. It is noted that the outline consent included a Heritage Statement which set out the baseline description of key heritage assets within and around the site. The report acknowledges that the York Central site still contains many railway buildings seen at the turn of the twentieth century and valued as part of York's industrial heritage. The most significant of the National Railway Museum buildings, which immediately adjoins The Square being the Goods Station, with its unusually intact sequence of Goods Station (also known as Station Hall/Peter Allan Building), the former weigh office, former coal manager's office and house (also known as the Mineral Office/Bullnose Building) and entrance Gatepiers all of which are grade II listed. The buildings are important examples which discern how Victorian processes for handling goods and coal operated following the introduction of the railways. The buildings are considered to have greater significance when considered as an ensemble rather than a set of individual buildings.
- 5.66 The Heritage Statement confirms that the grade II listed forecourt grouping have a high significance, although it acknowledges that the multiple lines of railings and fencing together with the significant levels of parking currently detract from their setting. The proposed York Central development therefore offers positive opportunities for the site's heritage.
- 5.67 It was anticipated at outline stage that part of the wall connected to the gateposts would be demolished, with the sense of enclosure being preserved by trees, benches and planters along the line of the old wall which was seen to be an important aspect to retain the sense of enclosure for the ensemble of historic buildings. It also recommended that investigation into the possible presence of the northern forecourt weighbridge was considered. The setting analysis submitted recognised that from the southern most gatepost of the Goods Station forecourt there is a 360 degree view taking in the collection railway buildings which allows the listed buildings to be experienced as a strong architectural sequence and this setting is therefore of high significance.

- 5.68 This reserved matters application is accompanied by a Heritage Impact Assessment which takes into account the Heritage Assessment undertaken at outline stage. The assessment acknowledges that the development will impact upon the setting of heritage assets and takes into account the fact the redevelopment proposals for Central Hall will alter the impact on setting from what currently exists. It acknowledges that the reduction of the wall and railings, consent for which has been granted under 23/01652/LBC, will impact upon the setting of the adjacent listed gate posts, reducing the overall sense of enclosure. However the wall line will be preserved by a design feature on the ground as well as planting which will echo the line of the boundary and retain the sense of enclosure in accordance with the outline Heritage Assessment.
- 5.69 In addition to this the retained section of wall would be repaired and restored under consent 23/01652/LBC which would enhance its aesthetic and ensure its long term preservation. The Council's Design and Sustainability Manager supports the proposals overall, however requested that there be a vertical feature to represent the line of the proposed removed wall. The Applicants have stated that the alignment of the former wall is not parallel to Cinder Street so an exact marker is not possible, however it is the intention that a line of engraved script granite kerb along the northern side of the planting area adjacent to the bench seating is proposed. They considered this was the best position to provide this rather than on the southern edge where it could be potentially distracting for cyclists. Queries were also raised in respect of the intended position of the side pass gates and the Applicants have advised that these would be fixed closed and this can be conditioned.
- 5.70 In terms of the former weigh office the Applicants confirm that investigations have shown that the second 'weighbridge' no longer exists. It is therefore intended to reintroduce the second 'weighbridge' as a cast metal new 'weighbridge' with the landscape and tree planting surrounding it framing the asset without obscuring the visual links with other assets. The Council's Design and Sustainability Manager does not see the merits of putting the building inside a circular paved and planting feature, although recognises it may help in the short term as it is without a use and has recommended a condition for more detail on the landscape treatment and detailed proposal for the weighbridge.
- 5.71 With respect to the Bullnose building/Mineral Office it is noted that the building will be more physically isolated, however this has already been accepted through consent for Central Hall and the closure of Leeman Road. The public realm scheme has the potential to ameliorate the harm to the setting of this building, which has already been accepted through previous consents, through a hard/soft landscape scheme that aims to re-anchor the building into a wider scheme. The Council's Design and Sustainability Manager suggested that

surfacing design could echo the presence of Leeman Road through choice of differentiated paving unit sizing and bonding patterns and this has now been incorporated onto the amended plans submitted and final hard materials for this area will be agreed through Condition 24 and material samples. It is noted that the amphitheatre design also helps with re-anchoring the building.

5.72 Historic England have no comments to make and have recommended that advice is sought from the Council's Conservation Officer.

5.73 As set out above the significance of the heritage assets is derived from the intact ensemble of railway buildings, this would not alter by virtue of the proposals which would significantly improve and enhance the space from what currently exists and in turn enhance the setting of the listed buildings. Whilst this could be improved further by bringing vacant buildings into use, this is not for this application to resolve. Officers therefore accept that the proposals in terms of their impacts on heritage assets.

#### Impact on the setting of the Conservation Area

5.74 York Station and land to the east of it (including the city walls) lie within the Central Historic Core Conservation Area. Character Area 22 of the Conservation Area relates to the Railway Area which contains a mix of building types, of varying scale and period with many surviving features which relate to the arrival and development of the railway which form a strong narrative when considered alongside the buildings within the York Central site. Many of the surviving buildings within this part of the conservation area are listed and as such have a high significance within a historic setting of high significance.

5.75 At outline stage it was recognised that direct impacts on the setting of heritage assets in the Historic Core Conservation Area as a whole were relatively minor. At outline stage it was also assumed that several redundant buildings in the railway yards (such as the Bullnose building for example) could be conserved and brought back into use, they could then (through positive design interventions) be reintegrated into York's wider 'railway area' setting. This would benefit the former NER buildings in the Railway Area conservation area, however these would be part of future reserved matters applications. Overall having had regard to the impacts of the provision of a new area of public realm on the setting of conservation area it is considered that the proposals would enhance the setting.

