



Notice of a public meeting of

Planning Committee B

To: Councillors Merrett (Chair), Cullwick (Vice-Chair),
Fenton, Moroney, Nelson, Orrell, Vassie, Warters and
Wilson

Date: Tuesday, 9 September 2025

Time: 4.30 pm

Venue: West Offices - Station Rise, York YO1 6GA

AGENDA

1. Apologies for Absence

To receive and note apologies for absence.

2. Declarations of Interest (Pages 5 - 6)

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

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

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

3. Minutes (Pages 7 - 14)

To approve and sign the minutes of the last Planning Committee B meeting held on 15 July 2025.

4. Public Participation

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

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Friday, 5 September 2025.

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

Webcasting of Public Meetings

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

5. Plans List

This item invites Members to determine the following planning applications:

- a) **St Olaves School, Queen Annes Road, York, (Pages 15 - 36)**
YO30 7AA [24/00703/FUL]

Erection of 8no 15 metre high sports flood light columns. [Clifton Ward]

- b) **Hemplands Kids Club, Burnholme Youth (Pages 37 - 46)**
Centre, Bad Bargain Lane, York, YO31 0LW
[25/01168/GRG3]

Erection of a boundary fence of 2.4 metres high. [Heworth Ward]

6. Urgent Business

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

Democracy Officer:
Jane Meller

Contact details:

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

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

Declarations of Interest – guidance for Members

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

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

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

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

City of York Council

Committee Minutes

Meeting	Planning Committee B
Date	15 July 2025
Present	Councillors Merrett (Chair), Cullwick (Vice-Chair), Fenton, Vassie, Baxter (Substitute for Councillor Wilson) [from 5:04pm-5:07pm and from 6:10pm], B Burton (Substitute for Councillor Nelson), Fisher (Substitute for Councillor Orrell) [from 6:10pm], and Whitcroft (Substitute for Councillor Moroney)
Apologies	Councillors Moroney, Nelson, Orrell, Warters, and Wilson
Officers Present	Gareth Arnold – Development Manager Mark Baldry – Principal Development Projects Officer Mark Barratt - Conservation Officer Erik Matthews – Senior Planning Officer Owen Richards – Planning Officer Jodi Ingram - Lawyer

9. Apologies for Absence (5:04pm)

Apologies were received and noted from Councillors Moroney, Nelson, Orrell, Warters, and Wilson. They were substituted by Councillors Whitcroft, B Burton, Baxter, and Fisher respectively.

10. Declarations of Interest (5:04pm)

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

Councillor Vassie declared an interest in relation to item 5b, 1 Museum Street, York, YO1 7DT [25/00532/LBC], in that he sold books that could be purchased by the Applicant, it was noted that this was not an interest he knowingly benefitted from.

Councillor Baxter declared an interest in relation to item 5c, York Designer Outlet, St Nicholas Avenue, York, YO19 4TA [24/01633/FULM], in that her employer had submitted a representation regarding this application and as such she would not participate in the meeting during consideration of this item.

11. Minutes (5:06pm)

Resolved: That the minutes of the last meeting held on 12 June 2025 were approved as a correct record.

12. Public Participation (5:07pm)

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

13. Plans List (5:07pm)

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

14. RSPCA, Landing Lane, York, YO26 4RH [24/00919/FULM] (7:10pm)

Members considered a major full application by Mr P Gorbet for the erection of 6no. animal shelter buildings, 2no. aviaries, screen fencing and associated alterations following demolition of existing animal shelters.

The Development Manager gave a presentation on the plans and noted that the plans encompassed reorganisation of and upgrades to the premises.

An update to the published report was provided by the Senior Planning Officer, this covered a request from Highway Network Management for the addition of a condition following approval seeking the submission and prior approval of a Highway method of works statement. Planning Officers did not feel that the provision of a works statement mitigated any demonstrable harm arising from the proposal and therefore would not fulfil the test of being necessary as a condition.

Additionally, it was reported that the wording of Condition 9 needed to be amended for the first sentence to read: “Within three months of the development commencing a detailed landscape scheme, including species mix and planting density, shall be submitted to the local planning authority and shall be approved in writing”.

Following debate, the Chair proposed the officer recommendation to approve the application, this was seconded by Councillor Baxter. On being put to a vote, with seven members in favour and none against it was:

Resolved: That the application be approved.

Reason: The property lies within Flood Zone 3 but comprises a less vulnerable use and would be designed to be flood resilient. The proposal is felt to be acceptable in drainage terms and with additional planting and biodiversity enhancements would be acceptable in landscape and ecology terms. The public benefits of retaining the facility on site are felt to carry substantial weight in the planning balance and approval is therefore recommended.

15. 1 Museum Street, York, YO1 7DT [25/00532/LBC] (6:10pm)

Members considered a listed building consent application by Mr Hugh Topping for internal and external works in conjunction with proposed use as bookshop to include new/replacement platform lift, internal reconfigurations to include new staircase, alterations to internal openings and partitions, installation of shelving and other replacement joinery, redecoration and repair works, new/replacement plumbing and services and rainwater goods, secondary glazing and repairs to fenestration, new/replacement flooring, mezzanine structure and balustrade, and solar PV panels.

The Development Manager gave a presentation on the plans and noted the proposed alterations to the listed building as included within the report, it was reported that the premises was located within the largest concentration of listed buildings within the conservation area.

In response to questions from members the Development Manager advised that the room where the mezzanine was proposed was estimated to be a total of 5.5 metres in height.

An update to the published report was provided by the Development Manager, this covered 12 additional representations in support of the application with regard to the public benefit of the application and the flexible benefit of the mezzanine for public use.

Public Speakers

Susan Major spoke on behalf of Clements Hall Local History Group in support of the application. She highlighted that the building had not been in use for four years and that a bookshop would be a valued addition to the area, and she noted that many of the proposed alterations were set to be temporary and could be reversed in the future meaning that there would be minimal damage to the originality of the building's interior whilst leaving the structural integrity of the building unaffected as well as making efforts to minimising the effects of climate change.

