

**Notice of a public meeting of
Planning Committee**

To: Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre, Baxter, J Burton, Clarke, Cullwick, Melly, Steward, Watson and Whitcroft

Date: Thursday, 7 May 2026

Time: 4.30 pm

Venue: West Offices

AGENDA

1. Apologies for Absence

To receive and note apologies for absence.

2. Declarations of Interest

(Pages 7 - 8)

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 attached sheet for further guidance for Members].

3. 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 have changed to 2 working days before the meeting, in order to facilitate the

management of public participation at meetings. The deadline for registering at this meeting is **5:00pm on Tuesday 5 May 2026.**

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.

- 4. Minutes** (Pages 9 - 14)
To approve and sign the minutes of the Planning Committee meeting held on 12 March 2026.
- 5. Plans List**
This item invites Members to determine the following planning applications:
 - a) 45 Hempland Lane, York YO31 1AT** (Pages 15 - 74)
[25/01211/FUL]
Erection of 2no. residential apartment buildings (use class C3) with associated parking, refuse, cycle stores, and landscaping following demolition of existing dwelling [Heworth Ward]
 - b) Willow House, 34 Long Close Lane, York YO10** (Pages 75 - 158)
4UP [25/02537/FULM]
Erection of 36no. dwellings (use class C3) with associated open space, landscaping, access and parking following demolition of existing care home and garage blocks [Guildhall Ward]
- 6. Urgent Business**
Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Angela Bielby

Contact Details:

Telephone – (01904) 552599

Email – a.bielby@york.gov.uk

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我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

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.

gCity of York Council	Committee Minutes
Meeting	Planning Committee
Date	12 March 2026
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre, J Burton, Clarke, Cullwick, Melly, Steward, Watson and Cllr Coles (Substitute)
In Attendance	Gareth Arnold – Development Manager Sandra Branigan - Senior Lawyer Lauren Cripps – Senior Planning Officer
Apologies	Councillor Whitcroft

14. Apologies for Absence (4:46pm)

Apologies for absence were received and accepted for Cllr Whitcroft.

15. Declarations of Interest (4:46pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. There were none.

16. Minutes (4:46pm)

Resolved:

- I. That the minutes of the Planning Committee meeting held on 9 October 2025 be approved as a correct record subject to the following amendments:
 - Under speakers Spark York, Piccadilly, York [25/01151/FUL] the second sentence under Matthew Laverack's speaking slot to change from 'He' to 'Mr Laverack.'
 - Clarification on the proposers for the determination of the application for Spark York, Piccadilly, York [25/01151/FUL].

- II. That the minutes of the Planning Committee meeting held on 11 December 2025 be approved as a correct record subject to the following amendments:
- Listing of Cllr Baxter as a Substitute in the attendance list.
 - Under public speakers for Castle Car Park, Castlegate, York [22/00209/FULM], the second bullet point under speaker David Staniland to change to 'Regarding concern that the hostile vehicle measures would not prevent a terrorist attack, there was a condition for the submission of a hostile...'
 - Under the resolution the wording 'informal accessible' to change to 'interim access arrangements.'

17. Public Participation (4:49pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee.

18. Plans List (4:49pm)

Members considered a report of the Head of Planning and Development, relating to the following planning application, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

19. Car Care Centre, 5 James Street, York, YO10 3WW [25/01608/FULM] (4:49pm)

Members considered a major full application from Study Inn Investments (James Street) Limited for the Demolition of existing motor cycle showroom (sui generis) and erection of a purpose-built student accommodation (sui generis) with up to 110 units and associated landscaping and parking at 5 James Street, York.

The Senior Planning Officer gave a presentation. Members asked questions on the presentation to which she explained that:

- The small trees were on the bus depot site and the tall narrow trees were part of the development.
- The plans showed 102 bedrooms. The Chair clarified that the number of bedrooms had reduced from 110 to 102.

The Senior Planning Officer gave an update on the application noting that the proposal description had had reduced from 110 to 102 bedrooms. There had also been two additional representations in objection to the proposal and an additional representation from the applicant with advice from Counsel which was detailed to Members. The Development Manager noted the officer planning balance and that the additional submissions have been taken into account and the officer recommendation remains as refuse.

Public Speakers

Paul Harris, Agent for the Applicant, spoke in support of the application. He explained that land was available in the city and employment came in many forms. He explained that the scheme would generate full time equivalent (FTE) jobs and there was not a loss of employment land. He noted the quality of the amenity space in the accommodation. He noted that the planting issue related to one tree. He added that the proposal was for employment use and would deliver student accommodation.

In response to Member questions, Paul Harris explained that:

- The FTE jobs created were front of house reception and general operatives. He was not certain on whether they were full time jobs or whether students could fill the jobs.
- There was a lot of cleaning roles as it was a fully serviced facility. The one full time member of staff to clean ten rooms was the number that had been given by the provider.
- A significant number of staff would work in the gym, spa and store.
- It was a commercial site marketed as was.
- It was not unusual for a commercial business not to have a board up while it was being marketed.
- The ability to enter into a nomination agreement was not in the gift of the applicant.
- The development was car free.
- Regarding arrangements for moving in and out days, the applicant was an experienced operator.
- Concerning the access arrangements with Dunlin House, the waste collection would be done by a private operator and would be collected by a small vehicle. If access to Dunlin House was not available, a smaller vehicle would be used.
- A key card granted access to where students were allowed to go in the accommodation. Students in the cluster flats could not access other parts of the building.

In response to Member questions, Officers explained that:

- There was no requirement for parking provision and the parking spaces were to be used for pick up and drop off.

- There were four adaptable cycle spaces in the cycle store.

Following debate Cllr Steward moved the officer recommendation to refuse the application. This was seconded by Cllr Fisher. Following a unanimous vote it was:

Resolved: That the application be refused.

Reasons:

- I. The height of the development is considered to be comparable to other nearby residential development and materials and detailing appear to be of good quality and appropriate for the location, however the overall footprint of the building is considered to be too large offering limited opportunities for meaningfully landscaping or amenity space. It is unclear if proposed planting would be viable. This is contrary to policy D1 and D2 of the Local Plan.
- II. The development would result in the loss of a site previously used for Use Class B2 and Use Class E uses. There are recognised constraints to the market attractiveness of the site including its proximity to residential uses. Marketing appears to present the site as a development opportunity, fundamentally the application has been unable to demonstrate that the proposal would meet the requirements of policies EC2.
- III. The site is well located for the universities and evidence suggests that there remains a general need for PBSA in the city. In general terms, individual room sizes are considered to be satisfactory. However, most rooms are single outlook with the outlook from the north elevation overlooking the bus depot considered to be poor. The poor quality amenity space and limited landscaping does little to create a suitable living environment. On balance the proposals are not considered to result in high quality living accommodation.
- IV. The proposed redevelopment of the site would conflict with policy EC2: Loss of Employment Land. The application does not demonstrate that the site is not viable in terms of market attractiveness, business operations, condition and/or compatibility with adjacent uses. The proposals are therefore contrary to the Local Plan in respect of delivering the city's economic ambitions by providing sufficient land to meet the level of growth set out in the Spatial Strategy in policy SS1: Delivering Sustainable Growth for York.

- V. The proposed development fails to provide an acceptable quality of development by reason of the limited provision of external shared amenity space, limited planting and soft landscaping to provide an appropriate setting for a new residential building, together with a significant number of bedrooms that would provide a poor outlook. The scheme fails to meet the vision and development principles of the Local Plan and is contrary to policies DP2, SS1, D1 and D2 and paragraph 135 of the National Planning Policy Framework.

Cllr Crawshaw, Chair

[The meeting started at 4.42pm and finished at 5.36pm].

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COMMITTEE REPORT

Date: 7 May 2026 **Ward:** Heworth
Team: East Area **Parish:** Heworth Planning Panel

Reference: 25/01211/FUL
Application at: 45 Hempland Lane York YO31 1AT
For: Erection of 2no. residential apartment buildings (use class C3) with associated parking, refuse, cycle stores, and landscaping following demolition of existing dwelling
By: Swan Properties Ltd
Application Type: Full Application
Target Date: 11 May 2026
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks consent for erection of 2no. residential apartment buildings (use class C3) with associated parking, refuse, cycle stores, and landscaping following demolition of an existing dwelling at No.45 Hempland Lane. The site is located within the Heworth ward of the city.

1.2 The development proposal would result in the formation of 8no. apartments spread across three storeys, within 2no. detached buildings. Access would be from Hempland Lane (as existing). The larger building (building 1) would be located to the southern portion of the site, measuring a total floor area of approximately 164 metres², to contain 4no. 2-bed apartments. The smaller building (building 2) would develop perpendicularly to the east, measuring approximately 150 metres², to contain 2no. 1-bed and 2no. 2-bed apartments. A conventional brick and tile finish is proposed externally, with cream UPVC fenestration. A third floor of accommodation would be positioned within the attic space of building 2, including 2no. dormers in total, located to the eastern most roof plane fronting the allotments. The roof spaces would otherwise be served by skylights. The principal roof forms would develop to approximately 5.6 metres eaves and 8.9 metres (building 1) and 8.6 metres total height (building 2) respectively. 2no. cycle stores and 1no. bin store are shown to the site.

1.3 The existing property is a sizeable, detached bungalow with standalone carport garage to its south. The property is set back from the roadside and building line of Hempland Lane, accessed as existing from a narrow single width drive. The property sits within a generous plot which borders several of the surrounding adjacent dwellings, including Hempland Lane Allotments and local community wildlife area to the south and eastern boundaries. In terms of the site surroundings, the surrounding area is suburban in character, largely characterised by two-storey detached and semi-detached dwellings. The site shares its access from Hempland Lane with a single storey substation.

1.4 Relevant Property History - Erection of 2no. residential apartment buildings (use class C3) with associated parking, refuse, cycle stores, and landscaping following demolition of existing dwelling, refused 07.02.2025, reference 24/02266/FUL.

1.5 The previous application was refused on the grounds that the buildings would be of an incongruous scale, and form, taking into account the established suburban qualities of the area, their impact on neighbouring amenity, and the requirement for further information with regard to the development proposal's likely effect on adjacent habitats.

1.6 The revised scheme still includes the proposed development of 2no. apartment buildings, however the orientation and scale of development on-site have been altered, in which the height of the proposed buildings have been reduced, and site layout altered to set the main mass of the buildings further away from the adjacent boundaries.

1.7 Revisions made as part of this application have included the following:

- Revised access – increasing width of the route internally through the site from 4.5 metres to 5.0 metres.
- Submission of updated swept path analyses in accordance with revised access and layout of parking.
- Revised cycle stores in accordance with comments from Highways with respect to ensuring these are compliant in size and accessibility.
- Incorporation of the two buildings to the south of the site to one singular building, including minor revision building 1's orientation and position within the site to increase the building's set-off from No.61 Hempland Lane.

2.0 POLICY CONTEXT

2.1 Planning applications should be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan is the adopted City of York Local Plan. The application site does not fall within a district of the Authority subject to either a Neighbourhood Plan or Village Design Statement.

City of York Local Plan

2.2 The Local Plan was adopted on 27th February 2025. Local Plan policies relevant to the determination of this application are detailed below:

DP2	Sustainable Development
DP3	Sustainable Communities
H3	Balancing the Housing Market
H10	Affordable Housing
HW7	Healthy Places
D1	Placemaking
D2	Landscape and Setting
GI2	Biodiversity and Access to Nature
GI4	Trees and hedgerows
CC2	Sustainable Design and Construction of New Development
ENV2	Managing Environmental Quality
ENV3	Land Contamination
ENV5	Sustainable Drainage
WM1	Sustainable Waste Management
T1	Sustainable Access

National Planning Policy Framework (NPPF)

2.3 The NPPF sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development. The NPPF forms a material consideration in planning decisions.

2.4 Paragraph 39 of the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at

every level should seek to approve applications for sustainable development where possible.

2.5 Key policies and sections of the NPPF are as follows:

Achieving sustainable development (chapter 2)

Decision-making (chapter 4)

Delivering a sufficient supply of homes (chapter 5)

Promoting healthy and safe communities (chapter 8)

Promoting sustainable transport (chapter 9)

Making effective use of land (chapter 11)

Achieving well-designed places (chapter 12)

Meeting the challenge of climate change, flooding and coastal change (chapter 14)

Conserving and enhancing the natural environment (chapter 15)

3.0 CONSULTATIONS

INTERNAL:

Public Protection

3.1 No objections raised subject to conditions.

Flood Risk Engineer

3.2 No objections raised, subject to conditions in order to protect the local aquatic environment and public sewer network.

3.3 The Ground Investigation Report provides sufficient evidence to prove soakaways will not work in this location and a watercourse is remote. With regards to foul water this will connect to the public foul water sewer in Hempland Lane, this is agreed. Surface water shall connect to the public surface water sewer in Hempland Lane, at a restricted rate of 2.0 (two point zero) litres per second with appropriate attenuation up to and including the 1 in 100-year event with 40% climate change event, this is agreed. The Intrusive Ground Investigation Report, Drainage Assessment and Drainage Layout are in line with City Of York Council's Sustainable Drainage Systems Guidance for Developers Guide and the hierarchy of surface water disposal.

3.4 The development is in Environment Agency (EA) low-risk Flood Zone 1 and should not suffer from river flooding.

Archaeologist

3.5 This application is located near to an area that has previously produced evidence for Roman activity. Approximately 300m to the NW, a large assemblage of late Roman pottery was found and interpreted as relating to occupational activity (MYO2801). The wider area is known to produce similar material, but there has been relatively little opportunity to investigate the context for any activity.

3.6 The application site is positioned close to the proposed course of two Roman roads, approximately 35m and 70m to the south. Evidence for these roads is fragmentary, but they are thought to relate to RCHME Road 4, connecting York (Eboracum) with Malton (possibly Derwentio), and as such represent significant components of York's Roman landscape.

3.7 An Intrusive Ground Investigation Report was commissioned to support this application, based on a survey consisting of 3no boreholes. These were not archaeologically monitored, but the recorded sequence includes: 'Topsoil' between 0.12m and 0.60m deep, underlain by 'made up or disturbed ground' extending as deep as 0.90m to 1.6m below ground level. This contained deposits of 'brick and rubble', and 'sandy clay with occasional coarse, rounded cobbles'. Without archaeological dating evidence this is impossible to definitively interpret, but it is suggestive of potential archaeological material.

3.8 No foundation plans are available, but the proposal comprises three large dwellings which will all require foundations and services, including drainage, that will potentially impact any archaeological material present on the site.

3.9 An archaeological evaluation will be necessary on this site, with possible further stages of mitigation, either by excavation or preservation-in-situ. This can be carried out under a planning condition. The evaluation should investigate the proposed areas of all three buildings shown in figure 02M in the submitted Design and Access statement.

Landscape Architect

3.10 None of the trees within the site boundary are subject to a tree preservation order (TPO), nor are they in a conservation area.

3.11 A category 'B' Birch (proposed for removal) on the eastern boundary of the application site stands adjacent to Heworth allotments from where it would be visible. Group G9 (category 'B') within the grounds of Heworth allotment encloses the southern boundary of the application site. This consists of Hawthorn, Crab apple, and Field Maple, the latter being the tallest species. These are small to medium sized trees. The owner of no.45 has the right to prune back overhanging branches, but the density and height of these trees still exerts a visual and physical influence on the application site. For this reason, I advise that the south facing living quarters of buildings 2 and 3 are too close to the southern boundary.

3.12 The existing property has a large garden and is of a sufficient distance and orientation to avoid conflict with the adjacent woodland. The proposed development places the southern elevations of buildings 2 and 3 very close to the southern boundary, immediately beyond which the woodland stands. The proposed development would introduce a new conflict, which would threaten the compatibility between public trees and private properties because there would be extremely limited garden space outside the south-facing main reception rooms of buildings 2 and 3. The existing woodland is located on the south side of the properties at close proximity. The height and density of the trees would cast shade and be imposing over such small garden spaces, thereby posing a significant restriction on reasonable enjoyment of the garden and property. These factors would be likely to put pressure on the local authority to reduce/remove trees. Therefore, I advise that this latest proposal still presents over-development of the site.

Highways

3.13 Commented in objection, raising the following matters:

- The true extent of the northern site/red-line boundary is unclear and should be clarified/confirmed by the applicant, as this has a material impact on the width of the access that can be provided.
- The length of the unadopted 'Minor Access Road' is excessive: the plans should evidence how safe pedestrian access will be provided, and access for fire appliances within the site.
- The unadopted 'Minor Access Road' serves too many dwellings.
- Surfacing detail not provided.

- Insufficient clearance between the access and boundary fence of the adjacent electricity sub-station, with potential for insufficient forward visibility.
- The bin store is too far from the waste loading point.
- Some of the proposed parking bays have insufficient clearance adjacent to vertical features (walls).
- Access to the proposed cycle parking at Building One is inadequate – access would be blocked if cars were parked in bays 1-4 Cycle parking should be specific to each building and the doors to the cycle stores should be wider (can be conditioned).
- The swept path analyses provided are not accepted – they should be resubmitted using a 4.9m long x 2.0m wide IStructE, Guide, Car Park Design 2023, Standard Design Vehicle (SDV) and 7.367m x 2.020m Mercedes Bens L4 Extra Long Wheelbase Van (or similar) for the analyses.
- The applicant should confirm whether any of the dwellings are to be category M4(2) or M4(3)

Ecology

3.14 The Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment and small sites metric submitted indicates that there would be approximately a net change in biodiversity units (BU) of - 48.21% (- 0.3994 BU) of area-based units. To deliver the minimum 10% biodiversity net gain required it is assumed these units will be delivered off-site. This could be through utilising off-site land under the control of the applicant to deliver the off-site biodiversity unit requirement or purchase of units via third-party habitat bank. It is accepted that post-development plans may be indicative at this stage particularly for offsite BNG provision. However, sufficient detail should be provided with the application to enable the Authority to have confidence that the level of BNG proposed is realistically achievable; that the application will be able to meet its biodiversity net gain obligation, and that the applicant is aware of the potential costs associated with the plan proposed to achieve it.