#### Archaeology

- 5.76 Condition 68 of the outline consent requires that as part of any reserved matters application a detailed Archaeological Remains Management Plan (ARMP) shall be submitted to and approved in writing by the Local Planning Authority. In this case the Council's Archaeologist has confirmed that this is not required for this part of the site as the original ground levels in this area have been reduced removing any archaeological resource in the process. The submitted Heritage Impact Assessment notes that there is moderate potential for survival of elements of an oil and gas works of the 1890s, but this sits largely within the National Railway Museum application boundary (21/02793/REMM) for Central Hall and as such any archaeological mitigation will take place as part of that development. The Council's Archaeologist therefore confirms that proposals are acceptable in terms of the approach to archaeology. If any unexpected archaeological features or deposits were encountered during construction consultation would take place with the Council's Archaeologist. Historic England make no comment on archaeology. In this context the proposals are therefore acceptable.
- 5.77 In terms of heritage impacts the proposal accords with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant chapters of the NPPF and policies D1, D4 and D5 of the Draft Local Plan (2018). The proposals align with the outline parameter plans and Design Guide and result in no additional impacts on heritage beyond those identified in the Environmental Statement.

## **HIGHWAYS MATTERS**

- 5.78 Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which (amongst other criteria) a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other for example through street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, b) are safe and accessible for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles for example through, layouts that encourage walking and cycling.
- 5.79 Paragraph 108 states transport issues should be considered from the earliest stages of development proposals so that (among other criteria) opportunities to promote walking, cycling and public transport use are identified and pursued, patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Paragraph 114 advises it should be ensured that (among other criteria) appropriate opportunities to promote sustainable transport

modes can be or have been taken up and safe and suitable access to the site can be achieved for all users. Paragraph 116 goes on to state that within this context applications should (among other criteria) give priority first to pedestrians and cycle movement both within the scheme and with neighbouring areas so far as possible, address the needs of people with disabilities and reduced mobility in relation to all modes of transport, create places that are safe, secure and attractive, which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and respond to local character and design standards and allow the efficient delivery of goods and access by service and emergency vehicles.

- 5.80 Draft Local Plan policy T1 relates to sustainable access and requires development to demonstrate there is safe and appropriate access to the adjacent adopted highway for motor vehicles but also for pedestrians and cyclists, they provide suitable access, permeability and circulation for a range of transport modes whilst giving priority to pedestrians (particularly those with impaired mobility), cyclists and public transport services and they provide, sufficient convenient, secure and covered cycle storage and restrict access or discourage general motor vehicle traffic.

### Assessment

- 5.81 The outline consent set out the parameters for access and circulation routes and established that Hudson Boulevard would be the main pedestrian/cycling route with Cinder Street being the main vehicular route for cars and public transport. The consent also established the principle of stopping up Leeman Road with a new pedestrian connection through the National Railway Museum site and shuttle working of the Leeman Road tunnel with a segregated two way cycle route provided.
- 5.82 Condition 41 of the outline consent secures the design requirements for Leeman Road Tunnel and Marble Arch. In addition prior to occupation of Plots B, C, D, E and F there is a requirement for a scheme for the pedestrian and cycle link between York Central and Holgate Road (either via Chancery Rise or Wilton Rise) (Condition 42), an inclusive access into the railway station (Condition 43) and a cycle hub with provision for 300 cycles (Condition 44) to be submitted and approved. These improvements are yet to come forward, however the scheme has been designed with accessibility to these facilities.
- 5.83 The first of the York Central reserved matters applications under reference 20/00710/REMM sought consent for layout, scale, appearance, landscaping and access for the construction of the primary vehicle route and associated roads and alterations to the existing road network which have a direct relationship to The Square.

5.84 The Square is a space where a number of accesses through the York Central site converge. It is where the main entrance to the National Railway Museum and its outdoor café seating area will spill out onto, where the walkway route as part of the stopping up of Leeman Road will run, where access from the rear of the Station via a crossing point will direct pedestrians, where the main pedestrian and cycle access from Marble Arch will run and where the pedestrian and cycle access along Hudson Boulevard terminates. This area of public open space is therefore seen as part of the main gateway into the York Central site.

### Pedestrian movement

5.85 The submitted Planning Statement confirms that The Square has been designed in consultation with MIMA Group to ensure that it has been designed with consideration of the nine protected characteristics set out under the Equality Act 2010. The Applicant has also submitted an Equality Impact Assessment to demonstrate how equalities has drive the chosen design. The Applicants have also presented the scheme to The Access Forum and the Council's Access Officer which has led to a number of amendments to the design during the course of the application.

5.86 In terms of pedestrian movement, if arriving from the City Centre through Marble Arch a new crossing point would be provided (amended from that approved as part of the infrastructure works) which directs pedestrians close to the Mineral Office/Bullnose building where they can continue through The Square to the National Railway Museum either through the listed gateposts or to the north side of the Mineral Office/Bullnose building. The main route to the NRM being denoted by directional tactiles.

5.87 The Council's Highway Officer has considered in detail the movement of pedestrians throughout the site and has liaised with the Council's Access Officer in respect of this. With respect to the northern pedestrian crossing on Cinder Street, this has been designed as a Toucan. This means that cyclists and pedestrians will have to share the crossing and its approaches (shared space). Highway Officers consider this acceptable in this location as the number of cyclists using this crossing should be relatively low. They advise that this would need to be reviewed if the planning application to deliver the Wilton Rise bridge results in cyclists having to use this crossing to rejoin Cinder Street. The application has therefore been assessed on the Council's current understanding of anticipated movements around the site. The Highways Officer has recommended that the detailed design of this crossing should be conditioned and subject to a full Road Safety Audit.