Councillor Melly, as the councillor for Guildhall Ward, spoke in support of the application. She reported that she had call this application in to the committee due to public interest in the preservation of the building. It was noted that the Applicant was a successful bookseller with a similar bookshop in Bath. She highlighted that the building had not been in use for years and that a bookshop would be valued by the public and local organisations, and that the mezzanine would enhance use of the building by improving accessibility.

In response to questions from members Councillor Melly confirmed that she had not received responses from any resident in Guildhall in opposition to the application.

Robert Topping, on behalf of the Applicant, spoke in support of the application and reported that they opened their first bookshop in 2002, and that the proposed plans would make this premises the largest independent bookshop in York. He urged members to weigh potential harm against public benefits of the application and noted that rejection of the aspects of the application regarding the mezzanine would half the area available for books. He concluded by confirming that alterations to the interior of the building such as the mezzanine were temporary and could be reversed with minimal effect on the structural integrity of the building.

In response to questions from members, Robert Topping confirmed that:

- Around 30 jobs, including part time and full time, would be created through the business.
- Stock could often be kept for years without being sold and therefore space for retaining and displaying these was essential, wall space on the mezzanine supported this. Coffee tables and complimentary reading would also be available on the mezzanine.

In response to questions from members, the Development Manager confirmed that there were additional alterations to the building than just the mezzanine, such as the additional staircase, and that for the installation of the mezzanine stud walls would be required. It was noted that although many changes made would be temporary to an extent, some alterations were more temporary than others. The Development Manager advised that harm existed with either addition to the building and should be accounted for within members considerations.

Following debate, the Chair proposed the officer recommendation to approve the application, this was seconded by Councillor B Burton. On being put to a vote, with no members in favour and seven against this motion was rejected.

Councillor Fisher proposed, and Councillor Whitcroft seconded a motion that the committee would delegate to officers, in consultation with the Chair and Vice Chair, to approve the application. On being put to a vote, with seven members in favour and none against this motion was approved and it was therefore:

Resolved: That approval of the application with conditions including a condition, for a proposal for a scheme to recognise and understand the history of the building to be submitted for approval and to be developed in accordance with the approval, be delegated to the Head of Planning and Development Services in consultation with the Chair and Vice-Chair.

Reason: Members concluded during the debate that the preservation of the building, opening up access to the building for the public to view and the public benefits of approval including the cultural and economic benefits outweighed the less than substantial harm to the significance of the heritage asset. Members felt that a condition was necessary to ensure that the history of the building was documented and shared.

[The meeting adjourned at 7:06pm and reconvened at 7:10pm]

**16. York Designer Outlet, St Nicholas Avenue, York, YO19 4TA
[24/01633/FULM] (5:07pm)**

Members considered a Major Full Application by the DROC York Limited Partnership for the change of use of amenity field to temporary (3 years) seasonal (November and December) overflow car park for the use of employees only.

The Development Manager gave a presentation on the plans and noted the proposed application was inside the greenbelt. It was reported that National Highways had concerns over the application and therefore the options open to the committee with regard to approval would be to refer the application for approval by the Secretary of State for Housing, Communities and Local Government. The Development Manager concluded by confirming their recommendation to reject the application due to the reasons outlined in the report.

An update to the published report was provided by the Principal Development Projects Officer, this covered the concerns raised by National Highways and additional information received by the Applicant which was shared with members at the meeting.

It was reported that the final sentence of paragraph 5.24 on page 89 of the agenda needed amending to read:

“A holding direction such as the one issues by National Highways prevents the Local Planning Authority from granting planning permission without first referring the matter to the Secretary of State”.

Public Speakers

Janet O'Neill, the Agent acting for the Applicant, spoke in support of the application. She stated that York Designer Outlet provided good employment for York and contributed a lot in business rates to City of York Council. It was highlighted that their original planning application granted the premises 2700 parking spaces, with York and Ride Car Park, owned by the Applicant and used by York Park and Ride as one of the most used car parks in York, held over 1000 spaces. In the Autumn and Winter periods both car parks became very busy and could often cause congestion on the roads.

In response to questions from members, Janet stated that:

- As opposed to Park and Ride spaces where one space could be used by one car all day, the parking spaces at the Designer Outler could often be used by multiple cars in one day.
- Approval of the application would grant more spaces to be used by customers which would support the ease of congestion on the roads and those in getting to work.
- York Designer Outler provided parking wardens at busy times.
- Community engagement had taken place with the York Designer Outler and: The Executive Member for Transport, the Mayor of York and North Yorkshire, and local Members of Parliament (MPs).

Paul Tyler, on behalf of the Applicant as the Centre Manager for York Designer Outler, spoke in support of the application. He highlighted that we had been Centre Manager at York Designer Outlet for the past five years and that the Outlet provided employment for 1600 people and contributed £4 million in business rates to CYC. He reported that the Applicant hosted the Designer Outler Park and Ride and that this worked well throughout the year up to Autumn and Winter where congestion increased for commuters, visitors, and Park and Ride busses.

In response to questions from members Paul stated that:

- The purpose of the application was to deal with the problem of congestion on the roads due to a lack of and pressure on parking spaces. Approval would free up an extra 350 parking spaces to be used.
- Many staff members are encouraged to walk, cycle, use public transport, or to car share, but many staff members were not in positions to do this and therefore staff parking spaces were still required.
- Some parking spaces have previously been encroached upon such as due to the installation of a car wash (four spaces), but actions which took place as a result from this allowed extra spaces to be made by turning the route effected into a one-way system.
- The Designer Outlet hosted a fair during the winter on behalf of the city for no cost.
- The Travel Plan for the Designer Outler needed to be drafted in consultation with CYC.

In response to questions from members, the Principal Development Projects Officer confirmed that the written information submitted by the Applicant had been considered and the recommendations had been made with sight of the information.

Following debate, the Chair proposed the officer recommendation to reject the application, this was seconded by Councillor Cullwick. On being put to a vote, members voted four in favour, one against, and one abstention. It was therefore:

Resolved: That the application be refused.

Reason: The proposed development is an inappropriate development in the Green Belt and should not be approved unless very special circumstances exist. The NPPF at paragraph 153 of the agenda stated that very special circumstances would not exist unless this potential harm to the Green Belt by inappropriateness, and any other harm resulting from the proposal was clearly outweighed by other considerations. In view of the assessment above on whether very special circumstances exist, it was considered that very special circumstances do not exist to justify the proposed development in the Green Belt. As such the principle of the proposed development in this Green Belt location is not acceptable as it conflicts with Policy GB1 of the Local Plan and with National Green Belt Policy as contained within the National Planning Policy Framework (NPPF).