3.15 To finalise conditions and determine how BNG will be secured CYC need additional information on the proposed approach to delivery of the required unit to meet 10% net gain. The approach to delivering BNG will determine if a Habitat Management and Monitoring Plan (HMMP) or Landscape and Ecological Management Plan (LEMP) and the need to secure any BNG measures via a S.106 agreement.

3.16 Further information is therefore required to ensure the application does not deviate from law, policy and/or guidance, with regards to ecology. If further information cannot be provided the application cannot be supported.

3.17 The ecological survey work to date has identified a number of ecological features that require protection throughout the construction phase of the project (e.g., bats nesting birds, habitats, trees, etc). As such, the provision of a CEMP is considered appropriate. Other conditions including a biodiversity enhancement plan and lighting plan may be secured by condition.

EXTERNAL:

Heworth Planning Panel

3.18 No response received.

Yorkshire Water

3.19 No objections raised subject to conditions.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1 The proposal was publicised by Site Notice on 18th July 2025, as well as by Neighbour Notification Letter.

4.2 Representations of objection from 37 parties were received in total, raising the following concerns:

- Incorrect width of entrance roadway
- Poor visibility for entering/exiting cars
- Insufficiently sized car parking spaces/limited manoeuvrability on site.
- Increase in traffic/demand for parking
- Highway safety as a result of limited visibility and the number of additional vehicles and increased traffic
- Loss of privacy
- Loss of light and outlook
- Loss of sunlight

- Light pollution
- Management of waste
- Overshadowing to adjacent dwellings and nature reserve
- Increased noise pollution and disturbance
- Overbearing and dominance
- Scale and massing would detract from visual amenity of the area
- Loss of mature trees and planting
- Degradation to biodiversity and wildlife on/offsite
- Increase in standing water and flooding/waterlogging
- Density of development
- Prospective use as holiday lets
- Inappropriate architectural design, layout, and scale, resulting in overdevelopment
- Loss of existing family home
- Unproven demand for this type of accommodation
- Poor amenity for future occupants
- Maintaining emergency access to the adjacent substation

4.3 One representation of support was received, commenting that the proposal would contribute towards more housing for the city.

4.4 The application was re-publicised following amendments to the scheme, by Site Notice on 24th December 2025, as well as by Neighbour Notification Letter.

4.5 Further representations of objection were subsequently received from 23 parties, raising the following concerns:

- Inappropriate scale and massing
- Scheme still does not address the core reasons for the previous refusal
- Scheme prioritises profit maximization rather than appropriate urban design
- High-density apartments not in-keeping with suburban character of the area
- Risk that the apartments could be used as short-term holiday lets
- Loss of privacy and overlooking
- Overbearing and oppressive presence
- Shading and loss of outlook
- Noise and light pollution
- Dangerous access into the site
- Inadequate parking and risk of overspill onto adjacent streets
- Insufficient swept path requirements for large vehicles

- Waterlogging and drainage
- Harm to protected green space
- Impact on protected species
- Threat to significant trees
- Failure to National Space Standards
- Inadequate daylight to flats' primary living areas due to obstruction from the adjacent 12m-high woodland trees to the south
- Lounges could be used to create additional bedrooms
- Poor amenity space
- Missing documentation to reflect revised plans
- Boundary Dispute at land adjacent to No.61 Hempland Lane
- Inaccurate Land Registry site overlay
- Impediment to access the adjacent Northern Powergrid substation

Councillor Call-in

4.6 The application was requested to be called into Planning Committee by Councillor Ayre on 9th January 2026, on the following grounds:

- Impact on character of streetscene/built environment
- Residential amenity
- Parking
- Highways issues
- Impact upon trees and landscaping

4.7 The application site is in an adjoining ward for the call-in request (the application site sits on the boundary) however it was decided by the Chair of Planning Committee that this case should be determined by Committee.

5.0 APPRAISAL

KEY ISSUES:

- Principle of Residential Development;
- Design and Appearance;
- Amenity for Future Occupants;
- Residential Amenity of Neighbouring Properties;
- Highways, Access and Parking;
- Contamination;

- Archaeology;
- Ecology and Biodiversity;
- Sustainable Construction;
- Drainage and Flood Risk.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT

Policy

5.1 To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. Paragraph 73 of the NPPF recognises that small and medium sized sites can make an important contribution to meeting the housing requirement in an area and that to promote the development of a good mix of sites. Local Planning Authorities should support the development of windfall sites and give great weight to the benefits of using suitable sites within existing settlements for homes. Policy H2 (Density of Residential Development) promotes the efficient use of land, stating that densities should support the efficient use of land, incorporating good design that responds to its context, an appropriate mix of house types and should be informed by the local character of the area.

Assessment

5.2 The site is within an established suburban area, with established public transport links and a reasonable provision of local amenities. Development of the apartment buildings would result in the loss of 1no. existing dwelling, however with a net formation of 7no. residential units overall. Taking into account the objective to boost the supply of homes, and the established suitability of the site for housing, the principal of residential development within this location is established, on account that there is no local or national policy that would preclude the proposed development. With respect to the site's suitability for the configuration and number of dwellings proposed, taking into account the existing grain and pattern of nearby development, and the requirement to incorporate a new access from Hempland Lane, it is considered that the proposed arrangement of development responds characteristically to the local character of the area, subject to other material considerations as assessed within this report.

DESIGN AND APPEARANCE

Policy

5.3 Policy D1 (Placemaking) of the Local Plan seeks development proposals to improve poor existing urban and natural environments, enhance York's special qualities, better reveal the historic environment and protect the amenity of neighbouring residents. Development proposals that fail to make a positive contribution to the city or cause damage to the character and quality of an area or the amenity of neighbours will be refused. Policy D2 relates to landscape and setting and GI trees and hedgerows.

5.4 Paragraph 129, parts (d) and (e), of the NPPF, state that planning decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. Paragraph 135 states planning decisions should ensure that developments will function well and add to the overall quality of the area. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Proposals should be sympathetic to local character and history, including the surrounding built environment. Paragraph 139 of the NPPF states development that is not well designed should be refused.

Assessment

5.5 Architecturally, the buildings are seen to comprise a traditional vernacular, which would complement the principally brick and tile style of the wider residential area. Subsequent to refusal of the previous application, the total scale of the buildings has been reduced, seeing a reduction of 0.6 metres at the eaves and 1 metre (building 1) and 1.3 metres (building 2) at the main ridge. Whilst siting of the buildings would form distinctly more prominent additions to the site in comparison to the existing single storey bungalow, with glimpsed views from Hempland Lane itself and of notable appearance from the allotments to the east, the revised overall scale and form would now be more relative in proportion with the wider prevailing domestic architecture of the adjacent streets and area, in particular with the eaves and ridge heights relative to the surrounding properties. Massing of the buildings is seen to aim to broadly replicate the scale and proportions of a typical semi-detached dwelling. To this effect, the 8.6 and 8.9 metre total heights proposed to the buildings would be comparative to the approximately 8.6 metre heights of the semi-detached dwellings adjacent along Hempland Drive.

5.6 The total footprint of on-site development has reduced slightly following the previous application, although with the main difference being the orientation and position of the buildings. Particularly to building 1 to the south, there would now be a greater set-in from the southern site boundary. Cumulatively with reduction to the height of the buildings, it is considered that the proposal now reflects a configuration and scale that would be more coherent with the wider area, forming a new enclave of development off Hempland Lane, similar in configuration to the fashion of existing adjacent streets. Visibility of the buildings would be somewhat limited from Hempland Lane, by virtue of the setback position of the plot, sitting beyond the established building line fronting the street.

5.7 The layout of the site would make efficient use of the space available. The urban grain of this area of Heworth is fairly well regimented by the pattern of the streets, with properties pleasantly spaced from one another and fringed by buffers of greenery and small pockets of open space. The previous determination placed weight to the openness of the garden of the existing bungalow, and lack of suitable regard to the suburban context of the site with respect to the previously proposed design. Whilst the site is still proposed to facilitate 2no. buildings, the cumulative result of the changes outlined above, concerning the scale of the buildings and layout is considered to, on balance, reflect a more receptive design and character which would not result in unacceptable harm to the character and appearance of the area.

5.8 The proposal is therefore considered to be acceptable in design terms and would be compliant with paragraph 135 of the NPPF and policies D1, D2, G12 and G14 of the Draft Local Plan.

AMENITY FOR FUTURE OCCUPANTS

Policy

5.9 Policy ENV2 (Managing Environmental Quality) of the Local Plan states development will not be permitted where future occupiers and existing communities would be subject to significant adverse impacts such as noise, vibration, odour etc without effective mitigation measures. Paragraph 135(f) of the NPPF seeks to create safe, inclusive and accessible developments with a high standard of amenity for existing and future users. The National Design Guide, in particular within H1-3,

provides further national advice in respect to placemaking and, relevant in this case, the creation of well-designed homes both externally and internally.

Assessment

5.10 The plans demonstrate that the dwellings would provide a satisfactory standard of accommodation for future occupants internally, including an appropriate number of openings and generously sized habitable rooms. Concern was raised as part of the previous application with regard to the provision of available sunlight to the proposed dwellings (and consequential pressure to remove trees in the neighbouring wildlife area), particularly the southernmost building, by virtue of the proximity of the woodland to the south which was considered probable to cast shade. The current proposal sees a more offset orientation with the southern boundary, allowing a larger provision of amenity space which would see a greater buffer within the site itself. Some degree of shadowing would still occur as a result of the established mature character of these trees. However, the proposed offset now incorporated as part of the revised site layout is considered to allow a more meaningful provision of amenity to the habitable rooms closest to the site boundary. The buildings would be located within an established residential setting, in which the site layout incorporates areas of soft landscaping and amenity space around the buildings. Given the established residential context, it is not considered that occupants would be subject to undue disturbance from noise. The works are therefore considered to be in compliance with paragraph 135 of the NPPF and policy ENV2 of the Local Plan.

RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

Policy

5.11 Policies D1 and ENV2 of the Local Plan seek to ensure that development proposals do not unduly affect the amenity of nearby residents in terms of noise disturbance, overlooking, overshadowing or from overbearing structures. Paragraph 135 of the NPPF seeks a good standard of amenity for all existing and future occupants, and that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

Assessment

5.12 The site is surrounded to its north and west by existing residential dwellings, all of comparative styles with pleasant rear amenity spaces, most of which are generous in size and proportions, and which orientate themselves toward the application site. To the south and west is Hempland Lane Allotments.

Nos. 4, 6, 8 and 10 Hempland Drive

5.13 The provision of outlook available to Nos. 4, 6, 8 and 10 Hempland Drive would be impacted as a result of the buildings' siting. In visual terms, the two buildings would interrupt the current longer-distance views which are available across the site, in which the existing bungalow is set at a lower height. To the eastern extent of the application site, closest to Nos. 6, 8 and 10, building 2 would be orientated perpendicular to the rear gardens, set 22 metres distance away at its closest to the adjacent rear elevation (adjacent to No.6) and 4 metres from the boundary. The hipped roof developing away from the boundary and lesser extent of massing at the closest distance would offer some relief (the building measuring 9 metres in depth), however, in which a good degree of outlook would still be available around this building, especially to the southeast where longer views and provision of outlook would be retained.

5.14 In terms of the provision of sunlight, the application as originally submitted included a daylight and sunlight assessment. This has not been subject to revision subsequent to revisions to the development itself, although is still material in understanding some of the impact of the buildings' scale and proximity to the nearest adjacent properties, the greatest change since the report's submission being in relation to the repositioning and merger of two buildings (adjacent to the southern boundary) within the site, although the mean distance of the proposed building(s) from the northern boundary increasing only minorly to 11.75 metres now versus 11 metres previously.

5.15 For the rear elevation of Nos. 4, 6, 8 and 10 Hempland Drive, the report established that the highest angle to the proposed development would be approximately 18.5° (at No.2 Hempland Drive), which would be below the 25° initial obstruction angle criterion in the BRE Report. Subsequent to revisions to the scheme, separation from point of measurement at No.2 and the proposed development has increased from 30.7 metres to 31.6 metres. As a result, the obstruction angle would remain below 25°. Loss of direct sunlight to the rear amenity spaces would be limited to a very small portion of the rear gardens of Nos. 6 and 8,

with overall distancing not considered to hinder the overall provision of direct sunlight.

5.16 The extent to which the scheme would be oppressive to neighbouring dwellings however is also dependant on the extent to which there would be increased overlooking and/or a loss of privacy. As existing, the row of properties to the southern side of Hempland Drive are regimented in character, all with habitable openings facing their rear gardens at both ground and first floor level. In addition, some of the dwellings include living accommodation within their loft spaces. In terms of accommodation proposed within the application site, the northern side elevation (closest to No.6 Hempland Drive) would see 2no. secondary openings, serving the principal kitchen dining and living spaces, although with these rooms orientated with their principal openings and outlook to the east of the site. At first-floor level, however, it is considered appropriate to impose a condition to ensure this opening is obscure glazed and non-opening, on account of the proximity to which this would be to the adjacent rear amenity space. Similarly, a living space to the attic would be served by a dormer to the east, with only a high level rooflight to the north. On account of this, it is not considered that an undue level of overlooking would arise to the adjacent row of properties to the north, in particular Nos. 4, 6, 8 and 10 as a result of building 2's siting. More widely, the openings of habitable rooms to the eastern elevation would be considerably more offset and distanced from properties further to the east along Hempland Drive.

Nos. 41 and 43 Hempland Lane & No.2 Hempland Drive

5.17 Development at the application site would have similar impacts with respect to outlook and openness at the above addresses as would occur along Hempland Drive. Although the proposed apartment buildings would be further away from these addresses, some loss of the existing vistas across the allotments would be interrupted subsequent to erection of the buildings on-site. The orientation of buildings, however, is considered to allow breaks in the site in which some through-views across the site would be maintained. Some increase to the degree of urbanisation along the garden boundary of No.43 would also occur, although with the buildings set further away, and to include retention of the existing hedgerow. The nearest structure to the garden of No.43 would be the cycle store which is seen to be of a modest domestic scale, incidental to that of the main buildings.

5.18 Building 1's habitable openings would be more prominent to Nos. 41 and 43 Hempland Lane, and No.2 Hempland Drive, all of which would be located in closest

proximity to building 1, the building which would sit closer to the southern extent of the site. In terms of new/increased overlooking to these properties derived from the proposed development, due to the orientation of building 1 and 2, openings would see more direct views across the adjacent gardens, however in this instance would be softened in part due to this building's position set more southerly in the site and away from the adjacent boundary. Habitable rooms fronting these properties would include bedrooms and bathrooms. Whilst bedrooms are habitable rooms, it is considered that the intensity of use of these rooms would in fact be less than primary living spaces which are more likely to be in use during the day. The bathrooms are indicated to be obscure glazed.

Nos. 61, 63 and 65 Hempland Lane

5.19 To the west, building 1 would be located in closest proximity to No.61 Hempland Lane, which is considered to be impacted greatest by the proposed development. The southwestern corner of the building would be located approximately 15 metres from the rear elevation of No.61. The nearest adjacent openings proposed within the development to this property would include kitchen living areas. Whilst of reasonably close proximity, the orientation of the building would mean that these openings would be notably offset from resulting in prominent overlooking, in which established planting at the boundary would be retained. The offset of No.61 and building 1, in conjunction with the reduced height of the proposed development is considered to reduce the extent to which the development would create an excessive level of overlooking and/or an overbearing and over-dominant effect to its rear-facing openings or amenity space. With respect to the loss of direct sunlight, given building 1's offset marginally to the north of No.61, the proposed development, would not result in loss to the availability of direct sunlight to No.61's rear facing openings or amenity space beyond the existing conditions.

5.20 Whilst more offset, some loss of outlook and longer-distance views would occur also to Nos. 63 and 65 Hempland Lane. However, positioned south of the development and more considerably distanced, it is not considered that the development would amount to a significant impact to the amenity of these properties.

Wider Impacts

5.21 More widely to the west of the site, the proposed development would not result in an impact to other dwellings in this direction. The buildings and associated

landscaping and parking would be set behind and away from the building line of Hempland Lane.

5.22 Similarly, from other directions, the development, although of greater visual prominence versus the existing relatively concealed bungalow, would be considerably well distanced from other properties within the vicinity. Land to the east and south of the site is made up of land not occupied by residential dwellings. Planting would be inserted at northern and western site boundaries, in addition to existing established vegetation outside of the site.

5.23 Taking into account the above, the proposal is considered to comply with paragraph 135 of the NPPF and policies D1 and ENV2 of the Local Plan and would not result in an undue impact upon neighbouring amenity.