- 5.88 A second crossing point into the site would be provided close to Plot F01a. In the long term it is intended that this would be the main route for those accessing the site from York Station, the proposed cycle hub and Wilton Rise footbridge. The Highways Officer notes that high flows of cyclists and pedestrians are expected at this crossing. This signalised crossing has been amended so that it would be a parallel crossing, avoiding the need for cyclists and pedestrians to share the approaches and crossing. Highway Officers consider this an appropriate design approach given that usage by both pedestrians and cyclists is likely to be higher. This approach is therefore accepted subject to detailed design being conditioned and subject to a full Road Safety Audit.
- 5.89 With respect to pedestrian use of The Square itself the Design and Access Addendum notes that visually contrasting 'directional' tactile paving routes are proposed to guide blind and partially sighted visitors from both pedestrian crossings to and from the NRM building. The Highways Officer recommended to the Applicant that directional tactile paving also be provided to guide pedestrians along the route linking Cinder Street to Hudson Boulevard. The reason they give for this is that not all pedestrians will want to go to the NRM and noting that the main public/highway route will be between the two crossing points on Cinder Street and into Hudson Boulevard. The Applicant considers the tactiles are only necessary to provide a route through a large open public realm to a destination, such as the NRM. As Hudson Boulevard is not a destination in its own right they do not consider that directional tactiles are necessary. They are also concerned that it could become confusing if too many tactiles are provided. This approach is not supported by CYC's Highway Development Control Officer or by CYC's Access Officer. Highway Officers accept that this matter could be dealt with through the discharge of condition 24 for hard surfacing however the Applicant would need to be in agreement to this, currently they consider the design as shown is sufficient to provide guidance to pedestrians. The Applicant's Access Advisor has not raised this as a concern and Officers accept that providing too many tactiles or different surfacing within the site may prove confusing and that not all routes can be differentiated. The layout provides some directional aids through the defined edge of planters and street furniture within The Square close to both pedestrian access points. This will be further supplemented through the use of wayfinding.
- 5.90 Within The Square Highway Officers also requested that a priority crossing be provided for pedestrians crossing the cycle route linking Cinder Street to Hudson Boulevard. This has been incorporated onto the revised plans submitted and has been designed similar to a zebra crossing. Highway Officers have raised concern that the indicative colour differentiation between the stripes was not acceptable, although they accept this detail can be dealt



with through condition 24. Highway Officers also note that due to the proposed design offering no level difference between the cycle route and the pedestrian areas, the crossing will not be designed in line with best practice (crossings would usually be placed on a raised table to slow cyclists down). The Highways Officer has therefore recommended that the detailed design being conditioned and subject to a full Road Safety Audit.

5.91 During the course of the application, Highway Officers have requested a plan showing the extent of the adopted highway. They consider this is needed to be able to assess the proposals in terms of highway rights for all users. They consider this is especially important for pedestrians as there is no footway on the eastern side of Cinder Street and a two-way cycle route is proposed alongside the western side of Cinder Street. In highway terms a suitable route for pedestrians will therefore need to be provided at all times to enable pedestrians to travel alongside Cinder Street and to/from Hudson Boulevard. It is acknowledged that this can be dealt with through a condition requiring that a plan be submitted.

#### Cycling movement

5.92 Cycleways are proposed which connect a newly created two-way segregated cycleway through Leeman Road tunnel approved as part of the infrastructure works. Cycle infrastructure within The Square will connect with Hudson Boulevard and Cinder Street. Cycle parking facilities will be provided close to Plot F01a and outside the Mineral Building. In response to comments from Active Travel England and CYC Highways revised plans were submitted which increase the number of stands and enable space to facilitate adapted cycles/cargo bikes. It is anticipated that further cycling provision would be provided at the proposed cycle hub planned close to the new station entrance which will come forward as a future reserved matters application. Active Travel England note this is the case and consider the provision shown to be sufficient for the purposes of this application. CYC's Highway Officer considers that the cycle parking provided on The Square is insufficient. The Applicant considers that they have provided sufficient provision, particularly in light of the comments from Active Travel England. Officers accept this position given that individual developments, as they come forward, will be required to provide their own cycle parking spaces, in light of the cycling hub coming forward and the fact that the NRM have further cycling provision on the north western side. In addition to this it is noted that there is nothing to preclude the introduction of additional cycle stands at a future date. Further details of the design, specifications and appearance of the cycle stands will be submitted and approved as part of the discharge of Condition 24.

5.93 The OPA Design Guide envisaged that part of the cycle route within The

Square would be shared with pedestrians, however in designing the scheme and in response to comments from the Highways Officer the Applicants have provided defined cycle routes in order to try to reduce conflict/risk of collision. They propose the areas would be identified through different surface textures to highlight the segregation. The Highway Officer notes that the only delineation provided is a silver grey granite flat top edge kerb flamed finish laid flush between the cycle route laid in Yorkstone sett paving capital finish and the pedestrian area which is laid in Yorkstone paving capital finish.

5.94 The Highway Officer notes the relevant guidance includes:

- LTN 1.20 Principle 2 “Cycles must be treated as vehicles and not as pedestrians. On urban streets, cyclists must be physically separated from pedestrians and should not share space with pedestrians. Where cycle routes cross pavements, a physically segregated track should always be provided. At crossings and junctions, cyclists should not share the space used by pedestrians but should be provided with a separate parallel route”.
- Para 6.2.7 of LTN 1.20 “Cycle tracks in all forms should be clearly distinguishable from the footway. The preference among visually impaired people is for a level difference between the cycle track and footway as this is the most easily detectable form of separation. Colour and tonal contrast, and different surface materials – for example asphalt on the cycle track and concrete flags on the footway – also help”.
- Inclusive mobility Section 4.6 “Mixing pedestrians and cyclists should be avoided as far as possible, in order to reduce the potential for collisions or conflict, and shared use routes in streets with high pedestrian or cyclist flows should not be used. It is particularly important to protect those pedestrians who are most at risk and who, for example, might not be able to see or hear an approaching cyclist.”