[The meeting adjourned at 6:01pm and reconvened at 6:10pm]

Cllr D Merrett, Chair

[The meeting started at 5.00 pm and finished at 7.21 pm].

COMMITTEE REPORT

Date: 9 September 2025 **Ward:** Clifton
Team: West Area **Parish:** Clifton Planning Panel
Reference: 24/00703/FUL
Application at: St Olaves School Queen Annes Road York YO30 7AA
For: Erection of 8no 15 metre high sports flood light columns
By: St Peters School
Application Type: Full Application
Target Date: 6 June 2025
Recommendation: Approve

1.0 PROPOSAL

1.1 St Peters School 8-13 (formerly St Olaves School) comprises a Grade II listed building and a range of later flat roofed buildings of 1 to 3 storey height, including a sports hall. These later buildings are not of special interest. Planning permission is sought for erection of eight floodlighting columns, 15 metres high surrounding an existing hockey pitch to facilitate its use during the autumn and winter months into the evening.

1.2 The application site partially overlaps that of a previous application for floodlit hockey pitches, tennis courts, spectator facilities, parking area and grounds maintenance depot ref: 22/02288/FULM which was withdrawn following objection on Green Belt, landscape, ecology, transport and access and surface water drainage grounds.

1.3 Planning permission for the pitch and fencing was granted by planning permission 08/00863/FULM dated 25 September 2008. As originally submitted the application included floodlighting, however this was removed from the description of the development prior to determination. Condition 3 of this permission restricts the hours of operation of the pitches to 20:00 midweek, 18:00 Saturdays and 16:00 Sundays.

1.4 The application site sits adjacent to the Clifton Conservation Area and within the extent of the grounds of the former St Olaves School (now St Peters School 8-13) (GII Listed) and the extended grounds of St Peters School (Grade II Listed). The St Peters grounds along with the surrounding lngs either side of the River Ouse form an important open area extending into the city and are an important part of the setting of the city. The site is not within the Green Belt. The Local Plan policies map denotes the land as an educational establishment and as existing open space.

2.0 POLICY CONTEXT

2.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

LOCAL PLAN

2.2. The Local Plan was adopted in February 2025. Policies relevant to the determination of this application are:

D1	Place Making
D2	Landscape and Setting
D4	Conservation Areas
D5	Listed Buildings
ED8	Community Access to Sports and Cultural Facilities on Education Sites
ENV2	Managing Environmental Quality
GI2	Biodiversity and Access to Nature
GI3	Green Infrastructure Network
HW3	Built Sports Facilities
T1	Sustainable Access

NATIONAL PLANNING POLICY FRAMEWORK

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

3.0 CONSULTATIONS

3.1. The application has been advertised via a Site Notice and by neighbour notification letters.

INTERNAL

Public Protection

3.2 No objection to the proposal subject to any permission being conditioned to require that the lighting comply with the E2 Environmental Zone within the Light Professionals Guidance Notes and also to restrict the operation of the lights to prevent night-time operation after 21:30.

Highway Network Management

3.3 No objection.

Design and Conservation (Ecology)

3.4 Consider that additional landscape planting connecting with the existing narrow mature tree belt running at 90 degrees to the pitch would mitigate the landscape harm arising from the proposal along with potential harm to species using habitats adjacent to the site.

EXTERNAL

Clifton Planning Panel

3.5 Object to the proposal on the grounds that the columns would harm the view of the Minster from the riverside walk, the additional lighting would unacceptably harm the residential amenity of properties in the surrounding area notably Sycamore Terrace and surrounding side streets would be unacceptably impacted by increased traffic and on-street parking into the evening.

Sport England

3.6 No objection.

4.0 REPRESENTATIONS

4.1. A total of 53 no objections and 1 letter of support have been received at the time of writing.

4.2. Summary of the objections received:

- Objection to the impact of the proposal upon light sensitive wildlife such as bats and insects in the locality.
- Objection to the loss of residential amenity to neighbouring properties specifically in Sycamore Terrace due to increased lighting and noise.
- Objection to the harm caused to the setting of the historic City by the erection of floodlighting columns in a previously open site.
- Objection to harm caused to the defined ecological stepping stone along the riverside corridor by virtue of increased light and noisy activity.
- Objection to the cumulative increase in traffic on surrounding side streets that would result.
- Objection to the lack of consideration for community use of the affected pitch.
- Objection to lack of information upon intensity of use of the pitch as well and numbers of tournaments and spectators.

- Objection to the lack of provision for biodiversity net gain.
- Objection to the attempt to implement the previously withdrawn proposal for sports facilities at the adjacent St Peter's School incrementally by stealth.

5.0 APPRAISAL

Key Issues

5.1. The key issues are as follows:

- The Principle
- Impact on Designated Heritage Assets
- Highways and Access
- Landscape and Setting
- Residential Amenity and Public Protection
- Ecology

BUILT SPORTS FACILITIES

5.2 Local Plan policy HW3: Built Sports Facilities states that the Council will support development that enables residents to enjoy and make use of built sports facilities. Development of new sports facilities should be co-located with...schools, where possible, to encourage participation in exercise. The site is in a sustainable location. A community use agreement was secured by condition with the grant of the 2008 planning permission for the pitch. Community access to sports facilities on all education sites is sought by policy ED8. The applicant's planning statement states that the proposal will make use of the existing pitch out of school hours and during the darker winter months for after-school training sessions and matches. Sports lighting will reduce the need for the school to hire other pitches around the city and increases the opportunity for sport. In principle the application is in accordance with policy HW3.

DESIGNATED HERITAGE ASSETS

5.3 The setting of a heritage asset is defined in the NPPF Glossary as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

5.4 The application site sits adjacent to the Clifton Conservation Area and within the extent of the grounds of the former St Olaves School (now St Peters School 8-13) (GII Listed) and the extended grounds of St Peters School (Grade II Listed). The St Peters grounds along with the surrounding lngs either side of the River Ouse form an important open area extending into the city and are an important part of the setting of the historic city.