HIGHWAYS, ACCESS AND PARKING

Policy

5.24 Policy T1 (Sustainable Access) of the Local Plan advises that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it, including those with impaired mobility, such that it maximises the use of more sustainable modes of transport, and they provide sufficient convenient, secure and covered cycle storage. Policy WM1 (Sustainable Waste Management) requires the integration of facilities for waste prevention, re-use, recycling, composting and recovery in association with the planning, construction and occupation of new development for housing.

5.25 Paragraph 116 of the NPPF states 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, following mitigation, would be severe, taking into account all reasonable future scenarios. Paragraph 117 states that proposals give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas, and 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.

Assessment

5.26 The development would be accessed from Hempland Lane to the west of the site. The adopted highway extends to the boundary of the existing gravel drive to incorporate access to the existing drive and the electricity sub-station immediately to the north of the site which has a 2-metre-wide access. The required 2.4m x 43m visibility splays would be achieved at the site access.. The site plan shows the width of the driveway extended to 5 metres to allow two vehicles to pass.

5.27 Highways have raised concern that the provision of space at the access, considering the proximity of the adjacent substation and telegraph pole would result in practical restrictions to delivering the access at the width indicated. The site plan does demonstrate minor variations with regard to the indicated application site boundary and actual position of the existing fence which separates the site from the substation, which is shown to encroach into the application site. Having regard to this, the access would see a minor taper at this pinch point, therefore not achieving 5-metres' width for its entirety. However, it is not considered, taking into account the low speeds of vehicular movements and limited number of dwellings which the access would serve, that this would pose an unacceptable impact on highway safety. 0.5 metre's separation would be maintained from the adjacent telegraph pole.

5.28 The proposed block plan indicates a turning head layout considered to suitably allow vehicles to enter and exit the site in a forward gear. The application has been latterly appended by a number of swept path analyses, which demonstrate a sufficient provision of space also for larger vehicles to manoeuvre within the site and exit in a forward gear. One parking space is proposed per dwelling, in addition to two visitor spaces.

5.29 In terms of accessibility, the site is located to the outer (east) side of Hempland Lane, within an established suburban setting. Although there are bus services within the vicinity, these are not high-frequency services, and some do not run all day. The site is well connected to the wider road network, and is served by pedestrian and cycle links, although the position of the site within the city is likely at the upper limit of the distance occupants may be likely to walk to city centre amenities, or those situated at Monks Cross. As such, it is considered important that the prescribed levels for cycle storage and parking are achieved within this context.

5.30 1no. cycle parking space is required per bedroom, in accordance with the Department for Transport's LTN 1/20 Cycle Infrastructure Design. The application

form proposes provision for 14no. cycles, which would fulfil this requirement. The storage of cycles would be delivered through 2no. detached structures, to the north and west of the site respectively. These are considered to suitably serve the site, taking into account their overall size, following revisions to their design and access. This detail is secured by condition.

5.31 1no. storage facility is indicated for refuse, located to the north of the site. In scale, it is considered proportionate to suitably serve the requirements of the apartments. In location, the facility would be located a considerable distance from the collection point by Council refuse vehicles, required to be within 10 metres of the waste loading point on the adopted highway, as set out within the Waste Services Information for Developers Guide, which would be Hempland Lane. The store is also of substantial distance from the collection point to which occupants would have to carry their waste, if Council managed. The application states, however, that it is intended for waste to be managed by a private provider. Highways confirm that the swept path analysis for a small refuse vehicle would allow suitable space for domestic waste collections within the site. A management strategy to explain responsibilities for the management of waste is sought by condition.

5.32 More widely, the formation of 8no. apartments would result in an increase in the number of vehicle trips to and from the site beyond the level of use currently experienced as a single dwelling. Taking into account this uplift, however, it is considered that the development would not be sufficient to warrant a travel plan or transport statement, nor is it likely to result in a severe impact on the local road network. The site itself is of reasonable size and would allow a sufficient provision of space for vehicles entering the site to manoeuvre and enter/exit in a forward gear. Although the pedestrian footpath would not extend the full depth of the site, resulting in the need for residents of building 2 to walk across the turning head to access the entrance, traffic generation is likely to be low and not amount to a severe impact on highway safety on account of the resultant number of dwellings that would be formed, and their relatively contained scales in comparison to the assortment of extended detached and semi-detached dwellings seen more widely within the local area. Hempland Lane is restricted to a thirty miles per hour speed limit, which promotes typically low speeds of vehicles.

5.33 In line with Building Regulations, Electric Vehicle (EV) charge point provision ('active provision') is required for all residential developments in York. An informative is included to this effect.

5.34 Conditions are imposed to this application to ensure the submission of a method of works statement to manage construction of the development. On this basis, the proposal is not considered to have an unacceptable impact on highway safety and would comply with Policy T1 of the Local Plan and chapter 8 of the NPPF.

CONTAMINATION

Policy

5.35 Policy ENV3 (Land Contamination) of the Local Plan relates to land contamination and states where there is evidence that a site may be affected by contamination or the proposed use would be particularly vulnerable to the presence of contamination, planning applications must be accompanied by an appropriate contamination risk assessment and appropriate remedial measures secured if needed. Paragraph 198 of the NPPF states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Assessment

5.36 Past activities could potentially have given rise to land contamination, so a site investigation and risk assessment is needed to find out whether contamination is present and to assess the nature, scale and extent of any land contamination and the potential risks to human health, groundwater, surface water and other receptors. The Environmental Health Officer recommends conditions to overcome these concerns. In the event of an approval, these could have been added. Contamination concerns are considered to be suitably addressed by condition.

ARCHAEOLOGY

Policy

5.37 Paragraph 207 of the NPPF states that, where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to

submit an appropriate desk-based assessment and, where necessary, a field evaluation

5.38 Policy D6 (Archaeology) states that development proposals that affect archaeological features and deposits should be accompanied by an evidence-based heritage statement that describes the significance of the archaeological deposits affected and, where necessary, report on intrusive and non-intrusive surveys of the application site and its setting. Works should not result in harm to an element which contributes to the significance or setting of a Scheduled Monument or other nationally important remains, unless that harm is outweighed by the public benefits of the proposal.

Assessment

5.39 The City Archaeologist identifies that the site is located near to an area that has previously produced evidence for Roman activity. Approximately 300m to the NW, a large assemblage of late Roman pottery was found and interpreted as relating to occupational activity (MYO2801). The wider area is known to produce similar material, but there has been relatively little opportunity to investigate the context for any activity.

5.40 An Intrusive Ground Investigation Report was commissioned to support this application, based on a survey consisting of 3no boreholes. These were not archaeologically monitored, but the recorded sequence included: 'Topsoil' between 0.12m and 0.60m deep, underlain by 'made up or disturbed ground' extending as deep as 0.90m to 1.6m below ground level. This contained deposits of 'brick and rubble', and 'sandy clay with occasional coarse, rounded cobbles'. Without archaeological dating evidence this is impossible to definitively interpret, but it is suggestive of potential archaeological material.

5.41 No foundation plans have been submitted, but it is anticipated that erection of the buildings will potentially impact any archaeological material present on the site. An archaeological evaluation is therefore considered necessary, with possible further stages of mitigation, either by excavation or preservation-in-situ. This is sought by planning condition.

ECOLOGY AND BIODIVERSITY

Policy

5.42 Policy GI2 relates to biodiversity and access to nature. Paragraph 193(d) of the NPPF seeks to ensure development contributes and enhances 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. These enhancements are required in addition to the protected species licence requirements. Development should achieve net gain in biodiversity (BNG) in accordance with The Environment Act 2021 and national policy and contribute to the recovery of priority species and habitats and new habitat creation.

5.43 BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

5.44 This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits. The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan (BGP) must be submitted and approved by the planning authority before commencement of the development.

Assessment

5.45 The application was accompanied at submission by a Tree Survey and Arboricultural Impact Assessment Plans, and Preliminary Ecological Appraisal (PEA) & Biodiversity Net Gain (BNG) Assessment (Vale Ecology, June 2025). The PEA confirmed that buildings and vegetation within and edging the application site provide some suitable habitat for nesting of common species of birds. Evidence of previous bird nesting activity was recorded within the carport, which contains a small timber bird box. No evidence of Barn Owl activity was recorded in the buildings. No evidence was found to indicate bat roosting activity within the site buildings. Habitats within and edging the site were, however, assessed as being suitable for foraging and commuting bats.

5.46 The Vale Ecology Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment submitted, with regard to Great Crested Newts (GCN) recommended the pond 15 metres to the south of the site be surveyed in accordance with Natural England guidance to determine the presence or likely presence of newts; the site is located within an Amber Risk Zone for Great Crested Newts, forming a protected species. Paragraph 195 of the NPPF states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. Further information was required subsequent to determination of the previous application, with regard to the likely presence of Great Crested Newts, the season for obtaining GCN data being from April to June.

5.47 20 samples of pond water have since been taken within the block of mature woodland adjacent to Hempland Lane allotments on in April 2025. The survey recorded a negative score for the presence of Great Crested Newt.

5.48 The ecological survey works also identified a number of ecological features that require protection throughout the construction phase of the project. Submission of a Landscape and Ecological Management Plan is therefore also considered required, among other biodiversity enhancements, and submission of a lighting design plan. These are considered acceptable to be sought by condition.

Trees

5.49 The existing property has a large garden and is of a scale and orientation which avoids prominent conflict with the adjacent woodland. The proposed development would place parts of the new buildings close to, and parallel with, the southern and eastern boundaries, immediately beyond which the woodland stands. 16 small trees are located within the site along with a section of non-native and ornamental hedgerow to the northern boundary, forming the boundary between the site and the neighbouring residential properties. The hedgerow has a width and height of 1-2 metres with no gaps and is well maintained. 12.3 m of The hedgerow (12.3 metres) located on the northern boundary of the site would be retained as part of the proposed development, along with three small trees (T1, T6, T8). Ten small urban trees would be planted within the landscaped grounds surrounding the buildings and areas of hardstanding following development of the site.

5.50 The scheme has been revised across the course of its consideration to set building 1 to the south upwards so that it would sit further away from the southern site boundary (2.5 metres at its closest). The adjacent woodland is established. It is considered that the revised position and orientation suitably mitigates against previous concerns that there would be a conflict of compatibility between public trees and private properties, with risk that the development could prejudice the woodland's longevity and prompt trees' premature removal or reduction. The woodland contributes positively to the amenity of Hempland Lane Allotments. Building 2, whilst located closer at 1.6 metres at its closest to the southern boundary, sees its building's orientation and internal arrangement configured so that views from the internal accommodation would be considerably more offset from the woodland, including a reasonable portion of lawn area and wider amenity space between the building and edge of the site.

Biodiversity Net Gain

5.51 Baseline Habitats within the site include Developed Land; Sealed Surface, Urban Tree, Vegetated Garden, and Non-native and Ornamental Hedgerow. The Biodiversity Gain Hierarchy should be applied to avoid habitats of most value and where they cannot be avoided; they should be maintained on site. The reports identified that, post development, the on-site habitat retention, enhancement, and creation with long-term management (for a minimum of 30 years) will achieve an on-site net change of -0.37 Habitat Units (equivalent to a -48.21% loss) and -0.00 Hedgerow Units (no net change). Proposals for the application site therefore do not satisfy the Area Habitat trading rules.

5.52 It is clarified within the application's submission that the units required to achieve a 10% uplift would be delivered off-site either through utilising off-site land under the control of the applicant to deliver the off-site biodiversity unit requirement or purchase of units via third-party habitat bank. It is accepted that post-development plans may be indicative at this stage particularly for offsite BNG provision. Therefore, granting planning permission without a formal mechanism in place, to secure off-site gains or credits, would not affect the Council's ability to ensure that the BNG objective is achieved at a later stage.

5.53 Planning Practice Guidance (PPG) states that it would generally be inappropriate for decision makers, when determining a planning application for a development subject to BNG, to refuse an application on the grounds that the BNG objective will not be met. However, the PPG continues that decision makers may

need to consider more broadly whether the BNG condition is capable of being successfully discharged, with matters for consideration including the appropriate balance expected between on-site gains, off-site gains and the use of statutory biodiversity credits for the development, taking account of the Biodiversity Gain Hierarchy.

5.54 Consent for the application is granted subject to the need for a Biodiversity Gain Plan to be produced/submitted prior to the commencement of development on-site in accordance with Schedule 7A of the Town and Country Planning Act 1990. The statutory framework for biodiversity net gain requires a Biodiversity Gain Plan to be submitted and approved prior to the commencement of development, to set out how Biodiversity gains are proposed to be secured, either on or off-site. The development cannot be lawfully commenced until this condition is satisfied.

5.55 The site does not contain irreplaceable or rare priority habitats and given the size and context of the site, the development proposed, and requirement for a biodiversity gain plan (BGP), the Local Planning Authority is satisfied that the balance between on-site gains and off-site gains is appropriate, taking into account the constrained suburban nature of the parcel of land, in which there are physical constraints to achieving provision of new housing alongside larger uplifts in BNG. Although it cannot be confirmed that the BGP can be discharged without knowing what off-site land has been secured, the applicant suggests that offsite BNG would be provided via a third-party habitat provider; there is no substantive evidence to indicate that such a solution would not be achievable.

5.56 Due to the scope of the BGP as defined under paragraph 14(2), Schedule 7A of the Act, the appellant is required, in any case, to specify any registered off-site biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development; and any biodiversity credits purchased for the development as part of a future BGP. The Council would have the opportunity to assess the suitability of the BGP as part of the discharge of the BGC.

5.57 To conclude, sufficient information has been provided at this stage that the proposal would provide adequate BNG principally through off-site provision. In this respect, the proposal would accord with policies of the Local Plan which seek, amongst other things, to protect and enhance species and habitats, avoid or minimise impacts on biodiversity and secure BNG, which are sought by condition.

5.58 On account of the conditions imposed, and legislative requirement for the developer to submit a Biodiversity Gain Plan to be prior to the commencement of development on-site, the scheme would comply with the requirements of The Environment Act 2021, paragraph 193 of the NPPF, and policy GI2 of the Local Plan.

SUSTAINABLE CONSTRUCTION

Policy

5.59 Policy CC2 of the Local Plan states all new residential building development of 1 or more dwellings should achieve on-site carbon emissions reduction of a minimum of 31% over and above the requirements of Building Regulations Part L (2013), of which at least 19% should come from energy efficiency measures; and a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations). Pending anticipated changes to Building Regulations, developments should further aim to achieve up to a 75% reduction in carbon emissions over and above the requirements of Building Regulations Part L (2013) unless it is demonstrated that such reductions would not be feasible or viable. The Target Emissions Rate (TER) for proposed new dwellings should be calculated using version 10 of the Standard Assessment Procedure (SAP). Development proposals will be expected to consider good practice adaptation principles for climate resilience in their design, construction, and operation.

Assessment

5.60 The application is not supported by an energy statement or sustainability checklist, however overarching principles of the intended strategy for sustainable construction is set out in section seven of the planning statement. It is considered that the requirements of policy CC2 could be achieved by condition to ensure a reduction in carbon emissions and in ensuring the buildings are energy efficient. Provision for EV charging is managed as part of Building Control regulations.

DRAINAGE AND FLOOD RISK

Policy

5.61 Policy ENV5 (Sustainable Drainage) of the Local Plan states Sustainable Drainage System (SuDS) methods of source control and water quality improvement

should be utilised for all new development, to minimise the risk of pollution and to attenuate flood volumes. The type of SuDS used should be appropriate to the site in question and should ensure that there is no pollution of the water environment including both ground and surface waters. Existing land drainage systems should not suffer any detriment as a result of development. Paragraph 181 of the NPPF states that, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. For minor development and changes of use, applications should be supported by a site-specific flood-risk assessment.

Assessment

5.62 The drainage strategy submitted sets out the surface water intentions for the development, in account of the fact that the site and surrounding area comprises impermeable soils, and, thus, the use of soakaways would not be viable. Surface water is therefore proposed to discharge to an existing surface water public sewer located on Hempland Lane.

5.63 In accordance with the hierarchy for surface water dispersal, consideration should be given to discharge to soakaway, infiltration system and watercourse in that priority order. Surface water discharge to the existing public sewer network must only be as a last resort. Sufficient evidence should be provided i.e., infiltration tests to BRE Digest 365 (2016) for the viability of infiltration before other dispersal techniques are considered. City of York Council will only accept infiltration testing results where the test was carried out by a competent Geotechnical or Geoenvironmental Consultant/Engineer and/or Drainage Consultant. Supporting evidence to discount infiltration was submitted as part of the Ground Investigation Report, proving that soakaways within this location will not work, and a watercourse is remote.

5.64 With regard to foul water, this would connect to the public foul water sewer in Hempland Lane. Surface water would connect to the public surface water sewer in Hempland Lane, at a restricted rate of 2 litres per second with appropriate attenuation up to and including the 1 in 100-year event with 40% climate change event. These details are secured by condition and are agreed by the Lead Local Flood Authority and Yorkshire Water.

5.65 The development is in Environment Agency (EA) low-risk Flood Zone 1 and should not suffer from river flooding.

6.0 CONCLUSION

6.1 The proposal seeks consent for the demolition of an existing residential bungalow and the erection of 2no. new buildings to provide 8no. flats at No.45 Hempland Lane, Heworth.