5.95 In terms of the cycle route linking Cinder Street and Hudson Boulevard, the Design and Access Statement addendum notes that the edge material of the cycle lane within the ‘shared space’ would include a band of black granite setts to increase visual contrast, set against a wide (400mm) silver grey granite paver with ‘blister’ tactile finish, to aid blind and partially sighted visitors. All surfaces would be flush to remove trip hazards. Highways Officers comment that this results in the provision of a shared area and is not compliant with guidance (as described above). As such, this is not supported by CYC’s Highway Development Control officer and by CYC’s Access Officer.

5.96 The Highway Officer does however confirm that the detailed design of the cycle facilities can be conditioned to address these points of concern and it is further noted that final hard surfacing materials are dealt with through the discharge of Condition 24 where this detail can be agreed.

## Vehicular movement and Access

- 5.97 The Infrastructure RMA stated that a service access would be maintained on Leeman Road to provide access for the NRM, Northern Power and Network Rail to their assets to the north-east of the NRM buildings, maintenance and servicing would be provided from Leeman Road (west) and Cinder Street. The submitted Transport Assessment states the proposals align with the Infrastructure RMA. Condition 49 of the outline consent requires a site specific vehicle servicing strategy to be approved prior to commencement and this will therefore need to be discharged accordingly.
- 5.98 The Square will have limited vehicular access with two access points from Cinder Street, one to the north and one to the south of the Mineral Office (Bullnose Building). These access points were approved, albeit to a different design, through the approved infrastructure works. The accesses would only enable access for servicing at the NRM including delivery of supplies, exhibits, refuse collection and track and plant access. The access requirements would be largely between 7am and 10am with vehicles parked for a limited period. Access to the Hydraulic Power House would be required 24/7 however this is understood to be very infrequent access. The Applicants intention is that vehicular movement would be controlled through a Traffic Regulation Order (TRO) to be approved separately by CYC Highways. The Square will also need to allow access for emergency vehicles and this would be controlled by the use of active hostile vehicle mitigation measures and also covered by a TRO. There is no car parking included as part of these proposals as car parking is provided for elsewhere on the wider York Central site and for users of the National Railway Museum this is situated to the north western side of Central Hall.
- 5.99 Although indicative accesses and dropped crossings have been shown on the submitted plans, the Highway Officer confirms that the accesses require consent as they are located off a classified road. They advise that based on an assessment of the layout and visibility of these accesses presented to date they would object to the access as shown as they have highway safety concerns and as such they consider the access layout cannot be permitted at this stage. Given that an access has been granted in a similar position under the infrastructure works it would be unreasonable to request the applicant remove this access. Officers note that visibility for any access point in this location will have some restriction on visibility by virtue of the listed gateposts, however note that the landscaped boundary will enable some intervisibility between the cycle lane and the access. It is also recognised that cycling speeds should be relatively low and the access will have a low level of use. It should therefore be possible to design an appropriate solution in order that the access is delivered in a manner which is safe for cyclists. Officers consider

that a planning condition could cover this detail subject to a full Road Safety audit.

5.100 With respect to controlling access, Highways Officers requested a strategy to manage vehicle access for the areas between Cinder Street (including the cycle route) and the HVM bollards providing access to the NRM (two access points). The applicant previously stated that this would be managed through a TRO. Any enforcement by CYC would require ANPR based enforcement of access restrictions therefore the future provision of this equipment is recommended through condition.

5.101 The crossing point close to the Bullnose Building has altered position since the infrastructure works were approved, this in turn impacts on the NRM road train access on the opposite side of Cinder Street and amendments have been sought to the plans to demonstrate that an appropriate access/egress for the road train can still be provided. An indicative plan has been submitted suggesting how this area could be designed which shows the NRM road train loop signalised to ensure that the road train only exits when it is safe to do so to ensure the safety of pedestrians and cyclists using the northern signalised crossing and to reduce the risk of the train blocking Cinder Street and the shuttle arrangements for vehicles travelling through the Leeman Road tunnel. Highway Officers have advised that the detailed design of this is to be conditioned and subject to a full Road Safety Audit.

### Servicing

5.102 Servicing requirements are covered by the Central Hall approval (21/02793/REMM). The Transport Assessment submitted with that consent stated that servicing was as follows:

- Catering - 6 catering deliveries a week between 07:00 and 10:00 hours parked for 20-90 mins. Mixture of small to medium vans up to 18 Tonnes
- Catering refuse collection – 3 times a week using Biffa refuse vehicle and skip lorry for glass. Days are known but times vary.
- Retail and office deliveries – 7.5 tonne vans typically between 08:00 and 16:00 up to 8 deliveries a day ranging from boxes to 4 pallets per delivery.
- Other deliveries/refuse collection currently to rear.

5.103 It should be noted that Condition 49 (site specific servicing strategy) still requires formal discharge for Central Hall and this will need to be discharged prior to commencement so further details should come forward as part of a discharge of conditions application to ensure that Highway Officers are satisfied with the arrangements proposed.

## Hostile Vehicle Mitigation

5.104 The Square would include the provision of Hostile Vehicle Mitigation the majority of which will be static, however at Hudson Boulevard, the stub of Leeman Road and access to The Square west of the Bullnose building will be active (possibly remotely operated) to enable access for servicing and emergency vehicles. Whilst the principles of the approach to hostile vehicle measures is supported, the precise location and specifications of the bollards and street furniture designed to restrict vehicular access, and in some cases, protect from hostile vehicles are not fully agreed, however it is noted that this will be dealt with through the discharge of Conditions 19 and 24, prior to commencement.