5.5 Local Plan policy D4: Conservation Areas states that development proposals affecting the setting of a conservation area will be supported where they are designed to preserve or enhance those elements which contribute to the character and appearance of the conservation area and...safeguard important views guided by existing evidence including the Central Historic Core Conservation Area Appraisal, and other local views. Planning applications for development within or affecting the setting of conservation areas will only be supported if full details sufficiently show the likely impact of the proposals upon the character and appearance of the conservation area are included.

5.6 Local Plan policy D5: Listed Buildings states that proposals affecting a Listed Building or its setting will be supported where they preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. In determining any planning application the Local Planning Authority has a statutory duty (under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of designated conservation areas. Additionally, in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority has a statutory duty (under section 66 of this Act) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.7 The application is accompanied by a Heritage Impact Assessment (HIA).

5.8 Planning permission for the pitch and fencing was granted by planning permission 08/00863/FULM dated 25 September 2008. As originally submitted the application included floodlighting. This aspect of the scheme was removed from the description of development.

5.9 Application 22/02288/FULM was withdrawn before a decision was made, but a report was published on the Planning Committee Agenda. It is noted that the report and draft refusal reasons did not consider that there would be a harmful impact on the setting of the listed school buildings or the Clifton Conservation Area, however this was an officer recommendation, not a decision of the LPA.

Grade II Listed - St Peters School 8-13

5.10 The application site sits to the south of St Peters School 8-13 York (formerly St Olaves School and prior to its closure in 2000 Queen Anne School). The building is listed at Grade II and is included as a fine example of the work of Walter Brierly, one of the pioneering designers of schools in this style. It is of aesthetic and historical value. Later additions are not of special interest. The floodlights would sit to the south-west of the listed building, surrounding the existing artificial pitch and, on the northern edge of the pitch, in close proximity to a range of later flat roofed buildings

of 1 to 3 storey height, including a utilitarian sports hall. These buildings are not of special interest.

5.11 The impact of the proposals on the setting of the original listed school building have been considered. The artificial pitch which forms the application site is separated from the listed building by a strong landscaped boundary and the modern school buildings. The floodlight columns are a 15m high monopoles with two light fittings per column, they have been designed to avoid unwanted light spill. The nature of the floodlights and their positioning adjacent to a cluster of modern school buildings means that the intervisibility of the listed building and the floodlights and any light halo in views from the Ings, the school grounds and adjacent residential properties and the potential for the appreciation of the listed building is not significant and not harmful to its setting. The proposal would comply with Local Plan policies H4 and H5 in this respect.

Grade II Listed - St Peter's School 13-18

5.12 St Peter's School 13-18 buildings are to the north of the application site, at a higher level and separated from the site by the later 8-13 School buildings and the school cricket pitch. St Peter's School occupies a set of buildings of which the main range was purpose built in 1838. Over time the school has grown resulting in a diverse school estate with many buildings individually listed at Grade II. The main buildings are of considerable architectural value adopting the Perpendicular Gothic Revival style with was considered suitable for educational buildings in the 19th century. It is of historical, aesthetic and associative interest. The buildings and associated grounds make a considerable contribution to the Clifton Conservation Area. The extensive playing fields which lead down to the River Ouse have a pleasant open character and have historic value retaining field boundaries possibly dating to the 18th century Enclosure awards. The school buildings can be appreciated from the Ings in views from the west and south-west across the extensive playing fields.

5.13 The impact of the proposals on the setting of the school buildings have been considered. The artificial pitch which forms the application site is separated from the listed buildings by significant complex of the modern 8-13 school buildings and the cricket pitch. The floodlight columns are a 15m high monopoles with two light fittings per column, they have been designed to avoid unwanted light spill. There is no significant shared view between the St Peters School 13-18 and the application site although the roof of the building can be seen across the roof of the modern 8-13 school buildings. The monopoles would be visible in views from the elevated school buildings but they are slimline structures. The nature of the floodlights and their positioning adjacent to a cluster of modern school buildings means that the intervisibility of the listed building and the floodlights and any light halo in views from the Ings and the school grounds and the potential for the appreciation of the listed

buildings are not significant and not harmful to their setting. The proposal would comply with Local Plan policies H4 and H5 in this respect.

Clifton Conservation Area

5.14 The Clifton Conservation Area is to the east of the site, comprising at its closest point the formal grounds to the south of the original former Queen Annes School building and the contiguous hard surfaced tennis/netball courts. A line of trees separates the application site and the conservation area. The boundary conservation area to the north runs along the line of the footpath and line of mature trees north of the modern 8-13 school buildings and car park.

5.15 The conservation area is characterised by late Georgian town houses and Regency villas fronting onto Clifton, and Victorian and Edwardian terraces and semis in the new suburban residential streets often developed in the garden grounds of frontage properties. East of Clifton Green the density of buildings is higher but spacious; the character is enhanced by the setback of St Peter's School buildings and surrounding grounds. There are many trees in roadside verges in open spaces and in gardens which create the character of the area. The conservation area was extended in 2002 to include North Parade, Queen Anne's Road and the area immediately adjacent to Queen Anne's School

5.16 The main elements of the character and appearance of the area are:

- (1) Clifton Green, with its rural "village" character, its Church, trees and small scale buildings set in small gardens;
- (2) the large Georgian, Victorian and Edwardian villas in the area, with their gardens and trees;
- (3) the groups of trees in roadside verges, along the York to Scarborough railway line, in other open spaces and private gardens;
- (4) the generous spaces between buildings which typify the area.

5.17 The conservation area includes the grassed playing fields of the 13-18 school which are contiguous with the lngs and those lower playing fields outside of the conservation area. The application site has a visual separation from the conservation area resulting from the siting of the modern 8-13 school buildings and mature landscaping and trees. Whilst higher than the surrounding buildings the slimline floodlights and any visible lighting of the pitch are not considered to harm the setting of the conservation area or any of the main elements of its character and appearance. The proposal would comply with Local Plan policies H4 and H5 in this respect.

Central Historic Core Conservation Area and views of The Minster

5.18 The existing sports pitch is partly visible from the riverside path and the path from Westminster Road and visible from an informal path along the top of the flood

defence. In the background is the Minster which rises above the prevailing height of the buildings in its surroundings.