6.2 The application site lies within a suburban area of the city, in a sustainable and accessible location and in a predominantly residential area. The apartments would contribute to the city's housing stock, and, on balance, it is considered that they would do so without undue harm to the character and appearance, visual amenity, highway safety, residential amenity of existing and future occupiers, natural environment or flood risk, subject to the imposed conditions. In light of the above, It is considered it complies with national planning guidance, as contained in the National Planning Policy Framework and the City of York Local Plan 2018. Approval is therefore recommended.

7.0 RECOMMENDATION: Approve

1 The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

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

Proposed Site Plan - Dwg. No: WG1372 02 Rev T, dated 09.03.2026.

Building 1 Floor Plans and Elevations - Dwg. No: WG1372 03 Rev L, dated 10.12.2025.

Building 2 Floor Plans and Elevations - Dwg. No: WG1372 05 Rev I, dated 10.12.2025.

Bin & Cycle Stores - Dwg. No: WG1372 06 Rev C, dated 23.02.2026.

Swept Path Analysis of Parking Bays - Dwg. No: 25/244/ATR/001 Rev D, dated 04.03.2026.

Swept Path Analysis of Two Cars Passing - Dwg. No: 25/244/ATR/002 Rev D, dated 04.03.2026.

Swept Path Analysis of Large Van - Dwg. No: 25/244/ATR/003 Rev D, dated 04.03.2026.

Swept Path Analysis of Small Refuse - Dwg. No: 25/244/ATR/004 Rev A, dated 04.03.2026.

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

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

Note: Because of limited storage space at our offices sample materials should be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), the window positioned to the first-floor side (north) elevation hereby approved (facing the rear amenity space of No.6 Hempland Drive) shall at all times be obscure glazed to a standard equivalent to Pilkington Glass level 3 or above, and non-opening.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

5 The development shall be carried out in accordance with the details shown in the submitted Drainage Assessment - Re: EWE/2024/3272 Revision D, and the Drainage Layout - Re: EWE/3272/01 Revision B, both dated 30th June 2025, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage

6 The dwellings hereby permitted shall achieve a reduction in carbon emissions of at least 31% compared to the target emission rate as required under Part L of the Building Regulations 2013 and a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Should the dwellings not achieve a reduction in carbon emissions of 75%, compared to the target emission rate set out in Part L of the Building Regulations 2013, prior to the construction of development above foundation level, a statement to demonstrate that such reductions would not be feasible or viable shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policy CC2 of the Local Plan.

7 A programme of post-determination archaeological evaluation is required on this site. The archaeological scheme comprises 3-5 stages of work. Each stage shall be completed and agreed by the Local Planning Authority before it can be approved.

A) No archaeological evaluation or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. The WSI should conform to standards and guidance set by LPA and the Chartered Institute for Archaeologists.

B) The site investigation shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for assessment, analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report on the evaluation and an assessment of the impact of the proposed development on any of the archaeological remains identified in the evaluation shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

D) Where archaeological features and deposits are identified proposals for the preservation in-situ, or for the investigation, recording and recovery of archaeological remains and the publishing of findings shall be submitted as an amendment to the original WSI. It should be understood that there shall be presumption in favour of preservation in-situ wherever feasible.

E) No development shall take place until:

- details in D have been approved and implemented on site
- provision has been made for analysis, dissemination of results and archive deposition has been secured
- a copy of a report on the archaeological works detailed in Part D should be

deposited with City of York Historic Environment Record within 3 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ, in accordance with Section 16 of NPPF.

8 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period followed by five yearly reviews to cover a thirty-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP must be fully implemented as approved in accordance with the agreed timescales.

Reason: To ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, the NPPF and policy GI2 of the Local Plan To ensure wildlife mitigation, compensation and enhancements measures are managed and maintained appropriately.

9 Within three months of commencement of development a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the species, stock size, density (spacing), and position of trees, shrubs and other plants. The proposed tree planting shall be compatible with existing and proposed utilities. The approved scheme shall be implemented

within a period of six months of the practical completion of the development. Any trees or plants which within a period of ten years from the substantial completion of the planting and development, 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 the Local Planning Authority agrees alternatives in writing. This also applies to any existing trees that are shown to be retained within the approved landscape scheme.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species, in the interests of the amenity of the development in accordance with policy D2 of the Local Plan.

10 Prior to the installation of any new external lighting, a 'lighting design plan' shall be submitted to and approved in writing by the local planning authority. The plan shall demonstrate how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications), clearly demonstrating where light spill will occur, both within and outside the site boundary.

Lighting as specified should be made in-line with current guidance - Bat Conservation Trust (2023) Bats and Artificial Lighting at Night:
<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

Any new external lighting shall be installed in accordance with the approved lighting design plan.

Reason: To maintain the favourable conservation status of bats and ensure the site remains attractive to other light sensitive species.

11 A biodiversity enhancement plan/drawing shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of works. The content of the plan shall include the erection/installation of bat and bird boxes on the proposed new buildings and/or suitable retained trees and a timetable for the implementation of the plan.

The biodiversity enhancement plan shall be implemented as so approved.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraphs 187-195 of 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.

12 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development

shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must include a site-specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

NOTE: For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of monitoring positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may results in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. All monitoring results should be recorded and include what was found and mitigation measures employed (if any).

With respect to dust mitigation, measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean-up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>. The CEMP must include a site-specific risk assessment of dust impacts in line with the IAQM guidance note and include mitigation commensurate with the scale of the risks identified.

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be

advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk.

Reason: To protect the amenity of the locality.

13 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

14 A detailed method of works statement/construction traffic management plan identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The statement shall include at least the following information:

- measures to prevent the egress of mud and other detritus onto the adjacent public highway;
- a dilapidation survey jointly undertaken with the local highway authority;
- the routing for construction traffic that will be promoted;
- a scheme for signing the promoted construction traffic routing;
- hours of working (including hours where vehicles visiting the site will be prohibited), noting the presence of two primary schools nearby;
- where contractors will park; and
- where materials will be stored within the site.

All site clearance/preparatory and construction works shall be carried out in accordance with the method of works statement/construction traffic management plan as so approved.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

15 Prior to occupation of the dwellings hereby approved, should the management of waste not be able to be secured by the Local Authority, a management strategy to explain responsibilities for the management of waste by private provider shall be submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall include although not be limited to the following:

Confirmation of the private provider to be responsible

The number of different streams of waste, the number of containers and their size, location and access for residents

The private provider's responsibilities for the management of the collection of waste from the site, including the frequency of collection for each waste stream, point of collection, and collection arrangements.

The management and collection of waste shall be carried out in accordance with the approved management strategy hereafter, unless otherwise agreed by the Local Planning Authority.

Reason: To secure the suitable containment, storage and collection of waste, in accordance with policy WM1 of the Local Plan.

16 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with the approved plans.

Reason: To prevent the egress of water and loose material onto the public highway.

17 Prior to the development coming into use, the initial 10m of the vehicular access, measured from the back of the public highway, shall be surfaced, sealed and positively drained within the site. Elsewhere within the site all areas used by vehicles shall be surfaced and drained, in accordance with the approved plans.

Reason: To prevent the egress of water and loose material onto the public highway.

18 The development shall not come into use until the junction with the public highway has been constructed and completed in accordance with the approved plans.

Reason: In the interests of road safety.

19 The buildings shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles, and storage of cycles and refuse have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

20 No part of the site shall come into use until the turning areas have been provided in accordance with the approved plans. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby ensuring the safe and free passage of traffic on the public highway.

21 Prior to the development coming into use the sight lines shown on the approved plans shall be provided free of all obstructions which exceed the height of the adjacent carriageway by more than 1.0m and shall thereafter be so maintained.

Reason: In the interests of road safety.

22 Prior to the development coming into use, X=2.4M, Y=43m highway visibility splays shall be provided at the junction of Hempland Lane, free of all obstructions which exceed the height of the adjacent carriageway by more than 1.0m and shall thereafter be so maintained.

Reason: In the interests of road safety.

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) 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: Revisions made as part of this application included the following:

- Revised access - increasing width of the route internally through the site from 4.5 metres to 5.0 metres.
- Submission of updated swept path analyses in accordance with revised access and layout of parking.
- Revised cycle stores in accordance with comments from Highways with respect to ensuring these are compliant in size and accessibility.
- Incorporation of the two buildings to the south of the site to one singular building, including minor revision building 1's orientation and position within the site to increase the building's set-off from No.61 Hempland Lane.

2. DRAINAGE INFORMATIVE:

- i) The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal, and
- ii) The applicant should be advised that the Yorkshire Waters prior consent is required (as well as planning permission) to make a connection of foul and surface water to the public sewer network.
- iii) The applicant should be advised that the York Consortium of Drainage Boards prior consent is required (outside and as well as planning permission) for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in or make a discharge (either directly or indirectly) to the watercourse will also require the Board's prior consent.

3. BIODIVERSITY NET GAIN (BNG) INFORMATIVE:

The statutory framework for biodiversity net gain 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:

- 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,
- the pre- and post-development biodiversity value of the onsite habitat,
- any registered off-site biodiversity gain allocated to the development, and
- 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).

4. CONSTRUCTION NOISE AND DUST:

The developer's attention is drawn to the various requirements for the control of

noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction work and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

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

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturer's instructions.

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

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

(f) There shall be no bonfires on the site.

5. EV CHARGING:

In line with the National Planning Policy Framework, developments should be designed to 'enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations'.

In line with Building Regulations, Electric Vehicle (EV) charge point provision ('active provision') is required for all residential developments in York, unless the development has no parking. To prepare for increased demand for charging points in future years, appropriate cable routes ('passive provision') should also be included in the scheme design and development.

Approved Document S: infrastructure for charging electric vehicles outlines the required standards and provides technical guidance regarding the provision of EV charge points and cable routes.

From 15th June 2022, Approved Document S applies to new residential and non-residential buildings; buildings undergoing a material change of use to dwellings; residential and non-residential buildings undergoing major renovation; and mixed-use buildings that are either new or undergoing major renovation.

CYC Building Control should be consulted on all proposals for EV charge point provision (active and passive) to ensure compliance with current Building Regulations.

6. BATS INFORMATIVE:

The applicant is reminded that all British bat species are fully protected through The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 as European Protected Species (EPS). All British bat species also receive protection through inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under the legislation, it is an offence:

To deliberately capture, injure or kill a bat.

To damage or destroy a breeding site or resting place of a bat.

To intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection; or obstruct access to any structure or place which it uses for that purpose.

To deliberately disturb a bat; in particular any disturbance which is likely:

To impair their ability - (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate;

To affect significantly the local distribution or abundance of the species to which they belong

7. NESTING BIRDS INFORMATIVE:

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess nesting bird activity.

8. GREAT CRESTED NEWTS:

Great crested newts are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife & Countryside Act 1981 (as amended), under which it is an offence to:

- Capture, kill, disturb or injure Great crested newts deliberately.
- Damage or destroy a breeding or resting place.

- Obstruct access to their resting or sheltering places (deliberately or by not taking enough care).
- Possess, sell, control or transport live or dead newts, or parts of them.
- Take great crested newt eggs.

9. CONSENT FOR HIGHWAY WORKS:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact:

Agreements as to execution of works (Section 278) -

development.adoption@york.gov.uk

Works in the highway (Section 171) - streetworks@york.gov.uk

Vehicle crossing (Section 184) - streetworks@york.gov.uk

Temporary highway closure (Road Traffic Regulation Act 1984, Section 14) -

highway.regulation@york.gov.uk

10. CONTACT UTILITIES:

You are advised that this proposal may have an effect on Statutory Undertakers' equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

11. AVOIDING DAMAGE TO GRASS VERGE:

Applicants/Developers are reminded that great care should be taken to ensure that no damage to the surface or structure of the public highway is caused, by activities relating directly to the approved development (e.g. delivery of building materials via HGVs). The Council is particularly concerned at the increasing impacts and damage occurring to grass verges. This is detrimental to residential amenity, can present safety issues and places an unreasonable financial burden on the Council, if repairs are subsequently deemed necessary.

Therefore, applicants/developers are strongly advised to work proactively with their appointed contractors and delivery companies to ensure that their vehicles avoid both parking and manoeuvring on areas of the public highway (grass verges) which are susceptible to damage. The council wishes to remind applicants that legislation (Highways Act 1980) is available to the authority to recover any costs (incurred in making good damage) from persons who can be shown to have damaged the highway, including verges. If the development is likely to require the temporary storage of building materials on the highway, then it is necessary to apply for a licence to do so.

In the first instance please email highway.regulation@york.gov.uk, with details of the site location, planning application reference, anticipated materials, timelines and volume. Please refer to the Council website for further details, associated fees and

the application form.

12. MANAGEMENT OF WASTE:

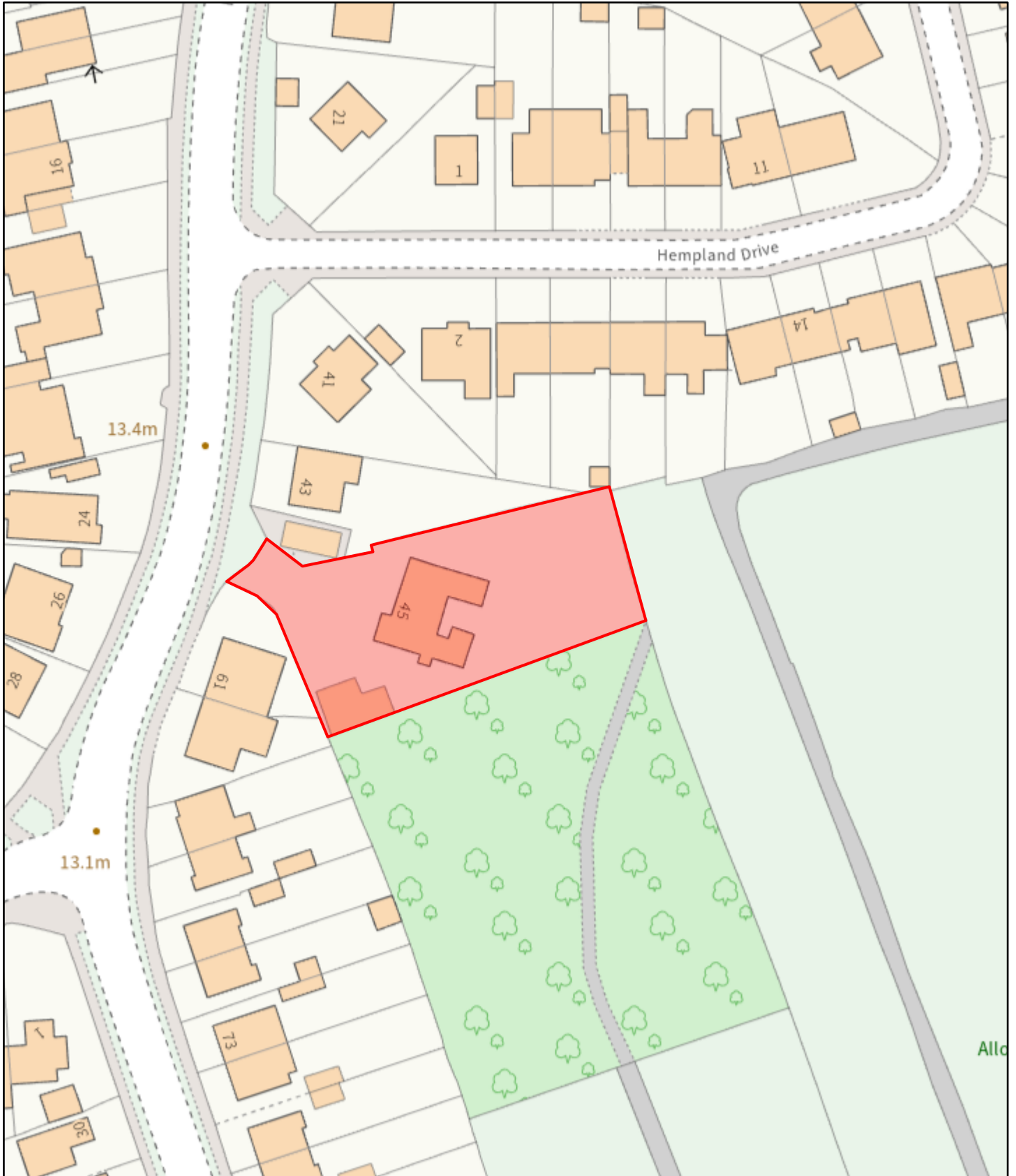
It is reminded that, in accordance with condition 14, due to the proposed arrangement for waste storage and presentation for collection, the practicalities of securing collection and management by the Local Authority may be restrictive. As such, a strategy to secure the responsibilities for the management of waste by a private provider may be required in securing the suitable collection of waste arising from the properties' formation.