## Coach Access

5.105 The infrastructure approval (20/00710/REMM) made provision for coach access/drop off and pick up for the NRM adjacent to The Square. It was proposed that a layby would be provided to enable two coaches servicing the National Railway Museum to set down / pick up passengers. The Applicant has advised that these coach bays are no longer required and as such this part of the road has been amended to reflect the removal of the bays. The coach parking and turning arrangements are now provided to the rear (north-western side) of the National Railway Museum and were consented as part of application 23/00713/FUL for the reconfiguration and surfacing of the car park at North Yard with access from Leeman Road with erection of cycle shelters, road train shed and associated landscaping works. The removal of the coach bays along Cinder Street are therefore supported.

## Construction Traffic Impacts

5.106 It is intended that construction traffic routing will be addressed through the Construction Environmental Management Plan which would need to be discharged through Condition 15 of the outline consent prior to commencement of development.

## Highway Conclusions

5.107 Having had regard to all of the highway related issues CYC Highways Officers remain concerned with respect to some aspects of the layout and design, they have however recommended that most of these matters are addressed further through conditions supported by a Road Safety Audit. The proposals are however in line with what was accepted at outline stage in terms of impact on the routes for pedestrians and cyclists and access for servicing and deliveries at The Square. Furthermore the Environmental Compliance Statement

confirms that there are no additional impacts than were reported in the traffic and transport chapter, and as a result the conclusions of the ES remain valid.

## **ECOLOGY/BIO-DIVERSITY**

5.108 The NPPF paragraphs 180 to 188 relate to conserving and enhancing the natural environment, habitats and biodiversity. Policy GI2 of the Draft Local Plan requires development to conserve and enhance York's biodiversity by proposals resulting in a net gain to and helping to improve biodiversity. Policy GI4 supports development which supplements the city's tree stock with new tree planting.

### Assessment

#### Impact on protected species

5.109 Planting of trees alongside Cinder Street will form the beginning of a new green corridor which will run through the York Central site which will have the benefit of providing habitat for bats and connectivity through the York Central site.

5.110 A number of ecological surveys on specific species were undertaken at outline stage, however it was recognised that these were to provide baseline information and would need to be updated for each reserved matters phase to reflect changes in the distribution or abundance of mobile species on the site. Condition 28 of the outline consent therefore required that application(s) for reserved matters shall include an up to date (no more than 2 years old) Preliminary Ecological Appraisal (PEA) and any further necessary habitat or species surveys as recommended by the appraisal.

5.111 This reserved matters application is accompanied by a Preliminary Ecological Appraisal (PEA) which confirms that the development will have minimal impact on the ecologically significant habitats on site as there is very little vegetation removal. There is the presence of buildings surrounding the site that demonstrate potential for bat roosting. These have been surveyed for bats as part of the National Railway Museum's proposals and these surveys are accepted by the Council's Ecologist who has confirmed that no additional bat survey work is required given the current status of the buildings and low activity levels of bats found in previous surveys. It is recommended within the PEA that where possible the Applicants should consider incorporating bat boxes or other artificial roosting structures into the development to provide additional habitat opportunities for bats. To enhance the site's overall ecological value it is also recommended that native trees, shrubs and plant species and mixed scrub are incorporated into the soft landscaping design.

5.112 The Council's Ecologist supports the recommendations set out in the PEA, however raised concerns that the tree heights proposed may not be suitable to support bat boxes, she has therefore recommended a condition to ensure that if they are not able to support them alternative locations or products can be approved. The proposals are therefore acceptable in terms of their impacts on protected species.

### Biodiversity Enhancement

5.113 With respect to biodiversity enhancement, Condition 30 of the outline approval requires each reserved matters application to provide a Biodiversity Enhancement Management Plan (BEMP) for the creation of new wildlife features to secure net gains for biodiversity.

5.114 The application is supported by a BEMP which sets out measures to support biodiversity and foraging resources for bats and other wildlife species. The proposed measures recommended on this site includes the provision of three bat boxes, two bird boxes and one insect hotel, indicative locations for these are provided with precise locations to be agreed once the lighting strategy has been agreed.

5.115 The Council's Ecologist raised concerns regarding the impact of lighting on birds and bats and has recommended a condition to deal with lighting so that we can ensure that enhancement features are not illuminated and dark corridors are available for light sensitive species.

### Landscape and Ecological Management Plan (LEMP)

5.116 In line with OPA Condition 31, the application is supported by a LEMP which sets out the habitats to be created and the subsequent management and monitoring of these areas and this is accepted by the Council's Ecologist.

5.117 The proposals are in line with the outline Environmental Statement and conditions set out at outline stage. The proposals accord with local and national policy in respect of the impacts on ecology and biodiversity.

## **FLOOD RISK AND DRAINAGE**

5.118 The NPPF paragraph 173 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate applications should be supported by a site specific flood risk assessment.

5.119 Policy ENV4 of the Draft Local Plan relates to flood risk and states new development shall not be subject to unacceptable flood risk and shall be designed and constructed in such a way that mitigates against current and future flood events.

5.120 Policy ENV5 of the Draft Local Plan relates to sustainable drainage, this states for all development on brownfield sites, surface water flow shall be restricted to 70% of the existing runoff rate (30% reduction in existing runoff), unless it can be demonstrated that it is not reasonably practicable to achieve this reduction in runoff. Sufficient attenuation and long term storage should be provided to ensure surface water flow does not exceed the restricted runoff rate and must accommodate at least a 1 in 30 year storm. The policy goes on to state that Sustainable Drainage Systems (SuDS) should be utilised for all new development to minimise the risk of pollution and attenuate flood volumes.