5.19 The Central Historic Core Conservation Area Appraisal (CAA) notes that many longer distance views focussing on the Minster are from open spaces and the riverside. These views are often dynamic. The CCA notes the view from Clifton Bridge across the river Ouse towards the Minster and the long-distance view from Clifton Ings. The views of the Minster from the area south of St Peters School are defined in the HIA as city-wide dynamic views with a focal point, experienced and evolving along a route. They are not specified in the CAA, nevertheless they are considered to form an important part of the understanding of the historic setting of the city.

5.20 It is noted that the consideration of the withdrawn application 22/02288/FULM concluded that “in terms of the Central Historic Core Conservation Area, the application site is separated from the boundary by the remainder of the school complex and the Scarborough railway, and it would be difficult to argue a case for material harm over such a distance.”

5.21 The HIA provides an assessment of views towards the Minster; from the public right of way that runs north south from the end of Westminster Road (view 1) and the riverside path (view 2), it concludes that *“the Minster remains a key focal point in the landscape and its silhouette is not obscured by any proposed development. The character of the green, open space of the river flood plain and its relationship to the historic city remain legible. The columns are considered to represent a minor addition to the middle distance, which is already characterised by the late 20th – early 21st century sports facility buildings of the St Peters School.”*

5.22 The HIA contains a reasonable assessment of the impact of the proposals on views of The Minster given the dynamic nature of such views, the positioning and scale of the lights, the lighting design and the prevailing topography, townscape and landscaping. It is not considered that there would be a harmful impact on views towards the Minster or its setting. The proposal would comply with Local Plan policies H4 and H5 in this respect.

HIGHWAYS AND ACCESS.

5.23 Central Government planning policy as outlined in paragraph 115 of the NPPF indicates that development should only be prevented, or permission refused if there would be an unacceptable impact on highway safety or the residual cumulative impacts upon the highway network would be severe. Policy T1 of the Local Plan indicates that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access to all users to and within it.

5.24 Objectors have expressed concern in respect of the potential for the proposal to lead to a significant increase in external use with consequent increases in on-street parking and associated disturbance. The proposals do not include a change in hours of operation and there is already a community use agreement in place as this is expected through policy HW7 on public health grounds. The current proposal is however unlike the earlier withdrawn development being physically discrete and designed to meet the needs of the school students and site users, although there are no existing planning restrictions on the public use of the pitch. The floodlights may allow a more intensive use of the pitch in the permitted evening hours beyond that currently facilitated by the demountable lights. Any increase in associated traffic is not likely to be significant. There is car and cycle parking within the 8-13 School grounds which is accessed from Clifton via Queen Annes Road or North Parade. These streets are in a ResPark zone which is operational 24 hours a day.

LANDSCAPE AND SETTING

5.25 Central Government Planning Policy as outlined in paragraph 135c) of the NPPF indicates that planning decisions should ensure that developments are sympathetic to local character and history including the surrounding built environment and landscape setting. At the same time Policy D2: Landscape and Setting of the Local Plan states that development proposals will be supported and encouraged where they demonstrate understanding of the local and wider landscape character and landscape quality relative to the locality, and the value of its contribution to the setting and context of the city; protect and enhance landscape quality and character, and the public's experience of it and make a positive contribution to York's special qualities; avoid an adverse impact on intrinsically dark skies and landscapes, townscapes and/or habitats that are sensitive to light pollution, keeping the visual appearance of light fixtures and finishes to a minimum, and avoiding light spill.

5.26 The application site is in a sensitive location as part of the landscaped river corridor of the River Ouse flood plain characterised by a sense of openness. Important amongst the defined views are some of the Minster in the middle distance as discussed in the section above. The playing fields are clearly read as the setting for the school campus which defines the northern approach to the City, this is enhanced by the presence of sections of semi-mature hedges in native species and individual mature and semi-mature trees. Views across the site from the local public rights of way network along the riverbank and to the north add to the character of the site.

5.27 The proposed floodlights would introduce a built form which is taller than surrounding buildings, they are however read largely within the context of the St Peters school 8-13 buildings and the existing fenced and engineered pitch. The floodlight monopoles are relatively slender with two light fittings to each column and would have a grey finish. The lighting would be permanent compared with the

current demountable floodlight structures and would likely be used more frequently. They would erode the present open character of the site but are not considered to be so harmful to the landscape views to justify the refusal of the application.

5.28 In terms of light spillage, the lighting has been designed to confine light to pitches. This would avoid undue harm to the adjacent open spaces when the lights are in use. Although the lit pitch would be visible in views and would be more prominent than current lighting from the demountable floodlights and existing lighting from windows and outside amenity/security lighting around the school estate.

5.29 Planting of trees inside of the adjacent flood embankment has been suggested as a means of mitigating some harm from the proposal. Given the area available for planting it is likely that growth will in time reduce views of the existing engineered pitch and fencing however not extend to the height of the floodlights.

It is considered that on balance the proposals would meet the requirements of Policy D2.

RESIDENTIAL AMENITY AND PUBLIC PROTECTION

5.30 Central Government Planning Policy as outlined in paragraph 135f) of the NPPF indicates that planning decisions should create places with a high standard of amenity for all existing and future users. At the same time Policy ENV2 of the Local Plan states that development will be permitted where it does not unacceptably harm the amenities of neighbouring communities. Development proposals that are likely to give rise to an increase in artificial light or glare must demonstrate how these matters have been considered.

5.31 The application site comprises an existing hockey pitch which is used for sports teaching and competitive matches throughout the school day. Currently the school uses mobile demountable floodlights, which are about 8m in height during the autumn and winter months when the light is poor. The proposal seeks permission to erect eight 15-metre-high columns to provide artificial light to a standard set by the sport's governing body enabling use of the pitch during late afternoon/early evening during the hockey season. The hours of use sought for the floodlights is until 21.30 hours Monday to Saturday, however condition 3 of the planning permission for the playing pitch 08/00863/FULM contains restrictions for the hours of use of the pitch and it is not considered that these imposed hours can be altered through the current planning application. The use of the pitch would remain subject to a planning condition that restricts the use to 20.00 Monday-Friday, 18.00 Saturday and 16.00 Sunday.