Contact details:

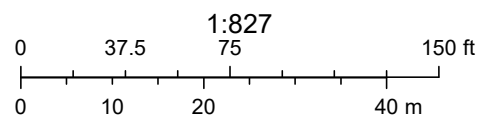
Case Officer: Owen Richards

Tel No: 01904 552275

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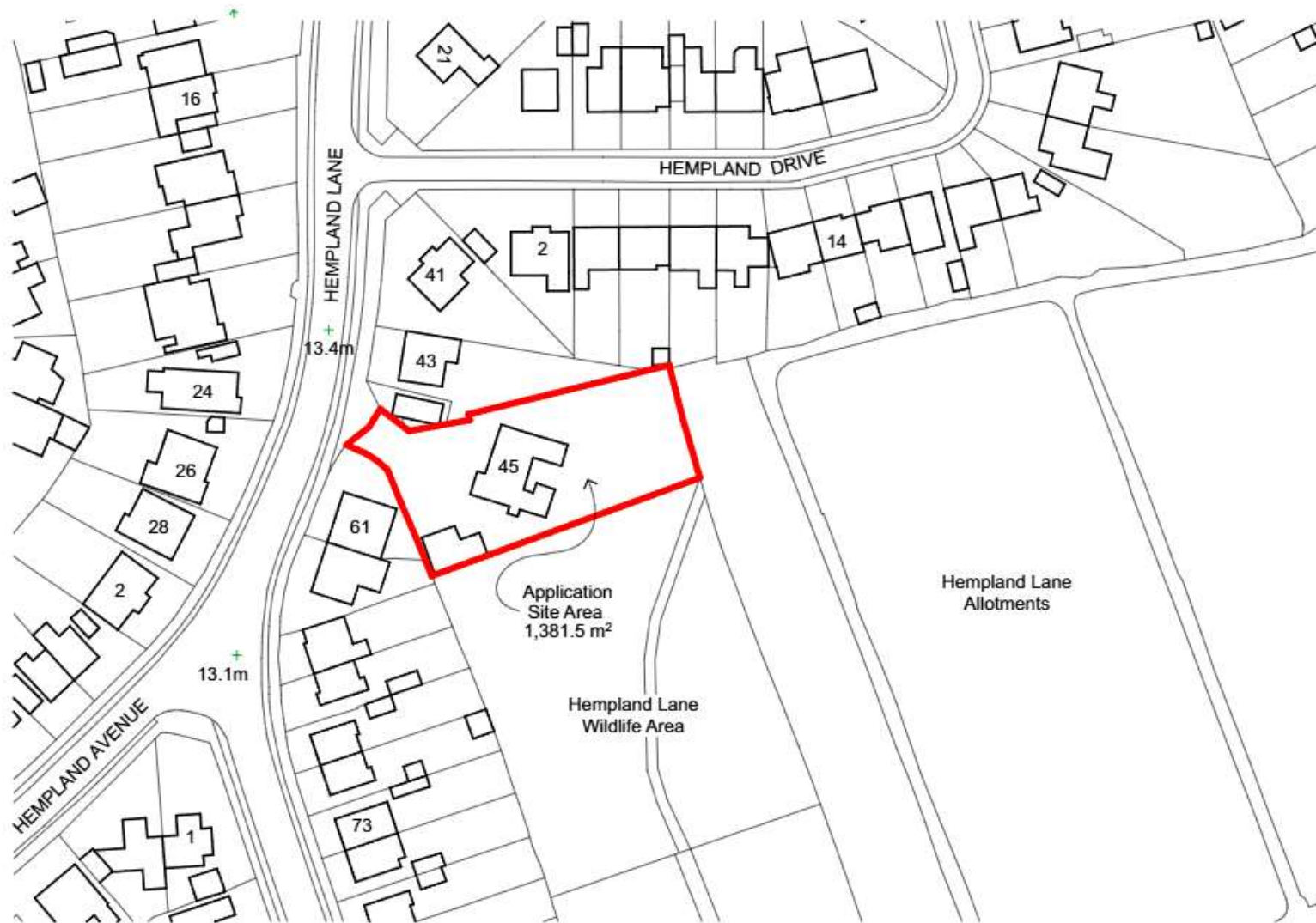


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**25/01211/FUL -
45 Hempland Lane, York, YO31 1AT**

Erection of 2no. residential apartment buildings (use class C3) with associated parking, refuse, cycle stores, and landscaping following demolition of existing dwelling

Location Plan



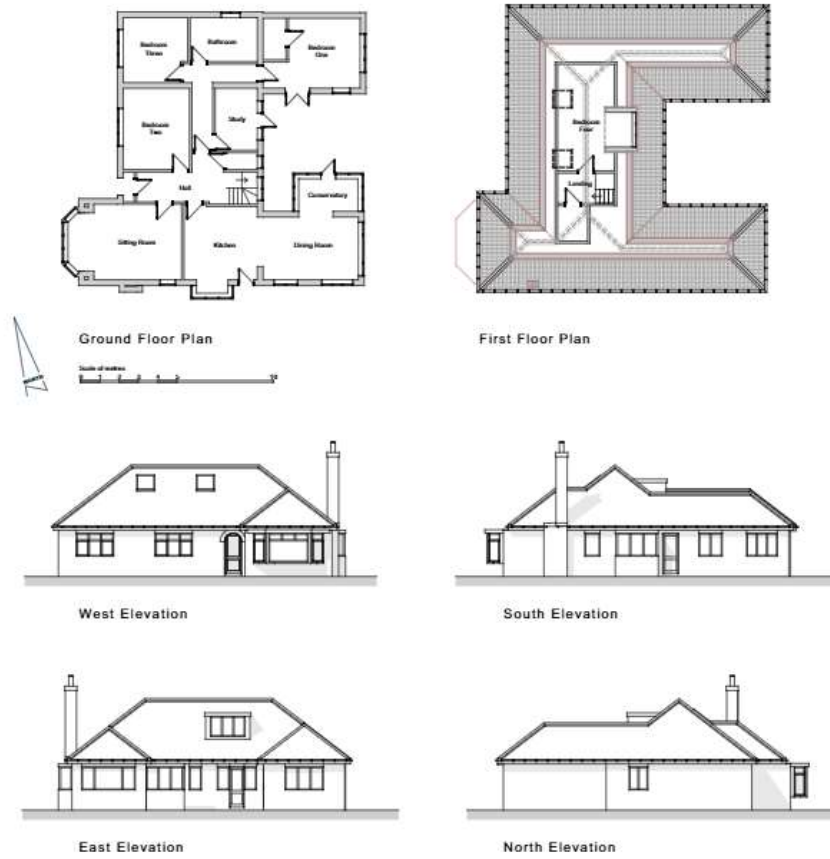
Existing Site Plan



Project
Residential development
Project Address
45 Hempland Lane, Harworth, York
Client
Saver Properties Limited
Project Stage
Planning
Drawing Title
Existing Site Plan
Drawing Date
December 2024
Drawing Scale
1:300 at A1
Walker Graham Architects
3 New Street
York
YO1 1BA
T: 01904 846 008
E: architects@walkergraham.co.uk
walkergraham.co.uk
45 South Gate Street
Darebury
YO26 6AD
T: 01925 700 247

Project No. Drawing No.
WG1372 07 B

Existing Elevations



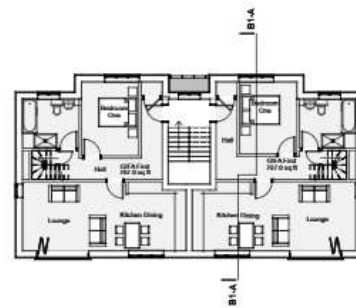
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Project No: Drawing No:
WG1372 08

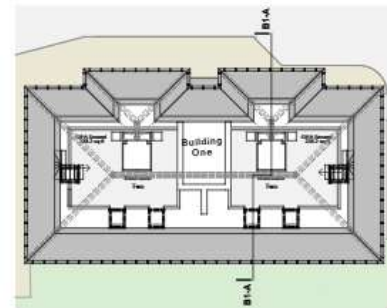
Walker Graham Architects
 Project: Residential development
 Project Address: 45 Harepland Lane, Harworth, York
 Client: Swan Properties Limited Planning
 Drawing Title: Existing Floor Plans and Elevations
 Drawing Date: December 2024
 Drawing Scale: 1/500 at A1

3 New Street York YO1 1BA T: 01904 848 888
 45 South Bar Street Harworth YO15 4AS T: 01905 708 247
 E: arch@walkergraham.co.uk
 walkergraham.co.uk

Proposed Floor Plans & Elevations (Building 1 – West)



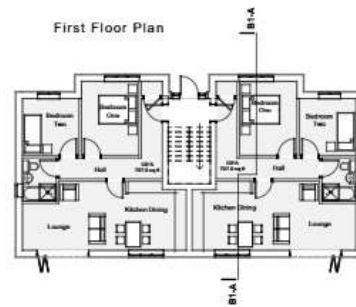
First Floor Plan



Second Floor Plan



Section B1-A



Ground Floor Plan



North Elevation



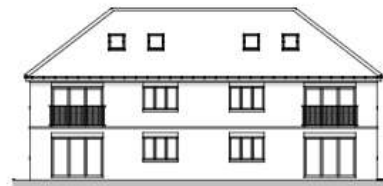
Roof:
 - Smooth 2025 Natural Red clay interlocking plain tile with matching half round ridge and hip tiles.
 - PVC finish to French Gully. Round gullies half round gullies with round downpipes.

Walls:
 - External south wall & range facing (south) by 1200, full half bay (double front) with brick outer finish and brick no ridge ribs to openings.
 - Gutter colour black/white of single colour white below fascia.

Windows and doors:
 - Casement windows with UPVC frames in classic colour with double glazing.
 - Glazed or paneled doors with UPVC frames in classic colour. Double glazing throughout. Where possible door French Gully top.



West Elevation



South Elevation



East Elevation

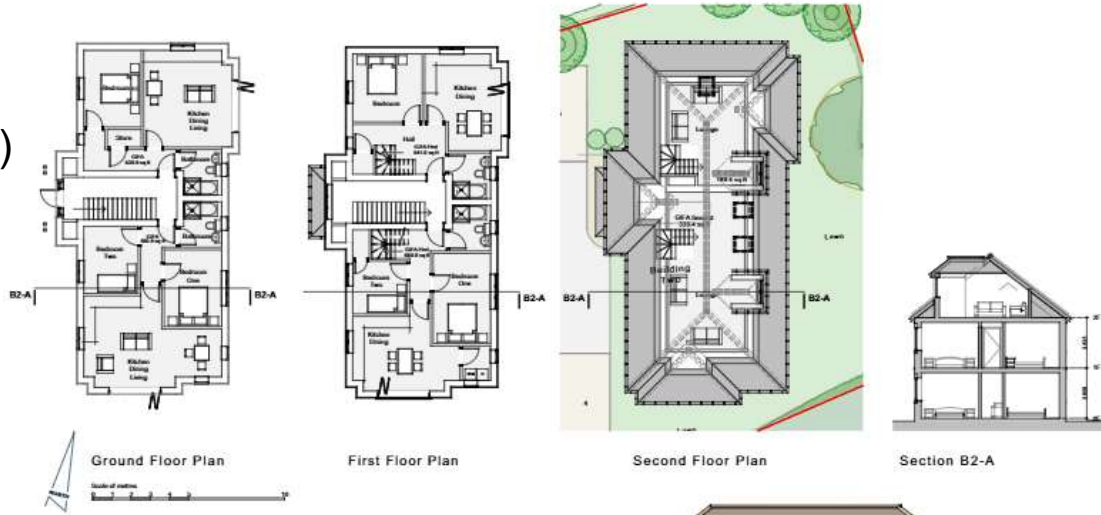
WG1372 03 L



Project
 Residential development
 Project Address
 45 Hempland Lane, Heworth, York
 Client: Project Single
 Series Properties Limited
 Planning
 Drawing Title
Building 1 Floor Plans and Elevations
 Drawing Date
 April 2025
 Drawing Scale
 1:100 at A1
Walker Graham Architects
 3 New Street
 York
 YO1 1PA
 T: 01904 344185
 E: info@wgarchitects.co.uk
 www.wgarchitects.co.uk
 45 South Der Street
 Bradford
 BD9 4PA
 T: 01603 700 247
 E: info@wgarchitects.co.uk
 www.wgarchitects.co.uk

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Proposed Floor Plans & Elevations (Building 2 – East)

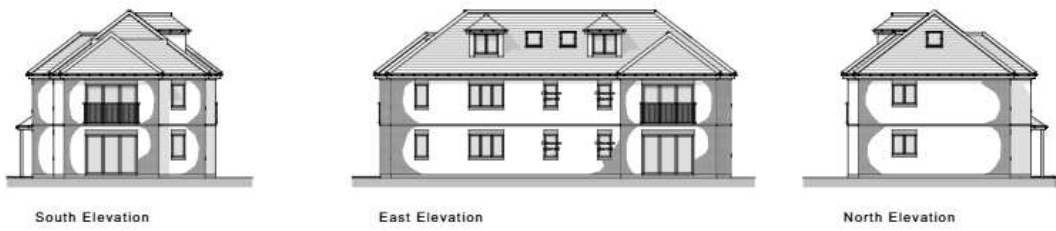


Materials

Roof:
 - South/West 2025B Redwood flat clay slate looking plain tile with matching half round ridge and hip tiles
 - UPVC fascia in French Grey Black plastic half round gutters with round downpipes

Walls:
 - Mosaic brick red facing facing brickwork by F&S
 - Red half bay structure faced with brick outside finish and brick on edge side to openings
 - Green curved brickwork of single course visible below finish

Windows and doors:
 - Casement windows with UPVC frames in classic cream with double glazing
 - Casement or ground floor doors with UPVC frames in classic cream. Double glazing throughout. Where possible door, French Grey leaf



WG1372 051

Project
 Residential development
 Project Address
 42 Ingham Road, Harworth, York

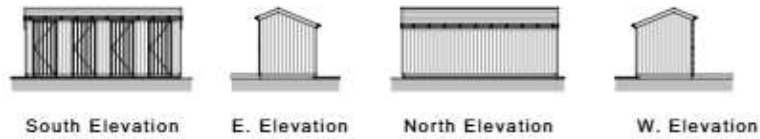
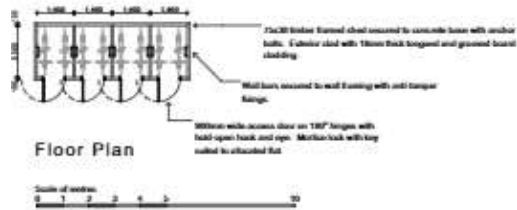
Client Swan Properties Limited
Project Stage Planning

Drawing Title Building 2 Floor Plans and Elevations
Drawing Date April 2025
Drawing Scale 1/500 at A1

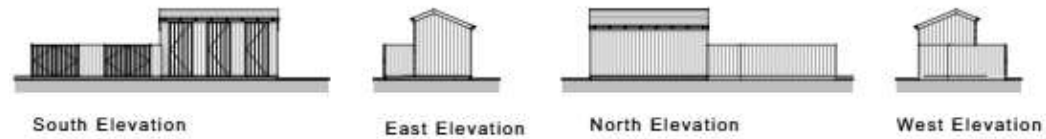
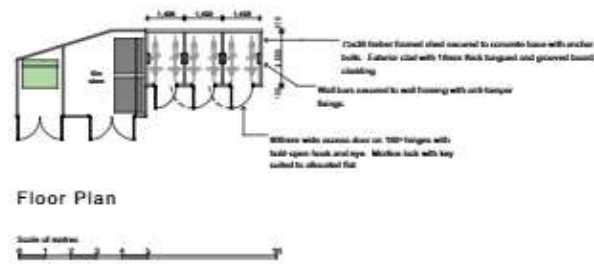
Walker Graham Architects
 3 New Street 46 South Bar Street
 York YO1 6BA Derby DE1 3AG
 T: 01904 848 888 T: 01295 209 247
 E: arch@walkergraham.co.uk walkergraham.co.uk

Proposed Refuse and Cycle Stores

Cycle Store adjacent Building One



Cycle & Bin Store opposite Building Two



Site Photograph –
Aerial View from
South



Site Photograph –
From No.4
Hempland Drive
(Roof Level)



Site Photograph –
From Southeast



Site Photograph –
From Hempland
Lane



Site Photograph –
From Hempland
Lane



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COMMITTEE REPORT**Date:** 7 May 2026**Ward:** Guildhall**Team:** East Area**Parish:** Guildhall Planning Panel**Reference:** 25/02537/FULM**Application at:** Willow House 34 Long Close Lane York YO10 4UP**For:** Erection of 36no. dwellings (use class C3) with associated open space, landscaping, access and parking following demolition of existing care home and garage blocks**By:** City of York Council**Application Type:** Major Full Application**Target Date:** 11 May 2026**Recommendation:** Approve**1.0 PROPOSAL**

1.1. This application seeks consent for the erection of 36no. dwellings (use class C3) with associated open space, landscaping, access and parking following demolition of an existing care home and garage blocks. Demolition of former care home building, garage blocks and attached storage building has already been approved, on 11.03.2026; reference 25/02383/FUL. (N.B. The purpose of that application was to facilitate the redevelopment proposed under this application).

1.2. The application site consists of Willow House, a former care home built in the c.1970s/1980s that includes single and two storey elements and four single storey garage blocks, all of which are proposed for demolition. The site sits inside the City Walls towards the southeast end of Walmgate, within the Central Historic Core Conservation Area (Character Area 16: Outer Walmgate).

1.3. Of the 36no. units, 11no. will be 1-bedroom (30%), 19no. will be 2-bedroom (53%) and 6no. will be 3-bedroom (17%). All units would be affordable housing with a split of 60% social rent and 40% shared ownership.

1.4. The development is car-free expect for Blue Badge parking associated with the M4(3) units provided on a 1-space per unit basis.