### Flooding

5.121 The Square is located within flood zone 1 and as such is at low probability of flooding. A Flood Risk Assessment relating to flood impacts for the whole of York Central site were assessed as part of the outline approval. Conditions attached at outline stage relevant to flood risk were Condition 72 which required a site specific flood risk assessment for any development in zones 2 and 3, which is not relevant to this site and Condition 73 which relates to flood compensatory storage for the Primary Vehicle Route which again is not relevant here. No further flood risk assessment is therefore required, however other drainage matters are considered further below.

### Drainage

5.122 The existing site is impermeable tarmac with gullies on site collecting surface water run-off and discharging it below ground to the Leeman Road combined sewer. The eastern part of the existing site falls steeply towards Cinder Lane/Leeman Road and surface water run-off which escapes the gullies discharge to the highway drains then to Leeman Road sewer.

5.123 At outline stage it was confirmed that separate foul, surface water and highway water drainage systems would be utilised as investigations had shown that infiltration methods of surface water disposal were not suitable. A series of drainage conditions were attached at outline stage which are relevant to these proposals, these include Condition 76 that separate systems of drainage are required for foul, highway and surface water and Condition 77 which requires details of surface water drainage details to be submitted and approved.



- 5.124 This application is accompanied by a Drainage Note, this explains that the design and installation of the drainage infrastructure including new foul sewerage, surface water and highway drainage networks for the wider York Central is being delivered as part of the approved infrastructure works being constructed. It confirms that part of the surface water catchment for The Square is incorporated into these works.
- 5.125 As part of the Central Hall approval it was proposed that surface water run-off from Central Hall building and external areas would be discharged to hardstanding areas into the combined water public sewer, a below ground cellular tank situated beneath The Square is proposed to attenuate flows.
- 5.126 The remainder of surface water run off for The Square that is not accommodated by the infrastructure works or Central Hall drainage proposals will need to be attenuated to limit surface water flows and this will be considered further as part of the discharge of Condition 77. The Drainage Note advises that it is however anticipated that this would include permeable paving, additional planters (above ground/near surface attenuation) and attenuation features which could include below ground storage within drainage pipework.
- 5.127 The Council's Flood Risk Management Team have reviewed the submitted Drainage Note and advise that surface water discharge rates should be in accordance with clause c) of Condition 77. They note the Drainage Note provides details of the existing catchment area within The Square which is connected to the public combined sewer in Leeman Road and this is agreed in principle. The report suggests that some areas (hatched green in the report) will be connected to highway drainage networks, it should be noted that only highway drainage will be allowed to these networks and not surface water generated from The Square and as such this is not agreed and this matter will need to be resolved through detailed design. The Flood Risk Management Team therefore have no objection to the reserved matters application in principle, subject to the detailed design being progressed through the discharge of Conditions 75, 76, 77, 78, 79, 80 and 81 of the outline consent.
- 5.128 Yorkshire Water have no objections to the reserved matters application.
- 5.129 Having had regard to the consultation responses, Officers are satisfied that the discharge of planning conditions attached at outline stage can provide the detail required to ensure that an appropriate drainage scheme is incorporated into the site and that there would be no additional impacts in terms of flood risk. The proposals therefore comply with local and national policy with

respect to drainage and flood risk subject to discharge of conditions. There are therefore no further impacts beyond those identified within the OPA ES.

## **ENVIRONMENTAL PROTECTION**

### Air Quality

- 5.130 Paragraph 186 of the NPPF states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Policy ENV1 of the Draft Local Plan states development will only be permitted if the impact on air quality is acceptable.
- 5.131 The outline Environmental Statement confirmed that taking into account the Transport Assessments and Air Quality Monitoring, there would be no residual effects as a result of the York Central development from construction activities subject to implementation of construction dust mitigation measures which would be discharged through Condition 15 which requires a Construction Environmental Management Plan to be submitted and approved prior to the commencement of each phase or sub phase of development. In addition the it established that there would be no predicted residual effects as a result of the development to human or ecological receptors arising from operational traffic and that any potential impacts arising from temporary car parks would be mitigated by suitable design.
- 5.132 Condition 53 was attached to the outline approval and this required that an Emission Mitigation Statement (EMS) be submitted to the Local Planning Authority. This condition was partially discharged by Homes England/Network Rail under application AOD/22/00097. The submitted Emissions Mitigation Statement provides a framework by which all Reserved Matters Applications will be determined through setting out a number of measures for lowering emissions and exposure to air pollution, to deliver the principles of CYC's Low Emission Planning Guidance across the site and over a number of phases of development. The Council's Public Protection Team confirms that the EMS will need to be adhered to by each reserved matters application with each requiring a statement to cover the specifics of the measures which will be implemented.
- 5.133 The Applicants have provided an Emissions Mitigation Statement as part of this reserved matters application this states that as the proposals relate to infrastructure development which create no vehicular trips there are no additional emissions to assess in this instance, however the EMS includes an emission mitigation plan. The plan sets out that The Square does not include any car parking, however provides a dedicated footway and cycleway through the site to encourage alternative modes of travel and will include appropriate

way finding. Whilst there is access for delivery/maintenance vehicles, as is currently the case, these would be limited in number and access into The Square controlled through bollards. The plan confirms that The Square has been designed to help reduce exposure to users of The Square to road traffic emissions through providing trees and ground level planting adjacent to the cycle lane along Cinder Street and in planters adjacent to seating areas and through the main seating areas such as the café being located away from Cinder Street. The Council's Public Protection Team have confirmed that the Emissions Mitigation Statement submitted is acceptable in accordance with the requirements of Condition 53. The proposals as presented therefore do not give rise to any additional impacts beyond those set out the OPA Environmental Statement and accord with relevant policies.