5.32 The pitch to be lit lies to the south of the school and to the west of residential properties in Sycamore Terrace. There is a degree of separation provided by another pitch which would remain unlit with a narrow belt of mature and semi-mature

deciduous trees on its outer edge with the properties some 75 metres from the pitch to be lit at its closest point. The significant distance combined with the tree belt would provide a high degree of mitigation of the impact of the lighting.

5.33 The Institution of Lighting Professionals Guidance Note; The Reduction of Obtrusive Light defines various “environmental zones” to be used for exterior lighting controls. Due to the nature of the application site it is considered to fall within zone E2 – “Rural” including relatively dark outer suburban locations. Following the submission of additional information officers from the Public Protection team are satisfied that the light levels would comply with the guidance and not result in obtrusive light. In terms of noise the scope for additional use by outsiders would be limited as the scheme unlike that previously withdrawn is simply for the floodlighting works and does not include additional parking or spectator facilities. It would primarily be used by the school for curriculum needs and to fulfil student league fixtures. Whilst lighting allows the use of the pitch to extend longer into the evenings, the impact of the proposal on the amenity of neighbouring properties by virtue of noise and light is therefore felt on balance to be acceptable and compliant with the terms of Policy ENV2 of the Local Plan and paragraph 135f) of the NPPF.

ECOLOGY

5.34 Central Government Planning Policy as outlined in paragraph 180d) of the NPPF indicates that planning decisions should minimise impacts upon and provide net gains for biodiversity, recently formalised into a requirement for a biodiversity net gain of 10% by means of a standard assessment method. At the same time Policy GI 2 of the Local Plan indicates that developments should where appropriate result in net gain to and help to improve biodiversity. Policy GI 3 also seeks that so as to protect York’s Green Infrastructure Network development should create and or enhance stepping stones that improve links between existing corridors and nature conservation sites.

5.35 The area of the Ouse riverbank beyond the adjacent flood embankment has previously been identified as an ecological “stepping stone” as defined in the glossary within the Annex to the NPPF which comprises a pocket of habitat used by species such as bats and light sensitive insects to transit between sites to the north and south of the City such as Clifton/Rawcliffe Ings SSSI. Bat surveys have been submitted and indicate Pipistrelle’s (common and soprano) foraging over the site and its environs in small numbers and Daubenton’s bats foraging and commuting along the boundary of the application site in low numbers. The submitted light spillage data suggests a level of 1 lux or below the equivalent of twilight or moonlight up to two metres from the edge of the pitch. The report indicates that the lighting has been designed so as not to impact upon foraging opportunities at the site boundaries and emphasis is placed upon both types of bat present in the area foraging more widely within the urban area and that other more suitable habitats exist nearby.

5.36 The City Ecologist has recommended the provision of an area of tree and other landscape planting linking to the existing area of landscape planting running at 90 degrees to the pitch which would provide a degree of mitigation of impact upon the landscape and also light sensitive species using the area. A condition is recommended and is considered to be reasonable and necessary.

5.37 The proposal is considered acceptable in principle on ecological grounds and subject to conditions and would comply with Policy GI2 of the Local Plan.

6.0 CONCLUSION

6.1 The proposal would provide sport and curriculum benefits to students of the school in line with Policy HW3 of the Local Plan enabling students and visiting teams to play hockey into the early evening as part of the school curriculum and as part of local leagues. The proposal would also potentially free-up pitch use at other sites currently used by St Peters School which is of minor benefit. There is not considered to be any harmful impacts on the setting of the conservation area or the listed buildings within the school estate. Regard has been given to the withdrawal of the proposed floodlights when originally considered in 2008, however there is no written appraisal of the harm that they identified by the then Conservation Officer. The current application is accompanied by a Heritage Impact Assessment. The floodlights would introduce 15m high engineered columns into the area of the school estate which is a sensitive location forming part of the landscaped river corridor of the River Ouse flood plain which is characterised by its sense of openness. The location is adjacent to existing school buildings, and the existing pitch and fencing has an engineered appearance. The lighting is designed to be limited to the pitch to limit light spill and skyglow. On balance whilst there would be some harm to the landscape character of the River Ouse corridor and erosion of the open character of the site, the impact of the floodlights would not be so harmful as to justify the refusal of the application.

6.2 Other matters including ecology, impact on residential amenity and highways and access are considered to be acceptable and where necessary mitigated by recommended planning conditions.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans

3 Notwithstanding the details contained within the application the lights shall be switched off within 15 minutes of the end of the approved hours of use of the pitch

controlled under condition 3 of planning permission 08/00863/FULM dated 25 September 2008.

Reason: In the interests of the living conditions of local residents and the character of the local environment in accordance with policy ENV2 and D2 of the Local Plan.

4 The floodlights shall not be brought into use until there has been submitted and approved in writing by the Local Planning Authority a detailed tree planting scheme which shall illustrate the number, species, height and position of trees along the south-western boundary of the site and linking the two existing areas of tree planting. The approved scheme shall be implemented within a period of six months of the construction of the floodlights. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: To reduce the effects of the floodlighting on the wider landscape and to provide biodiversity enhancements in accordance with policy D2 and G12 of the Local Plan .

5 At least four Schwegler 2FN Bat Boxes (or equivalent alternative) shall be sited on perimeter trees on site as detailed in the Wold Ecology Ltd, Preliminary Ecological Assessment. The bat boxes shall be located on the south, east or west elevations of the tree, 3 to 5 metres above ground level.

Reason: In accordance with Policy G12 of the Local Plan to take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with the NPPF to contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

6 The design of the floodlighting shall conform to the guidance contained within the Institution of Lighting Professionals Guidance Note 01/21 The Reduction of Obtrusive Light and shall at all times be maintained to comply with the guidance.

Reason: In the interests of residential amenity and to prevent obtrusive light in the interests of the environmental qualities of the area in accordance with policy ENV2 and D2 of the Local Plan.