- ☐ M4(3) – Wheelchair User Dwellings – 4no. units
- ☐ M4(2) – Accessible and Adaptable Dwellings – 14no. units
- ☐ M4(1) – Visitable Dwellings – 18no. units

1.5. Secure, covered cycle storage is to be provided at a rate of 2no. spaces per 1-bedroom home and an additional 1no. space per additional bedroom

1.6. Since the original submission the proposal has been subject to a number of minor amendments and addition of supplementary information with respect to the following:

- Submission of an Energy and Sustainability Statement
- Evidenced agreement with Yorkshire Water for grubbing out of existing sewer
- Clarification with respect to incorporation of SuDS within strategy for drainage
- Submission of Accommodation Schedule
- Supplied supplementary written commentary in response to Highways consultation response.

2.0 POLICY CONTEXT

2.1. Planning applications should be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan is the adopted City of York Local Plan. The application site does not fall within a district of the Authority subject to either a Neighbourhood Plan or Village Design Statement.

City of York Local Plan

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

DP2: Sustainable Development
DP3: Sustainable Communities
SS1: Delivering Sustainable Growth for York
SS3: York City Centre
H1: Housing Allocations
H2: Density of Residential Development
H3: Balancing the Housing Market
H10: Affordable Housing
HW7: Healthy Places
D1: Placemaking
D2: Landscape and Setting
D4: Conservation Areas
D6: Archaeology
D9: City of York Historic Environment Record

D10: York City Walls and St Mary's Abbey Walls
GI1: Green Infrastructure
GI2: Biodiversity and Access to Nature
GI4: Trees and Hedgerows
GI6: New Open Space Provision
CC1: Renewable and Low Carbon Energy Generation and Storage
CC2: Sustainable Design and Construction of New Development
ENV1: Air Quality
ENV2: Managing Environmental Quality
ENV3: Land Contamination
ENV5: Sustainable Drainage
WM1: Sustainable Waste Management
T1: Sustainable Access
T5: Strategic Cycle and Pedestrian Network Links and Improvements
DM1: Infrastructure and Developer Contributions

National Planning Policy Framework (NPPF)

2.3. The NPPF sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development. The NPPF forms a material consideration in planning decisions.

2.4. Paragraph 39 of the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

2.5. Key policies and sections of the NPPF are as follows:

Section 1: Introduction

Section 2: Achieving Sustainable Development

Section 4: Decision Making

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

Planning (Listed Buildings and Conservation Areas) Act 1990

2.6. The application site is within a Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

2.7. The NPPF's presumption in favour of sustainable development is set out in paragraph 11, reiterating that development proposals that accord with an up-to-date development plan should be approved without delay. Where there are no relevant development plan policies, or where they are out of date, planning permission should be granted unless policies in this framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. Footnote 7, however, confirms that those areas which are protected include designated heritage assets. As such, in this case, the presumption in favour of sustainable development may not apply if it is considered that any harm to heritage assets is identified in which case the more restrictive policies are applicable. The legislative requirements of Section 72 are in addition to the government policy contained in chapter 16 of the NPPF.

3.0 CONSULTATIONS

INTERNAL:

Public Protection

3.1. A NOVA Acoustics residential noise assessment (Ref: NP01134) (dated 18 December 2025) has been submitted and also a NOVA Acoustics plant noise assessment (Ref: NP01134 – PR02) (dated 18 December 2025). Provided the noise mitigation measures as stated within the residential noise assessment are implemented then there are no objections to the proposal. An additional condition is recommended in relation to plant noise.

3.2. Potential construction phase air quality impacts and noise emissions from construction may have an impact on surrounding residential properties. Therefore, a condition for a Construction Environmental Management Plan (CEMP) is recommended as a pre-commencement condition.

3.3. A Phase 2 Site Investigation report by Solmek (Ref: S240918) (dated November 2024) has been submitted which demonstrates some soil remediation will be required. A full set of gas monitoring results were not presented; therefore, conditions are recommended which reflect this.

Archaeology

3.4. During the construction of Willow House in 1975, part of the rampart was removed at the southeast corner of the building. This area remains within the boundary of the scheduled monument, so the application requires Scheduled Monument Consent (SMC).

3.5. Repeated cycles of development in this location has severely truncated earlier archaeological evidence, but in places there is good potential for survival of features and deposits. In terms of archaeological potential, the application site falls into two halves that require different approaches. The northern half occupied by buildings 3, 4 and 5 and the southern half by buildings 1 and 2 (as labelled on demolition plan).

3.6. In the southern area (which includes the care home), all groundworks will disturb any in situ archaeological features and deposits. The northern area is less well understood but potentially contains more significant archaeological remains. As the potential impacts for the northern and southern areas differ considerably, a different approach is required for each.

3.7. The separate application for the demolition of existing buildings (25/02383/FUL) is accompanied by a condition for archaeological watching brief. Where sensitive archaeological deposits are observed, provision must be made to preserve them in situ for mitigation during the subsequent development phases covered by this application. If this is not feasible, then provision for excavation must be made during the demolition works. This condition will be scoped by a full Written Scheme of Investigation (WSI) that will include the production of an impact assessment to inform the conditioned works for this application.

3.8. The southern area is well-understood. The impact on archaeological remains can be mitigated through a condition for Strip, Map and Sample (SMS) where preservation in situ cannot be achieved.

3.9. The northern area requires further archaeological evaluation to take place prior to determination. Therefore, a further stage of conditioned archaeological evaluation by trial trenching is required following demolition of buildings 3 and 4 to

inform mitigation. The demolition of these buildings is covered by application 25/02383/FUL with a watching brief condition, the results of which will inform the scope for the evaluation trenching under a separate WSI if that phase of demolition goes ahead as currently proposed. Once the evaluation is completed, mitigation will consist of a combination of preservation in situ where possible, and excavation where this cannot be achieved. Preservation in situ remains the preferred mitigation option and therefore aspects of the proposed design may need to be adapted to accommodate this.

3.10. In terms of community and public engagement, Willow House has a history of successful community and public engagement through archaeology and heritage, and this legacy should be continued through the redevelopment of the site. Therefore, a condition for a programme of archaeological Community and Public Engagement will be required to accompany the proposed development.

3.11. In the event of planning permission being permitted, separate conditions are recommended for the northern and southern areas and a condition for community and public engagement.

Carbon Reduction

3.12. No objections raised subject to conditions, following the submission of additional information to include the baseline emissions rate and target emissions rate.

3.13. SAP modelling of a variety of house types shows that the residential spaces as designed would significantly exceed the 75% improvement on Part L 2013 required by the Local Plan, with 104% achieved overall. A 42% reduction is made via energy efficiency measures, significantly improving upon the policy requirement of 19%.

3.14. Homes at Willow House have been designed to be net-zero carbon in operation. The requirement that water use is limited to 110 litres per person per day using low-flow taps, showers and cisterns.

3.15. The application details the proposed ambition to achieve Passivhaus certification.

3.16. Heat recovery ventilation systems and other efficient building services systems and white goods will be incorporated. There is a target to maximise the area of Solar PV on all suitably oriented roofs in order to provide as much energy as possible from

a local renewable energy source, with solar potentially providing 114% of total energy demand.

Flood Risk Management Team

3.17. The Site Investigation provides sufficient evidence that soakaways will not work, and a watercourse is remote.

3.18. Foul water is proposed to be connected to a newly constructed combined sewer which in turn connects to the public combined sewer in Walmgate Bar. In principle this is satisfactory, subject to agreement with Yorkshire Water.

3.19. With regards to surface water, the CCTV survey undertaken provides sufficient evidence that the existing connected impermeable areas are 0.31 hectares which equate to existing run-off - 43.4 (forty-three point four) litres per second (l/sec) and with our betterment the permitted surface water discharge rate of 30.0 l/sec is agreed. This is shown to be connected, with appropriate attenuation up to and including the 1 in 100 year + 45% climate change event to the same newly constructed combined sewer. In principle this is satisfactory but normally we would expect sites to be developed with separate systems of drainage for foul and surface water on and off site. The PSWGA's show the site being developed with separate systems onsite but not offsite. This again would require consent from Yorkshire Water.

3.20. According to the public sewer records there are public sewers crossing the site. A 225mm diameter combined sewer crossing the site diagonally and a 150mm diameter combined sewer which enters the site to the side of No. 46 Long Close Lane then skirting around the site. On the PSWGA's the 225mm diameter public sewer is shown to be 'Grubbed up'. As this is a live public sewer this will need to be considered and protected when agreeing the site layout which may require to be diverted or allowed to be built over. Again, both scenarios will require consent from Yorkshire Water.

3.21. A Drainage Strategy Addendum (National Standards for SuDS Standard 2) was submitted to evidence the intention to incorporate the requirements of the National Standards for SuDS. The Drainage Strategy Addendum discusses the use of a combination of rainwater butts, permeable paving and bioretention features which in terms of Standard 2 would be acceptable. No objections in terms of permitted surface water discharge rate and point of connection and associated attenuation in principle

3.22. We are content in terms of permitted surface water discharge rates, place of connection to the public sewers and the appropriate attenuation being met but as above the Drainage Strategy will need to incorporate details to satisfy Standard 2 or the National Standards for SuDS. As we are satisfied these can be provided, we are content these details can be sought by condition.

3.23. The development is in Environment Agency low-risk Flood Zone 1 and should not suffer from river flooding.

Local Highways Authority

3.24. The development proposes zero general car parking (a reduction of 4no. spaces from existing), 4no. disability spaces (currently zero) (1no. per M4 (3) unit) and 125 cycle parking spaces (currently zero) – cycle parking meets the requirements of York Housing Delivery Programme Design Manual and exceeds the requirement in national guidance (Local Transport Note 1/20 Cycle Infrastructure Design, DfT, 2020) of 1 space per bedroom.

3.25. No strategic cycle link is included however; there is an existing signed east to west cycle route via Hope Street and Long Cross Lane. The main east-west pedestrian route (adopted highway) running on the north side of the main access road reflects the pre-application advice.

3.26. In anticipation of adoption, sub-ground pipework must be in accordance with Highways' standards.

3.27. The applicant should also confirm the shear and rutting resistance of the reinforced grass surfacing is sufficient to resist the shear forces from a fire tender manoeuvring on it.

3.28. The Vehicle Refuse Tracking diagram appears to show the refuse vehicle reversing and overhanging a pedestrian area in front of the north-west (front) elevation of the main block. This would have an unacceptable impact on highway safety. The proposed reprovision of the existing waste collection on Hope Street shows the reprovisioned bin store further away from the loading point than the existing bin store location – City of York Council Waste Services should be consulted to ascertain whether the longer drag distance for refuse workers is acceptable. Communal bin store C should be moved further east, so that the doors do not open over the highway (main access road to be adopted).

3.29. 30no. of the cycle parking spaces are proposed to be provided using 5no. cycle hangars each holding 6 no. cycles – details of how these are to be accessed/operated (e.g. combination locks or apps to access the hangar) and managed (e.g. management company to administer their use) should be provided by the applicant.

3.30. If cycle parking is provided in accordance with national rather than the local design manual the guidelines, the cycle hangars could be omitted, provided there is sufficient space elsewhere to accommodate the 67 no. spaces, 5% of which (4 no. min.) are to be for non-standard cycles (e.g. cargo cycles) – this will also obviate the need for one of the cargo bike stores. The omission of all but one of the proposed external cycle stores could improve the streetscape. If the cycle stores are omitted sufficient space should be provided within the curtilage (and lobby if necessary) of each of the 3-bed dwellings to provide secure covered cycle parking for 3 cycles.

3.31. All housing types show a cycle store with side-opening doors accommodating 2 no. cycles – these are unacceptable, because they do not permit a cycle at the rear to be parked/removed without either being lifted over a bike parked at the front or requiring the bike at the front to also be removed. Cycle parking within the garden spaces would also require cycles to be taken through the dwelling to access it. The cycle parking spaces below the stairwell are too narrow to park cycles. Also there appears to be a column within these spaces that would obstruct handlebars further preventing access to the parking spaces.

3.32. Parts of the existing adopted highway (including an existing footway) will require stopping up to provide 1 no. disabled parking space east of 27-30 Long Close and extend the greenspace around the existing tree (to be retained and protected), and to construct the dwellings east of 46-52 Long Close Lane and the communal space on the north side. This process is separate to Planning.

3.33. The area on the south side of the proposed main access road is shown to be public open space – this area will not form part of the adopted highway, so will be either highway not maintainable at the public expense or ‘private’/‘semi-private’ space with permissible pedestrian access to non-residents, if it is intended to be publicly accessible.

3.34. No Travel Plan has been submitted. A Travel Plan is considered required to maximise the take up of more sustainable (and active) forms of travel.

3.35. There a 4no. R18 resident parking spaces within the red line boundary of the site which appear to be retained. HDC will not seek to remove the development from

the ResPark Zone R18. Furthermore, HDC accepts that “This would mean that residents wanting to park close to the site would have to do a short walk to park in a less busy area close to the site.” Noting that this will apply to all residents (existing and new) within ResPark zone R18

3.36. The kerb lines at the turning head to the proposed dwellings east of 46-52 Long Close Lane to be flush with the carriageway – this is unacceptable because, it removes any segregation of the pedestrian area and the area used by vehicles. This area should either be made a formal shared space, or the carriageway should be made wider to accommodate the vehicle within it.

3.37. Planning conditions are recommended as well as a planning obligation of £200 per dwelling towards sustainable travel measures.

Waste Services

3.38. The recycling bin allocation for Store A is incorrect. Recycling waste must be presented in two waste streams, one for paper/cardboard and the other for plastics/glass/tin. There is only one recycling bin allocated to this store, it should be changed to 2no. 660 litre recycling bins.

3.39. The plans say the collection points of bins are within 10 metres of refuse vehicle access roads, the requirement is that the maximum distances that operatives are required to wheel 4 wheeled containers is 10 metres, measured from the furthest point in the collection area to the loading position at the back of the vehicle.

3.40. Roads on the route of the refuse collection vehicle within the site must be a minimum of 5 metres wide.

3.41. All requirements within attached Waste Information for Developers Guide must be adhered to.

Design and Conservation

3.42. The application is supportable for architectural design/conservation matters subject to the resolution of recommendations made within the comments. It is noted that the application shows a large amount of thought and detail consideration has been given to many design aspects and this is commended. Terrace housing and walk-up flats at modest height and medium density is hard to design well and even good design of this type inevitably results in design priorities (there is not enough

space to give everything maximum amounts) as is demonstrated here. Detailed design comments are included in the comments.

3.43. In terms of heritage impacts, there are some beneficial and some harmful but overall, there is harm. Harm is identified at the scale of low less than substantial, however under NPPF paragraph 212, that harm is given great weight and should be balanced against public benefits. Design and Conservation notes that this should be taken into account in the overall planning balance.

3.44. There appears to be a good mix in unit sizes and materials chosen are tonally sympathetic. Elevation design quality-standard will be highly influenced by elevations design (windows, doors, balconies, eaves/gable, garden walls) so it would be good to control these to ensure as-built matches intentions.

3.45. Recommendations are made that clarification is sought on the compatibility with National Design standards for rooms sizes; condition detailed drawings for certain design elements; provision of physical samples by condition; brick sample panel; control of external design elements (cycle shelters and bin stores); solar panels should be conditioned irrespective of application details so the choice can be coordinated with roof tiles; and standing seam metal roofs should be tradition materials (such as zinc or lead) and traditionally detailed to minimise visibility of mechanical fixings.

Strategic Planning Policy

3.46. Policy H9 (Older Persons Specialist Housing) promotes the provision of new older persons specialist housing but doesn't deal with the loss of such facilities. However, it is understood that the use as a care home ceased around 2017 as part of City of York Council's reform of housing for older people.

3.47. The Local Plan's spatial strategy aims to deliver an annual average of 822 homes over the plan period. The Council's 5-year housing land supply position based on the Local Plan housing trajectory on 1 April 2025 demonstrates a 5.74-year housing supply.

3.48. The NPPF states that proposals on brownfield land should be approved unless 'substantial harm would be caused'. As a windfall housing site, policy SS1 of the Local Plan is relevant. The site is well located in relation to primary and secondary school provision, access to health care, local shops, and public transport.

3.49. The Local Plan expects housing development in York's City Centre to achieve minimum 100 units/ha net where the site is within 400m of a high frequency public transport corridor, as in this case. It is not clear what land has been excluded from the net site area (presumably the Walls' ramparts and properties at Long Close Lane), and therefore difficult to ascertain development density.

3.50. Housing mix should reflect the LHNA, which indicates that around 90% of affordable homes should be 3-bedroom or less, even when an uplift for home working is made (affordable rent and ownership). The proposed scheme delivers a policy compliant housing mix.

3.51. As major development, a planning application should be accompanied by a Healthy Places statement, showing how stated design principles have been taken into account.

3.52. Natural/semi-natural open space, amenity green space, allotments and children/young people's play space is in deficit in the Guildhall Ward. On the basis of the submitted scheme (and occupancy standards set out in the Planning Statement), provision is required for open space. According to the submitted Planning Statement, on-site open space provision delivers 0.25ha of amenity space plus 0.03ha of children's play space. It is not clear how this has been arrived at, or what provision is being made off-site or through commuted sum payments to enable policy compliant development.

Landscape Architect

3.53. The proposed scheme has undergone a number of iterations since the initial pre-application. The design team appear to have done all they can within the requirements of the housing provision to reduce the risk of harm to the welfare of the tree.