### Noise and Vibration

- 5.134 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new development contributing to or being put at unacceptable risk from noise and where possible help to improve the local environmental conditions. Policy ENV2 of the Draft Local Plan requires development proposals likely to give rise to noise impacts to demonstrate how these have been considered in relation to both construction and the life of the development.
- 5.135 The submitted Environmental Compliance Statement confirms that the application requires minimal construction and demolition activities. As such noise and vibration levels are expected to be minimal with the implementation of appropriate mitigation, noise and vibration levels can be anticipated to be lower than those anticipated in the outline planning approval. Mitigation measures include the use of best practical means and control of noise measures which would be controlled through a site specific Construction Environment Management Plan to be discharged through Condition 15. The Council's Public Protection Officer has confirmed that given the distance between the site and the closest residential properties they have no objections in terms of noise. The proposals align with the OPA Environmental Statement and comply with policy.

### Contamination

- 5.136 Paragraph 183 of the NPPF requires planning decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination. Similarly Policy ENV3 of the Draft Local Plan requires planning applications to be accompanied by an appropriate contamination assessment.

- 5.137 A contamination assessment is required pre-commencement as part of Condition 55, the application is therefore accompanied by a Geo-Environmental Desk Study Assessment. This states that there is low risk to future site users from potential contaminants associated with made ground and moderate/low from ground gas, potential soil contaminants in soils at the location of the historical gasometer and historical industrial use of the surrounding site. The report therefore confirms that ground investigation is not required to characterise the ground conditions beyond those identified within the report, however a remediation strategy will be required which aligns with the requirements of Condition 56. In addition any sub soil or top soil materials being imported to the site will be analysed to ensure it is suitable for the intended use, which will be agreed with the LPA to satisfy condition 59.
- 5.138 The Council's Public Protection Officer has confirmed that they have no objections and it is noted that outline planning conditions 55, 56 and 59 which will require subsequent discharge adequately deal with this matter. Following the implementation of mitigation there will be no new or different construction effects than were reported in the OPA ES and as a result the conclusions remain valid. The proposals therefore accord with policy.

#### Light Pollution

- 5.139 Paragraph 185 of the NPPF requires planning decisions to ensure that new development is appropriate for its location and in doing so to limit the impact of light pollution from artificial light on local amenity. Similarly Policy ENV2 of the Draft Local Plan requires consideration of the impacts on amenities of occupants with respect to increase in artificial light or glare.
- 5.140 Condition 22 of the OPA requires that a lighting strategy be submitted with any reserved matters application. A Lighting Report has been submitted which sets out the anticipated approach to external lighting in order to provide a safe, comfortable and visually stimulating illuminated environment for users through the use of layered lighting. It has considered the position of lighting to avoid glare and light spill into surrounding areas.
- 5.141 The Council's Public Protection Team have confirmed that the strategy is accepted and have raised no concern with respect to light spill given the distance of the closest residential properties to the site. The proposals accord with the OPA ES which accepted any impacts subject to mitigation. The proposals are therefore in accordance with the OPA ES and accord with national and local policies.

## **6.0 CONCLUSION**

- 6.1 The principle of development of the site as public realm as part of the York Central development was approved at outline stage and the reserved matters application aligns with the approved parameter plans and design guide approved by Conditions 6 and 7.
- 6.2 The proposals would see a significant improvement to the appearance of the site and the fundamentals of the design appear logical given the constraints and variety of functions and roles the public realm needs to achieve. The proposals would make a positive contribution to the character and appearance of the area and the wider City and are in compliance with the approved parameter plans and design guide and align with the Environmental Statement submitted at outline stage and with local and national policies. Any matters of design detail outstanding are either covered by existing outline conditions which need not be repeated or through new conditions.
- 6.3 The proposals provide a satisfactory layout, appearance and landscaping which accord with the outline Design Guide and would enhance the character and appearance of this area. The application takes account of the impact of the development on the setting of heritage assets within and adjoining the site and the setting of the Conservation Area where it is concluded that the proposals would have a positive impact.
- 6.4 CYC Highways Officers remain concerned with respect to some aspects of the layout and design, they have however recommended that these matters are addressed further through conditions supported by a Road Safety Audit. Officers note the proposals are in line with what was accepted at outline stage in terms of pedestrians and cyclists linkages, access for servicing and deliveries and the lack of parking provision.
- 6.5 Impacts on habitats and ecology have been appropriately assessed and any outstanding matters addressed by condition.
- 6.6 There are no additional impacts identified with respect to drainage and flooding and it is noted that conditions at outline stage would need to be discharged.
- 6.7 The proposals are in accordance with the outline Environmental Statement which set out the anticipated impacts with respect to air quality, noise and contamination subject to mitigation and a series of conditions to be discharged.

## 7.0 **RECOMMENDATION**

7.1 The application is therefore recommended for approval subject to the following conditions:

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

Site Location Plan YC-RMA03 001 Rev 1  
Landscape General Arrangement BHA\_22\_1019\_NR\_S\_003 Rev U  
Hardworks General Arrangement BHA\_22\_1019\_NR\_S\_004 Rev K  
Softworks General Arrangement BHA\_22\_1019\_NR\_S\_005 Rev J  
Typical Landscape Details BHA\_22\_1019\_NR\_S\_007 Rev B

Reason: For the avoidance of doubt.

2. Notwithstanding the details shown on the approved Softworks General Arrangement BHA\_22\_1019\_NR\_S\_005 Rev J, prior to commencement of the soft landscaping works, an alternative species to *Quercus palustris* adjacent to Plot F01A shall be submitted as part of the discharge of Condition 24. The development shall thereafter be undertaken in accordance with the approved detail.

Reason: The species is too broad-spreading for the proximity to the future building line.