8.0 INFORMATIVES:

Notes to Applicant

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

Application Reference Number: 24/00703/FUL

Item No: 5a

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 an attempt to achieve a positive outcome:

- i) Sought clarification of the ecological impacts of the proposal and associated mitigation.
- ii) Sought clarification in terms of the limits of usage of the proposed pitch
- iii) Made an assessment of the submitted Heritage Impact Assessment

2. BIODIVERSITY NET GAIN (BNG)

The statutory framework for Biodiversity Net Gain (BNG) set by paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 requires a Biodiversity Gain Plan to be submitted and approved prior to the commencement of development. The development cannot be lawfully commenced until this condition is satisfied.

Development may not begin unless:

- (a) A Biodiversity Gain Plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, which is required in respect of this permission, is the City of York Council.

SUBMISSION REQUIREMENTS:

Under paragraph 14(2) of Schedule 7A, a Biodiversity Gain Plan must include the following:

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
- b) The pre- and post-development biodiversity value of the onsite habitat,
- c) Any registered off-site biodiversity gain allocated to the development, and
- d) Any biodiversity credits purchased to off-set the development and whether or not from a registered provider.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- Name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- A description of the development and planning permission reference number (to which the plan relates);
- The relevant date, for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- The completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and post-development biodiversity value;
- A description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- (Except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- Pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North;
- A description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date, and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and

If habitat degradation has taken place:

- A statement to this effect;
- The date immediately before the degradation activity;
- The completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
- Any available supporting evidence for the value.

There is a standard Biodiversity Gain Plan template available to complete which brings together many of these matters into one document.

https://assets.publishing.service.gov.uk/media/65df0c4ecf7eb16adff57f15/Biodiversity_gain_plan.pdf

Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

3. PLANNING CONDITION 3

Application Reference Number: 24/00703/FUL

Item No: 5a

The hours of the use of the pitch are controlled under planning permission 08/00863/FULM which states:

The hours of use of the proposed multi use games area and synthetic pitches shall be confined to the following times:

Mon - Fri 08.00- to 20:00

Saturday 09.00 - 18.00

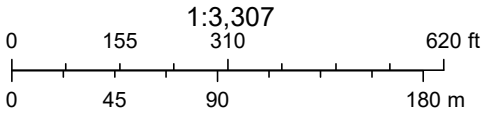
Sunday 10.00 - 16.00

One Bank Holiday annually 10.00-16.00

A further planning permission under s73 of the Act would be required to vary this condition.



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Planning Committee B

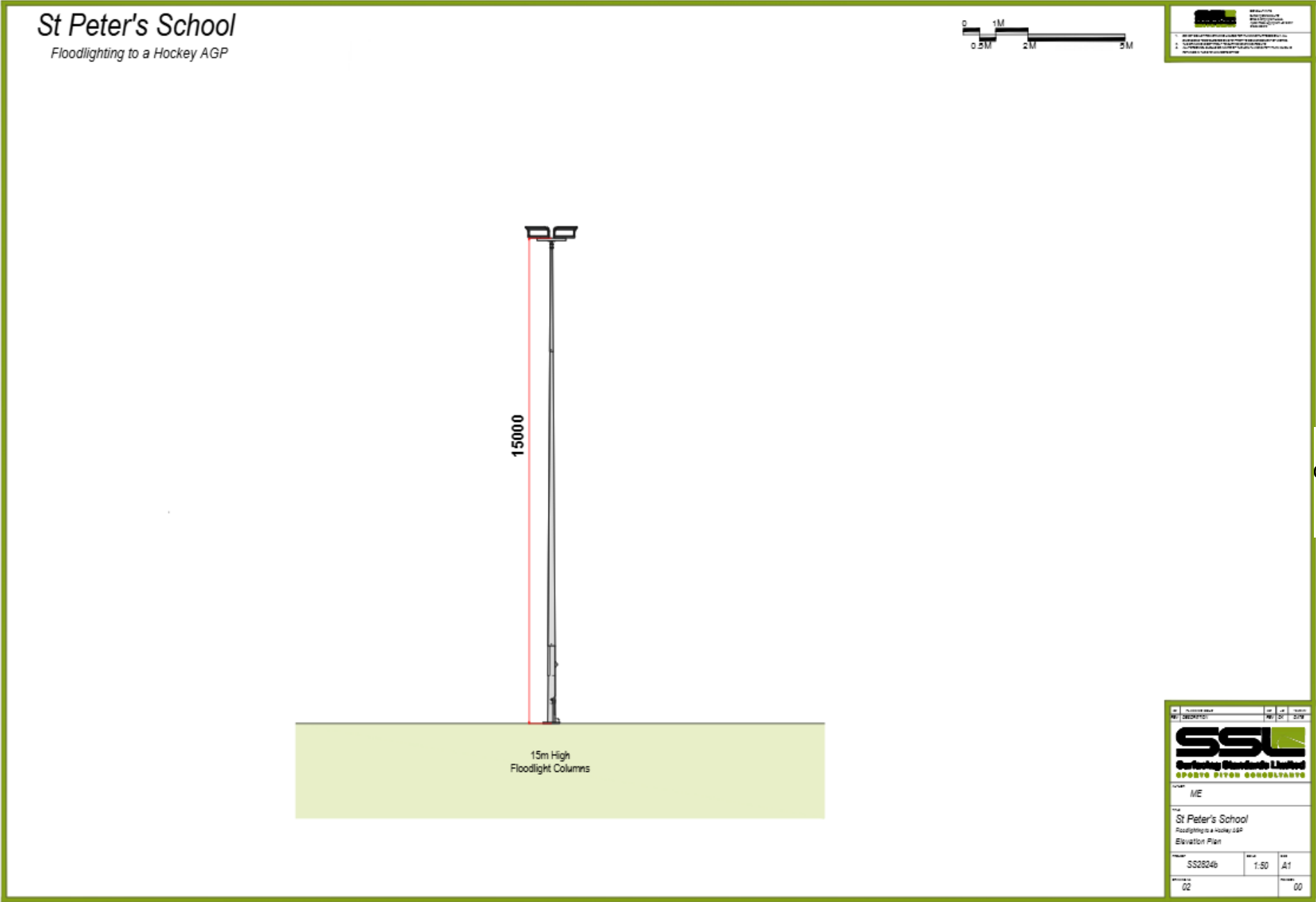
24/00703/FUL

St Olaves School, Queen Annes Road

As proposed
Floodlighting plan



Floodlight elevation





COMMITTEE REPORT

Date: 9 September 2025 **Ward:** Heworth
Team: East Area **Parish:** Heworth Planning Panel
Reference: 25/01168/GRG3
Application at: Hemplands Kids Club Burnholme Youth Centre Bad Bargain Lane
York YO31 0LW
For: Erection of a boundary fence of 2.4 metres high
By: City Of York Council
Application Type: General Regulations (Reg3)
Target Date: 15 September 2025
Recommendation: Approve

1.0 PROPOSALThe Site

1.1. The application site is the former Hemplands Kids Club, now referred to as York Explorers, in the Heworth ward. The site is currently vacant; however, the former and proposed use of the site is as a Kid Club and community venue. The site is adjacent to Applefields School to the east, Burnholme Sports Centre to the south and Burnholme Library to the west. The site faces several residential properties on the northern side of Bad Bargain Lane.