3.54. The Corsican pine is a protected mature category 'A' tree. Given the relatively sheltered location it has attained a typical tall, spreading form. It is a prominent stand-alone specimen, visible from the city walls and the surrounding streets. In this latest design the building has been pulled back from the Pine tree. Only minor windows and main stairwells directly face into the canopy. New planting, street furniture, paths, and other hardstanding are now kept outside of the grassed area within the recommended root protection area (RPA) of the tree. Access to the grassed area below the pine tree is discouraged, with a knee rail and boulders, to protect the remaining pervious rooting zone from heavy use and compaction. These cumulative measures result in a considerable improvement on the initial proposals,

however, the space within which the Pine would stand between the proposed buildings still appears to be very tight, both visually and physically.

3.55. The length of the potential rooting zone within the grassed area beyond the RPA is reduced. Nonetheless, the remaining grassed area is marginally increased in width to accommodate excavations for edge restraints to the carriageway and pavement, and a knee rail. In doing so, there is the potential to improve the soil conditions across the remaining protected grassed area. Concern raised about the proximity of the properties to the mature Pine – both physically and visually. Although the risk of harm has been significantly reduced, there remains a very real residual risk of damage from construction operations, especially due to the tight working areas. Furthermore, the tree would look hemmed in. The existing sewer should not be grubbed up within the grassed area under/around the Pine tree.

3.56. With tight adherence to a detailed arboricultural method statement and daily supervision from an arboriculture specialist in this area of the site, it could be possible to implement the proposed design. However, should direct physical harm be accidentally incurred to this high value tree, it is unlikely that the harm could be reversed. This residual risk of harm to a protected tree, along with its tightly enclosed setting, would have to be weighed up in the planning balance.

3.57. There would be a loss of trees and garden space that currently lies to the east of Willow House, however most of that is a fenced off private communal space. The proposed adjoining open space contained and overlooked by the new housing, would mitigate this loss. The accessible public open space to the south of 149-159 Walmgate would remain. Each ground floor property would have a small but private space adjacent to the ramparts. The proposed new open space would be public but with a more semi-private and safe feel by way of the functions it provides, such as community growing beds, its intimate scale, and the tight enclosure provided by the new development.

3.58. The landscape treatment of the outdoor spaces across the site have purpose – mainly play - and a cohesive design effect, (although the quality of the main space is slightly compromised by the presence of a large storage structure). Overall, the merits of the scheme outweigh the loss to the existing open space.

3.59. There is ample new tree and shrub planting throughout. These are located very tight to buildings, kerbs and other structures so a careful choice of species is required, and some ongoing pruning maintenance is likely. Detailed design of hard landscaping should also be secured. Tree species and a final planting plan can be agreed and secured under condition.

3.60. The design and materiality of street furniture is sufficient in provision. Whilst not every item is 'inclusively' designed, items such as simple benches can be used more flexibly by younger persons. The scheme responds to consultations, and packs in many equipped and natural landscape features for play within the limited available space.

Ecology

3.61. Conditions imposed for previous application concerning demolition of existing buildings (25/02383/FUL) included provisions for the Statutory BNG condition and the bat licence. The relevant ecology information for BNG is spread across both applications. Conditions recommended previously should be re-imposed.

3.62. The metric submitted [and requisite baseline] applies for the determination of both applications, on the basis that demolition remains a constituent part of this application and on account of the fact that demolition works are yet to commence.

EXTERNAL:

Guildhall Planning Panel

3.63. Commented in support.

York Conservation Areas Advisory Panel

3.64. No objections in principle. Wished to seek clarification that internal layouts would be compliant with Building Regulations in terms of their operation on a functional level, and accessibility requirements.

Historic England

3.65. Historic England support the proposal to redevelop the site for a mixture of affordable and shared ownership housing and consider this is appropriate in terms of the established use and fits with the nature of the surrounding built development. The design approach is supported, and materials are considered to respond positively to the area. Historic England also support the use of a variegated roofscape to add visual interest which looking across towards the City Centre and improvement in terms of the historic grain of the area. However, this does bring the block closer to the monument – and also closer than the (previous) historic terraces.

3.66. The proposal is considered to cause a minor degree of less than substantial harm to the significance of the City Walls as a result of the change within their setting. The increase in height, bulk and massing of built development on the site, combined with this being closer to the City Walls, will detract from the setting of the City Walls. Historic England therefore do not agree with the Heritage Statement (p. 25) which states that the proposed scheme would enhance the scheduled monument through improvements to its setting.

3.67. Given the increase in building height and proximity to the City Walls, there will be an impact on views of York Minster. The effect on the dynamic experience of walking along the City Walls will be mixed, with enhancements in some areas and other areas where the view is blocked.

3.68. It is for the Local Authority to balance the less than substantial harm to the significance of the City Walls, the positive impact on the character and appearance of the Conservation Area and the mixed impacts (positive and negative) on dynamic views of York Minster along the City Walls against the public benefits of the scheme in line with paragraph 215 of the NPPF.

North Yorkshire Fire and Rescue

3.69. No objections/observations to make.

Health and Safety Executive

3.70. No comments to make.

North Yorkshire Police

3.71. No objections raised.

Yorkshire Water

3.72. The flood risk assessment prepared by Civic Engineers, dated 17 December 2025 is acceptable. Conditions recommended to protect public water supply infrastructure.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1. The proposal was publicised by Press Notice on 7th January and Site Notice on 14th January 2026, as well as by Neighbour Notification Letter.

4.2. Three representations were received in total, two of objection and one general comment. The following concerns were raised:

- Loss of existing trees/planting.
- Proximity to existing properties.
- Visitors to the addresses contributing towards a strain on parking provision.
- Provision for parking within the immediate area is not as plentiful as the transport survey conducted indicates.
- Loss of existing provision by virtue of demolition of the existing garages.
- Development should include aspect of commercial space to the ground floor in lieu of the loss of the existing garages.

5.0 APPRAISAL

KEY ISSUES:

- Principle of Development;
- Design, Layout and Appearance;
- Impact on Heritage Assets;
- Amenity for Future Occupants;
- Residential Amenity of Neighbouring Properties;
- Highways and Access;
- Ecology and Biodiversity;
- Drainage and Flood Risk;
- Archaeology;
- Contamination;
- Sustainable Design and Construction;
- Planning Obligations;
- Planning Balance.

PRINCIPLE OF DEVELOPMENT

Policy

5.1. In principle, the presumption in favour of sustainable development, as set out in NPPF paragraph 11, applies in determining the application. This means permission should be granted unless policies within the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development

or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The site is allocated in the Local Plan for housing development. It is also brownfield land and therefore NPPF paragraph 125 requires the decision-maker to give substantial weight to the principle of redeveloping the site to deliver housing.

5.2. Policy H1 (Housing Allocations) addresses that, in order to meet the housing requirement, set out in Policy SS1 of the Local Plan, a number of sites have been allocated primarily for residential use. The site falls within allocation reference H52 (Willow House EPH, Long Close Lane), measuring 0.2ha, and proposing an estimated yield of 15 dwellings.

5.3. Policy H2 (Density of Residential Development) expects the following housing densities:

- 100 units/ha within the city centre
- 50 units/ha within the York urban area
- 40 units/ha within the suburban area
- 35 units/ha in the rural area and villages

5.4. Within 400m of a high frequency public transport corridor or adjacent to an existing or proposed transport hub, higher density development will also be supported where it complies with other plan objectives.

5.5. Policy H3 (Balancing the Housing Market) gives an expectation for developers to provide housing solutions that contribute to meeting York's housing needs, as identified in the latest Local Housing Needs Assessment (LHNA) and in any other appropriate local evidence. New residential development should therefore maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. The final mix of dwelling types and sizes will be subject to negotiation with the applicant. Applicants will be required to provide sufficient evidence to support their proposals, with the Council encouraging the delivery of an appropriate proportion of housing that meets the higher access standards of Part M Building Regulations (Access to and use of buildings), unless it is demonstrated that characteristics of the site provide reasons for delivery to be inappropriate, impractical or unviable.

Assessment

5.6. The scheme aims to be an 100% affordable development comprising of mixed tenures - 60% social rent and 40% shared ownership. The homes would be tenure

blind, with no difference in external appearance, The different tenures are proposed to be mixed throughout the site. This can be secured through the planning process.

5.7. Of the 36no. units, 11no. would be 1-bedroom (30%), 19no. would be 2-bedroom (53%) and 6no. would be 3-bedroom (17%). The accommodation mix is considered appropriate, including flats and smaller houses for those accessing the housing market for the first time, family housing of 2 to 3 beds and homes with features attractive to older people. The Local Housing Needs Assessment (LHNA) estimates that housing need between 2021-33 for market housing is predominantly 2- and 3-bedroom houses. For affordable housing most need is for 1-and 2-bedroom houses.

5.8. The site covers an area of approximately 0.66 hectares. The proposal for a total of 36no. dwellings would equate to a development density of approximately 54 dwellings per hectare (dph). It is noted that delivery of the number of units within this application exceeds that stipulated within the original H52 housing allocation (15no. dwellings), as a result of the site extent brought forward as part of this application, which spans a greater area. The resultant densities would be broadly in line with the densities set out within Policy H2 local plan; whereby in the York urban area, a density of 50 units/ha is expected. The NPPF promotes effective use of land and discourages developing at unduly low densities (paragraphs 129 and 130). On account of the above, it is considered that the density of the site would be reasonable, and, as a result, the proposal is not considered to represent an overdevelopment of the site.

DESIGN, LAYOUT AND APPEARANCE

Policy

5.9. Policy D1 (Placemaking) of the Local Plan seeks development proposals to improve poor existing urban and natural environments, enhance York's special qualities, better reveal the historic environment and protect the amenity of neighbouring residents. Development proposals that fail to make a positive contribution to the city or cause damage to the character and quality of an area or the amenity of neighbours will be refused.

5.10. Paragraph 129, parts (d) and (e), of the NPPF, state that planning decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and the importance

of securing well-designed, attractive and healthy places. Paragraph 135 states planning decisions should ensure that developments will function well and add to the overall quality of the area. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Proposals should be sympathetic to local character and history, including the surrounding built environment. Paragraph 139 of the NPPF states development that is not well designed should be refused.

Assessment

5.11. Walmgate is generally low rise with the majority of buildings varying between two and three storeys. The proposed development similarly would comprise a mix of two and three storeys. A row of 2 storey houses would be bookended by flatted blocks, running parallel to the City Walls to the southeast, allowing for retained views out to the York Minster. Two-storey housing is positioned to allow long views over roofs to York Minster from the City Wall. Views of Walmgate bar from Long Close Lane would be opened up to provide a legible landscape.

5.12. Explanatory text within the National Design Guide states ‘A well designed public space that encourages social interaction is sited so that is open and accessible to all local communities. It is connected to the movement network, preferably so that it people naturally pass through it as they move around. It appeals to different groups. This is influenced by the range of activities that can happen within the space and who they are for. It is also influenced by the versatility and accessibility of its design. The uses around its edges reinforce its appeal and help make it into a destination’. “Well-designed places provide usable green spaces, taking into account: the wider and local context, including existing landscape and ecology; access; how spaces are connected”.

5.13. The proposed orientation and design of the development is considered to contribute towards improved legibility of the application site; windows, balconies, roof terraces and front doors would have some level of natural surveillance and outlook across all of the publicly accessible routes. Together with additional lighting, these design characteristics and attributes are considered to contribute towards creating safer places, in which the layout of the site is seen to adopt Secure by Design principles. Further elaboration of the design of and quality of public realm is discussed later within this report.

5.14. The proposal is considered to respect local character in terms of layout, scale and density. Details of the exterior materials to be used in the development have been provided. The buildings would be constructed to comprise a predominantly

brick finish, incorporating detailing which would include cast concrete, neutral renders, and pre-cast stone. The use of these materials will be in keeping with the existing materials palette of development within the immediate vicinity of the site. Detailing of external materials and detailing is further secured by condition. The proposed layout makes provision for shared landscaping to the centre of the site, whilst properties fronting the walls would include private amenity spaces.

IMPACT ON HERITAGE ASSETS

Policy

5.15. The application site lies within the Central Historic Core Conservation Area where section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area. The Courts have held that when a local planning authority finds that a proposed development would harm a heritage asset the authority must give considerable importance and weight to the desirability of avoiding such harm to give effect to its statutory duties. In addition, the development abuts the City Walls, which are a Scheduled Ancient Monument. The legislative requirements of Section 72 are in addition to the government policy contained in chapter 16 of the NPPF. The NPPF classes listed buildings and Conservation Areas as "designated heritage assets", and advises on heritage assets as follows:

5.16. Paragraph 208 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset(s) that may be affected by a proposal. They should consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 210a) states that when determining planning applications, Local Planning Authorities should take account of sustaining and enhancing the significance of any heritage asset. Paragraph 212 adds that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be.

5.17. Paragraph 213 advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification, adding that substantial harm to or loss of scheduled monuments should be wholly exceptional.

5.18. Paragraph 214 states that where a proposed development will lead to substantial harm to or the total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

5.19. Policy D1 (Placemaking), in addition to seeking to enhance York's special qualities and better reveal the significances of the historic environment, seeks to safeguard building heights and views, by ensuring that development does not detract from the visual dominance of the Minster or harm the city centre roofscape.

5.20. Policy D4 (Conservation Areas) explains that proposals within or 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 or appearance of the conservation area, would enhance or better reveal its significance, and would safeguard important views.

5.21. Policy D10 (York City Walls and St Marys Abbey Walls) states that development proposals within the areas of York Walls designated as Scheduled Monuments will be supported where they are for the specific purpose of enhancing physical and intellectual access to York Walls. Harm to the significance of York Walls will be permitted only where this is demonstrably outweighed by the public benefits of the proposal.

Assessment - Significance of Heritage Assets

5.22. The site is within Conservation Area Character Area 16: Outer Walmgate York Central Historic Core Conservation Area. As set out in the Conservation Area Appraisal, Character Area 16 appears as an entirely modern suburb of post-war municipal residential blocks. The varied arrangement of blocks contrasts with the traditional narrow and enclosed streets found throughout the rest of the city. Much of the social housing surrounding the application site dates to the late C20 and it largely replaced an earlier phase of purpose-built social housing erected in the immediate post-war period.

5.23. Willow House is a purpose-built care home, built in the c.1970s/1980s, which lies within an area of the city dominated by twentieth century social housing. Although of no inherent architectural or historical interest, the social housing

'illustrates important historical changes to York's townscape, namely the slum clearances stimulated by the work of Seebohm Rowntree and illustrates both the architectural and functional diversity of the walled city' (CAA, p.87).

5.24. It is recognised in the Conservation Area Appraisal that in areas of Character Area 16, open space around blocks is not well maintained and the unorthodox layout has created pockets of 'left over' space which can be run-down and occupied by carparking. The site is indicative of this with the garage and storage blocks adding to a feeling of enclosure which has the effect of discouraging public circulation in the public realm. Willow House itself sits largely at an oblique angle to the City Wall which has the benefit of creating an area of open green space close to Walmgate Bar (east of the site), a rare occurrence in the Conservation Area, but the angle of the building adds to the unorthodox urban grain moving west, creating cul-de-sacs and narrow routes. The Conservation Area Appraisal also highlights the area between the buildings as an area of opportunity for landscape improvements along Walmgate and within internal courtyards and streets.

5.25. The site itself is not a listed building although is adjacent to and includes within the redline boundary part of the City Walls which is a Scheduled Ancient Monument. The supporting text of Policy D10 makes it clear that York Walls are heritage assets of the highest significance and great weight will be given to their conservation. Any substantial harm or loss will require clear and convincing justification to demonstrate wholly exceptional circumstances.

5.26. No works or changes are proposed to the Scheduled Monument. Nevertheless, Historic England has confirmed that an application for Scheduled Monument Consent (SMC) is required for the proposal, a separate process with the application made to the Secretary of State for Culture, Media and Sport before any work can be carried out. The applicant has been advised of this.

5.27. The view from Tower 37 of the City Wall (immediately to the south of the site) is identified in the Conservation Area Appraisal as a Key View, described as 'one of the best for taking in the scope and scale of the walled city and the pre-eminence of the Minster on its skyline, but also the contributions of other landmarks such as Rowntree's Wharf and the towers and spires of the medieval churches'. 'Key View 14: City Walls, Walmgate' is valuable as a sweeping panorama that encompasses much of the cityscape. This important view contributes to the significance of York Minister and the City Wall. The Walls and its wider contribution to the significance of the Central Historic Core Conservation Area is illustrative of its existence as an asset of the highest significance.

Impact of Development

5.28. Demolition of the existing care home would offer the opportunity to address the pockets of 'left over' space identified in the Conservation Area Appraisal, whilst this would result in some erosion to the evidential value of the CA as a result of the removal of buildings characteristic of the municipal development in Character Area 16.

5.29. In its present form there is a tension between the presence of the existing wide-ranging view from Tower 37 and the fact that it is facilitated by the low height of parts of Willow House, which is not itself characteristic of this part of the conservation area generally, and the unsympathetic character of the rundown garage blocks and parking areas. The proposed design and more characteristic two and three storey form of the proposed blocks would present a more varied and sympathetic roofscape to the viewer, more akin in scale to the built form as moving northwards towards the centre of York, although this would be at some expense of some of the panoramic quality of the view.

5.30. The marginal but cumulative increases in height, bulk and massing of built development on the site, combined with this being closer to the City Walls, would result in some change to the views experienced from the City Walls, in particular upon the views from Tower 37. Although the existing care home and other ancillary development on-site, immediate to the Walls, are not considered to be of any considerable merit or complement to the City Walls, their relatively squat form does avoid some degree of undue tightness in visual terms.