3. Prior to the installation of any signage, a signage strategy which shall include the design and position of all types of signage including the co-ordination of wayfinding and highway signage shall be submitted to and approved in writing. The signage shall thereafter be implemented in accordance with the approved strategy.

Reason: In order to achieve a suitable signage strategy for the site and in order to seek to minimise street clutter.

4. No development shall commence until a plan detailing the extent of the existing highway, any areas which will become adopted highway once the development is built and any areas which may need to be stopped up due to the proposed development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved plan.

Reason: In order to ensure that a suitable corridor remains open at all times for pedestrians and to future proof the transport provision around the site and avoid any issues with obstructions of the adopted highway where it has not been stopped up.

5. Prior to installation of any new external lighting a detailed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include:
- a) demonstration of how and where external lighting will be installed (through the provision of appropriate lighting contour plans, technical specifications and lighting mock ups where possible), taking into account street lighting and other lighting of surrounding buildings, clearly demonstrating where light spill will occur (including that which extends beyond the site boundary), lux levels and lighting spectrum (kelvin);
  - b) demonstration that required external lighting has been selected in-line with current guidance - Bat Conservation Trust (2018) Bats and artificial lighting in the UK.

The development shall thereafter be carried out in complete accordance with the approved details.

Reason: To protect the habitats European Protected Species where there might be changes on site in accordance with Section 15 of the National Planning Policy Framework.

6. The development shall be undertaken in accordance with the recommendations set out in Preliminary Ecological Appraisal dated May 2023 and the Biodiversity Enhancement Management Plan dated July 2023 by Pell Frischmann, unless otherwise approved in writing by the Local Planning Authority. In the event that tree sizes do not support bat and bird boxes (which should be installed at approximately 4m high) the applicant should submit details of alternative locations just outside the red site boundary, or offer alternative products for example invertebrate boxes, rather than bat and bird boxes. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of securing ecological enhancements at the site in line with the recommendations set out in submitted Preliminary Ecological Appraisal.

7. The existing gates attached to the listed gateposts shall be kept in a fixed closed position, unless otherwise approved in writing by the Local Planning Authority.

Reason: To maintain the sense of enclosure of the former Goods Yard which is an important aspect of the setting of the listed buildings.

8. No development shall commence until the detailed design of the highway and transport aspects of the development (covering all modes of transport), specifically including the following items, supported by a Road Safety Audit, has been submitted and approved in writing:
- a) layout and surfacing detail of the southern signalised crossing;
  - b) layout and surfacing detail of the northern signalised crossing;
  - c) layout and surfacing detail for the zebra crossing over the cycleway;
  - d) the delineation/signing of the junction as the cycleway from Cinder Street diverts onto The Square towards Hudson Boulevard.
  - e) Layout and extent of dropped crossings including plans showing that appropriate visibility splays can be achieved.
  - f) Details of the location and operation of ANPR at the access points.
  - g) Layout and details of the road train access/egress, signalling and signing.

The proposals shall thereafter be carried out in complete accordance with the approved details.

Reason: In the interests of the safety of pedestrians and cyclists.

9. Notwithstanding the details shown on Landscape General Arrangement BHA\_22\_1019\_NR\_S\_003 Rev U, prior to their installation the position of the cycle stands to the east of Plot F01a close to the crossing shall be submitted to and approved in writing. The proposals shall thereafter be carried out in complete accordance with the approved details.

Reason: There is a conflict between the proposed cycle stand and tactiles, their relocation is therefore required in the interest of pedestrian safety.

10. No development shall commence until details of a public art scheme, setting out, how this would be commissioned, the siting, scale, appearance of any proposed public art together with mechanisms to ensure its delivery and maintenance have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that public art is delivered on site despite the lack of a Public Art Strategy for York Central which is required as part of Condition 23 but is not yet agreed.

11. Prior to any new hard surfacing being laid a detailed layout and design for the both the southern and former northern weighbridges shall be submitted to and approved in writing by the Local Planning Authority. The



development shall thereafter be carried out in complete accordance with the approved details.

Reason: In the interests of ensuring a scheme which gives appropriate regard to the heritage of this part of the site.

## 8.0 INFORMATIVES:

### Statement of the Council's Positive and Proactive Approach

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

Worked with the Applicant during the course of the application to seek amendments where necessary in order to address concerns raised by Officers and consultees.

### Highways Informative:

You are advised that prior to starting on site, consent will be required from the Highways Authority for the works being proposed under the Highways Act 1980 (or legislation/ regulations listed below). For further information, please contact the officer(s) named:

- Adoption of highway (Section 38) – [development.adoption@york.gov.uk](mailto:development.adoption@york.gov.uk)
- Agreements as to execution of works (Section 278) – [development.adoption@york.gov.uk](mailto:development.adoption@york.gov.uk)
- Stopping up of the adopted highway - [development.adoption@york.gov.uk](mailto:development.adoption@york.gov.uk)
- Planting in the highway (Section 142) – to be addressed through S38/278 process
- Scaffolding, hoarding or skip licences - [highway.regulation@york.gov.uk](mailto:highway.regulation@york.gov.uk)
- Works in the highway – [streetworks@york.gov.uk](mailto:streetworks@york.gov.uk)
- Temporary highway closure (Road Traffic Regulation Act 1984, Section 14) - [highway.regulation@york.gov.uk](mailto:highway.regulation@york.gov.uk)
- Footpath/bridleway diversion (Town and Country Planning Act 1990, Section 257) – [rightsofway@york.gov.uk](mailto:rightsofway@york.gov.uk)

### Contact details:

**Case Officer:** Louise Milnes

**Tel No:** 01904 555199

Application Reference Number: 23/01494/REMM

Item No: 4d