The Proposed Development

1.2. The application proposes the addition of a 2.4-metre-high fence to the north and west boundaries of the site, with a total length of approximately 40 metres. The proposed fence would be adjacent to Bad Bargain Lane to the north boundary and adjacent to the access to the car park on the west boundary. The proposed green metal mesh fencing would be in keeping with the existing fence to the east boundary of the site. The proposed fence would incorporate a vehicle gate (approximately 3 metres in width) and a pedestrian gate (approximately 0.9 metres in width) to the west boundary. The vehicle gate would be open all day, except during the operating times of the kid's club, between 3 and 6pm, when the gates would be locked for the children's safety. No changes are proposed to the availability of the existing parking spaces or the use of the site.

Site History

1.3. There are no relevant previous planning applications on the site.

2.0 PLANNING POLICY

2.1. Planning applications should be determined in accordance with the development plan unless there are material considerations that indicate otherwise.

2.2. The development plan is the City of York Local Plan.

City of York Local Plan (Local Plan)

2.3. The Local Plan was adopted on 27 February 2025. Local Plan Policies relevant to the determination of this application are:

- Policy D11 – Extensions and Alterations to existing buildings, states that plans to extend or alter existing buildings will be supported where the design positively contributes to the surrounding area and is in keeping with the local character.
- Policy T1 – Sustainable Access, states that development will be permitted where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it.

National Planning Policy Framework (NPPF)

2.4. The NPPF is a material consideration relevant to the determination of this application. The relevant sections of the NPPF for the determination of this planning application are:

- Chapter 4 ‘Decision making’ – States that local planning authorities should approach decisions on proposed development in a positive way.
- Chapter 9 ‘Promoting sustainable transport’ – States that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- Chapter 12 ‘Achieving well designed places’ – States developments should be of high quality and sustainable. Development should reflect local character and design preferences.

3.0 CONSULTATIONS

Heworth Planning Panel

3.1. No comments received.

4.0 REPRESENTATIONS

4.1. The application has been advertised via neighbour notification letter. 2 representations had been received during the consultation period.

4.2. One objection to the scheme was received, due to the positioning of the layby, which may impact highway safety, and loss of parking spaces.

4.3. One comment was received in support of the application, as it would deter anti-social behaviour and damage to the site.

5.0 APPRAISAL

Key issues

5.1. The key issues which need to be considered in the determination of this planning application are as follows:

- Visual impact on the site and surrounding area
- Highway impact

Visual impact on the site and surrounding area

5.2. The proposed metal mesh fence would be visually in keeping the existing fencing at the site, in scale and design. The fencing would improve the safety and security of the site, in line with its use as a kid's club. Residential properties are opposite the site. The proposed fencing would be positioned in front of the hedge to the north of the site when viewed from Bad Bargain Lane, mitigating the appearance of the fence in the streetscene. The visual impact of the proposed fencing on the streetscene would be acceptable, given the adjacent uses of the school and library which reduce the residential character of the area and contribute to a mixed use streetscene on the south side of the road. The proposed fencing would front approximately 22 metres of Bad Bargain Lane, and the remaining fencing would face the adjacent library.

5.3. It was confirmed by the applicant that no removal of hedges or trees would be required to facilitate the addition of the proposed fence, however the pruning of 1 tree may be required at a low level to allow the fence height to be maintained. The pruning of the tree to the front of the site to allow for the addition of the proposed fence is not considered to cause visual harm to the surrounding streetscene.

Highway impact

5.4. The application form states that 7 vehicle parking spaces and 1 disability space are currently provided and no changes to this are proposed. The parking spaces provided are within the yard area to front, which would be enclosed by the proposed fencing. As the proposed vehicle gate would be open outside of the hours of operation of kid's club, it is not considered that the proposed fencing would reduce availability of parking spaces. During operational hours of the kid's club (between 3 and 6pm), the existing arrangement is that the yard to the front of the site, where the proposed vehicle gate would be, is temporarily closed off to allow the space to be used as part of the outdoor area of the site. It is therefore not considered that the proposed fence would have any material impact on the availability of parking spaces or the functionality of the site.

5.5. An objection was received with regards to the position of the pick-up lay-by in the access road to the car park to rear. Concerns were raised that there would be no provision for children leaving the Kids Club on foot to access the pavement, as the pedestrian gate is opening onto the lay-by. However, as the existing pedestrian access to the site would be maintained with the addition of the pedestrian gate, there is not determined to be any impact to highway safety.

6.0 CONCLUSION

6.1. The proposal would have an acceptable impact on visual amenity and highway safety. The proposed scheme complies with The City of York Local Plan, and The National Planning Policy Framework.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Proposed Block Plan - Drawing no. E00657-1002 Dated 11.06.25

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

3 The materials to be used shall match those of the existing fencing in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

Application Reference Number: 25/01168/GRG3

Item No: 5b

8.0 INFORMATIVES:
Notes to Applicant

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

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 39) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

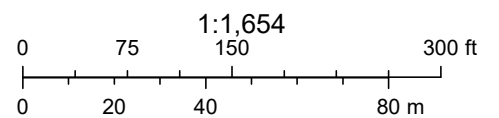
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Case Officer: Katherine Stretch
Tel No: 01904 552767

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Planning Committee B

25/01168/GRG3

Hempland Kids Club, Bad Bargain Lane

As proposed
block plan