5.31. The application is accompanied by a detailed evidence-based understanding of its landscape setting including key views. Opportunities for creating new public views have been made, in which views of Walmgate bar from Long Close Lane would be opened up following demolition of the existing care home to provide a more legible landscape laterally from east to west.

5.32. The development would respond largely positively to local building height and massing character and landscape context. The layout and typology would enhance the immediate setting of Long Close Lane. The proposal would comprise its most simple and legible elevations organised parallel to the City Walls in a terrace, including gaps around the mature evergreen to the west and set back from mature trees on Walmgate Green to the East. The two-storey housing is positioned adjacent to the Walls so that long distance views would be maintained for a large part across it, from the Walls, including enhanced views of Walmgate Bar from street level along Long Close Lane.

5.33. The development would have the potential to better reveal the significance of the Conservation Area. However, the resultant impact of increased development on-site would result in some change to the views experienced from the City Walls. Cumulatively when combined with the introduction of additional built form alongside the City Walls, the site would result in a more urbanised character which would lead to less than substantial harm to the significance of the designated heritage asset that is the City Walls.

Public Benefits

5.34. Paragraph 215 of the NPPF, however, requires that this harm should be weighed against the public benefits. Paragraph 20 of Government Planning Practice Guidance for the Historic Environment states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in paragraph 8 of the NPPF. Examples of heritage benefits may include the sustaining or enhancing the significance of a heritage asset and the contribution of its setting, reducing or removing risks to a heritage asset, or securing the optimum viable use of a heritage asset in support of its long-term conservation.

5.35. The development would result in the provision of 36no. new dwellings, further proposing 100% affordable housing which would positively contribute towards housing delivery in the city, in particular affordable housing, of which there is an identified need. Securing redevelopment of an existing dilapidated site back into use is considered to better reveal the significance of the Conservation Area, in particular Character Area 16, as a result of the proposed layout and typology which would enhance the immediate setting of Long Close Lane. It is considered that these public benefits outweigh the less than substantial harm identified in respect of the impact upon the designated heritage assets.

AMENITY FOR FUTURE OCCUPANTS

Policy

5.36. Paragraph 135(f) of the NPPF seeks to create safe, inclusive and accessible developments with a high standard of amenity for existing and future users. The National Design Guide, in particular within H1-3, provides further national advice in respect to placemaking and, relevant in this case, the creation of well-designed homes both externally and internally. Policy ENV2 (Managing Environmental Quality) of the Local Plan states development will not be permitted where future

occupiers and existing communities would be subject to significant adverse impacts such as noise, vibration, odour etc without effective mitigation measures.

Assessment

5.37. Central to the scheme is a shared landscape which is well overlooked, providing a safe place for children to play and people to meet. The scheme provides a range of amenity spaces for residents to enjoy, from public space to shared semi-private space and private gardens.

5.38. All refuse has been largely consolidated into three bin enclosures that are centrally located for ease of management, encourage segregated waste disposal and reduce opportunities for waste overspill.

5.39. A mix of public open space, semi-private and private residential spaces is provided. Currently, the site is dominated by turning heads and asphalt surfaces. Proposals would seek to make the site greener by creating new green spaces, such as the central public space between buildings, and would seek to retain the existing green spaces near Walmgate and under the existing tree and enhancing these where possible through added play amenity.

5.40. The provision of accommodation incorporates a large number of south-facing openings in the interests of maximising direct sunlight. North-facing openings would be set to overlook the spacious central amenity space, well distanced from the nearest adjacent neighbours. In any case, the configuration of accommodation has been organised to ensure that all units would benefit from dual-aspect outlook.

RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

Policy

5.41. Paragraph 135 of the NPPF seeks a good standard of amenity for all existing and future occupants, and that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Policies D1 and ENV2 of the Local Plan seek to ensure that development proposals do not unduly affect the amenity of nearby residents in terms of noise disturbance, overlooking, overshadowing or from overbearing structures.

Assessment

5.42. A daylight and sunlight assessment has been carried out in accordance with the BRE Guidelines (BR209 2022) to assess the potential impact on neighbouring properties. The following properties have been identified as sensitive receptors for this study, 29-33 and 46, 48 and 50 Long Close Lane and flats within 54-64 Hope Street, 137-147 and 149-159 Walmgate and therefore, the habitable rooms and the windows serving the rooms within these properties have been tested. It has been shown that the reduction in daylighting to the rooms of the neighbouring buildings would be within the acceptable limits. And a reduction in the number of probable sunlight hours enjoyed by these windows and rooms, however these are again within the limits prescribed by the BRE Guidelines as being acceptable.

5.43. It is considered that the proposed layout achieves suitable separation distances between existing and proposed dwellings and as such will not give rise to unacceptable levels of overlooking which would be detrimental to residential amenity of both existing and future residents; to an extent that would warrant refusal on such grounds.

5.44. With respect to the loss of existing storage, existing storage connected to the garages would be re-provided like for like along the edges of front gardens. The proposed locations would not impede lines of sight or obstruct valuable space or compromise existing mature trees. In addition, storage would be incorporated to the private rear amenity spaces.

5.45. Given the nature of the proposed development there would be a degree of disruption caused during the construction phase. It would therefore be necessary and appropriate to include conditions which seek to manage and mitigate the worst of those impacts in the interests of the residential amenity of the area. This includes the provision of a Construction Environmental Management Plan (CEMP) to manage and mitigate possible issues of construction noise, dust and vibration. An hours of construction condition is also imposed.

HIGHWAYS AND ACCESS

Policy

5.46. Paragraph 116 of the NPPF states 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, following mitigation, would be severe, taking into account all reasonable future scenarios. Paragraph 117 states that proposals give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas, and 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.

5.47. Policy T1 (Sustainable Access) advises that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it, including those with impaired mobility, such that it maximises the use of more sustainable modes of transport, and they provide sufficient convenient, secure and covered cycle storage. Policy WM1 (Sustainable Waste Management) requires the integration of facilities for waste prevention, re-use, recycling, composting and recovery in association with the planning, construction and occupation of new development for housing.

Assessment

5.48. The site would retain vehicular access, as existing, from Long Close Lane to the west, in which there would be no through access for motor vehicles.

5.49. The proposed block plan indicates a turning head layout which would suitably allow vehicles to enter and exit the site in a forward gear. In addition, sufficient space would also be allowed for larger vehicles including a refuse truck to manoeuvre within the site. Fully accessible (public) routes for pedestrians would be retained north-south and east-west to retain connections to the site and Walmgate.

5.50. In terms of accessibility, the site is located to the southwest of the city centre, adjacent to the City Walls. Whilst characterised strongly by its provision of residential accommodation, the site and surrounding area is in fact particularly well located to amenities of both the city centre and Foss Islands, by foot. The site is also positioned in close proximity to a number of public transport connections. On account of the above, it is considered that the proposed zero general car parking (with the exception of 4no. disabled spaces, and the retention of 1no. resident space for No.33 Long Close Lane) would not amount to excess pressure upon the existing area. Streets adjacent to the site are located within Resident Parking Zone R18. The disabled bays would be spatially compliant, in conjunction with their affiliation with the 4no. M4(3) wheelchair accessible homes. Further, all would include EV charging capability.

5.51. Fire tender access would be via a paved turning head with reinforced grass surfacing and retractable bollards to allow access to the units located furthest east of the site. Highways sought confirmation that the grass surfacing would be of suitable reinforcement. North Yorkshire Fire and Rescue have not raised objection

on account of the details provided. In any case, highways surfacing is sought by condition on account of its prospective adoption by the Local Highways Authority upon completion. More widely with respect to adoption of the roads within the site, specifications of sub-ground pipework would form a matter subject to discussion between the applicant and Local Highways Authority outside of the parameters of this application.

5.52. Covered and secured cycle spaces are provided within the site, totalling 103 spaces. A combination of private cycle parking in back gardens, under stair storage in entrance hallways for first floor flats in the flat blocks and shared cycle stores are proposed. Visitor cycle spaces are provided via Sheffield stands at a rate of 4no. spaces. 30no. of the cycle parking spaces are proposed to be provided using 5no. cycle hangars each holding 6 no. cycles. The prospective management of these facilities are sought by condition as part of a Sustainable Travel Strategy, of which £200 per home for sustainable travel contributions are also sought.

5.53. Provision for the storage of cycles would represent an overprovision. However, the means in which storage is shown to be provided would incorporate storage both within the rear gardens of each dwelling, and to the front of the dwellings within hangars. Highways raise concern that the stores demonstrated for the housing would be within the rear gardens, thus requiring cycles to be taken through the dwellings in order to be accessed. However, it is considered on balance that, whilst storage within the rear gardens may be less desirable for some occupants, the alternative provision within hangars would allow flexibility for occupants without prejudice to the overall functionality of the site with regards to access.

5.54. With respect to pedestrian permeability, limitations are posed with respect to the achievability of 2 metre footways on both sides of the highway due to the limited access width into the site and adjacent protected tree. The Transport Statement addresses that the footway on the north side would be improved, being widened from approximately 1.7m to 2.0m. In the vicinity of the tree, the carriageway would narrow so that vehicles give way to their neighbours. It is agreed that this approach would promote an environment where vehicle movements are not prioritised and are naturally slowed.

5.55. Taking into account that the scheme does not incorporate on-site parking, with the exception of disabled provision, and existing lateral pedestrian routes would be retained on site, it is not considered proportionate to request a travel plan prior to determination in addition to the existing transport statement and wider details provided with respect to highways and access. The scheme proposes an essentially car-free development within the City Walls, which is not uncharacteristic with

residential development seen more widely in locations such as Hungate and Piccadilly. Further, the site is within a highly sustainable location, in which extensive amounts of cycle parking are proposed. There are also two car club locations within an 800-metre walking distance, and incorporated provision for cargo bikes. Provision for disabled parking provision, pedestrian access routes, and cycle and waste management can be suitably managed by condition.

Waste

5.56. The development proposes communal waste and recycling storage and collection. Approved Document Part H advises horizontal drag distances for residents should not exceed 30m (Requirement H6, Section 1.8). Residential communal storage has been calculated at a rate of 180 litres of refuse and 165 litres of recycling per property provided in communal bin stores. Subsequent to correspondence with Waste Services and Highways, it has been advised that the configuration of storage for waste be revised to ensure the stores provide space for suitably sized bins, taking into account the number of dwellings each store is proposed to serve, and the standardised sizes of Council refuse bins. This can be sought by condition, on account that the block plan demonstrates a sufficient provision of space to adapt the stores in the interests of agreeing their compliant size and configuration. Similarly, as sought by condition, large scale details of the stores are also conditioned, in particular to ensure that Store C be amended to be set slightly further back from the adopted highway to prevent opening doors overhanging. Additional information has also been provided to clarify that the relocation of refuse storage, accessed from Hope Street to the north of the site would be within 10 metres of the location of loading.

5.57. Roads on the route of the refuse collection vehicle within the site would maintain a minimum width of 5 metres, with the exception of a small pinch point adjacent to a protected tree. Taking into account this limitation, and the narrowing position at a straight point along the access, it is not considered that the proposed road layout would lead to an unacceptable impact on highway safety. Although the refusing tracking diagram demonstrates that a refuse vehicle reversing would marginally overhang a pedestrian area in front of the north-west (front) elevation of the main block, this would be at a considerably limited speed. Further, refuse vehicles are fitting with reversing sirens and a banksman. Therefore, where reversing would take place, it would occur safely. Provision for the storage of waste at existing properties located at 137-147 Hope Street would be relocated, although would remain in close proximity to the building itself, and within 10 metres of the highway for collection purposes.

ECOLOGY AND BIODIVERSITY

Policy

5.58. Policy GI2 relates to biodiversity and access to nature. Paragraph 193(d) of the NPPF seeks to ensure development contributes and enhances 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. These enhancements are required in addition to the protected species licence requirements. Development should achieve net gain in biodiversity (BNG) in accordance with The Environment Act 2021 and national policy and contribute to the recovery of priority species and habitats and new habitat creation.

5.59. BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

5.60. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits. The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan (BGP) must be submitted and approved by the planning authority before commencement of the development.

Assessment

Biodiversity Net Gain

5.61. Based on retained habitats and habitat creation/enhancement the scheme demonstrates positive net gains can be achieved in respect to habitat areas, exceeding the mandatory 10% threshold of over +50% (55.43% net change equating to 0.92 habitat units). Connectivity would be improved across the site with the planting of hedgerow resulting in a 0.13-unit gain in hedgerow units where none currently exist on-site.

5.62. In any case, consent for the application is granted subject to the need for a Biodiversity Gain Plan to be produced/submitted prior to the commencement of development on-site in accordance with Schedule 7A of the Town and Country Planning Act 1990. The statutory framework for biodiversity net gain requires a Biodiversity Gain Plan to be submitted and approved prior to the commencement of development, to set out how Biodiversity gains are proposed to be secured, either on or off-site. The development cannot be lawfully commenced until this condition is satisfied.

Ecological Considerations

5.63. An Ecological Impact Assessment has been undertaken by Smeeden (Rev A, November 2025). This concludes that no adverse impacts on designated sites are anticipated.

5.64. Habitats on site with some ecological value include individual trees, ornamental planting and grassland, which may provide nesting opportunities for breeding birds and foraging/sheltering opportunities for bats, small mammals and invertebrates. Bat roosts have been identified within Willow House with works to this building to be carried out under the Bat Earned Recognition (BER) Scheme Licence subject to obtaining the necessary consents. Alternative roost features would be installed on retained trees/new buildings.

5.65. Non-native invasive species Montbretia and a Cotoneaster species have been identified on site, therefore control and precautionary working methods are recommended in respect to these species. Recommendations for general site enhancements include the retention of trees on site where feasible, appropriate native species planting, wildflower seeding, sympathetic lighting to minimise impacts on light sensitive bat species and ecological receptors on/adjacent to site, and incorporation of bird/bat nesting/roosting features. Precautionary working methods and/or mitigation have been recommended for species such as badger, hedgehog and breeding birds.

Landscape and Setting

5.66. The applicant has provided a Landscape Management & Maintenance Plan by BBUK Landscape Architecture (12 Sept 2025). The responsibility for the management of landscape and public realm are anticipated to be allocated by CYC. Trees on public highways would be adopted by the CYC and maintained by CYC. Equally, public open space and general landscaping areas would also be maintained by CYC. Private greens spaces and paved areas associated with each

home would be the responsibility of the property owners including the selected RSL where appropriate. The main character areas proposed are as follows:

- Public green spaces: Willow Triangle, Walmgate Green, and the area around the existing retained category A pine tree on Long Close Lane.
- Alleys/communal courtyard gardens shared between residents containing space for communal growing and eating.
- Pedestrian east to west and north to south links: pedestrian paths through the site that would also be used for services where required.
- Vehicular streets: primary vehicular access from Long Close Lane from the West and North, both terminating at turning heads.
- Private back gardens backing onto the wall and ramparts.

5.67. The applicant has provided a Landscape Statement conducted by BBUK Studio Limited (September 2025). This sets out that the aim is to create an inclusive, high-quality landscape design that provides residents with a joyful and healthy environment. The proposals intend to enhance existing and new housing with site boundaries designed to integrate with the context of the surrounding areas, add quality to the streetscape, the historic setting of the site and contribute to the area's overall character.

5.68. The landscape proposals aim to preserve as many remnants from the archaeological digs and demolition work as possible as traces of the site's history. The stones, bricks, and found objects will be incorporated into gabion cages, which will be used for the proposed retaining wall, enclosures, and benches.

5.69. Following previous feedback from the CYC tree officer and Landscape Architect, BBUK has refined the design to retain as much existing soft landscape around the retained Cat A pine tree as possible, with a low knee rail boundary and boulders deployed to protect the soil around the locally important tree.

5.70. The site currently consists mainly of hard surfaces and vehicular traffic. The proposed landscape design would introduce more greenery to the area by incorporating public open spaces, fully private gardens and communal gardens for residents.

5.71. Willow Triangle would function as a fully public space where residents and visitors can enjoy play areas, community grow gardens, an orchard, and a small lawn area for recreation. The primary play structure would be comprised of a slide, a climbing rope and a fireman's pole, plus a grow garden and mini-orchard garden with natural play features such as logs and stepping pads.

5.72. The southern sections of the proposed buildings would feature fully private gardens for residents and communal gardens for M4(3) units, complete with lawn areas, hedges, and climbing plants to enhance the landscape and green the existing concrete retaining wall to the rampart.

5.73. Details of hard landscaping are secured by condition.

Trees

5.74. Landscaping and the layout of the site has been designed to incorporate as much soft landscaping around the Category A tree as possible. The proposed development has been designed to retain and protect tree T5 (a Category A tree of high quality and amenity value) through locating buildings outside of the RPA. Any proposed construction of landscape elements in the RPA of tree T5 would replace existing hard surfaces. It would be necessary however to provide working space for construction in the edge of the RPA during demolition and construction, alongside access facilitation pruning works to provide working space for construction.

5.75. Proposed paving for required pedestrian routes through Walmgate Green cover approximately 40% of the RPA of T6, a Category B tree. No dig construction techniques are proposed to minimise soil compaction in the RPA, alongside pruning to provide height clearance for construction.

5.76. The removal of 6 moderate/low quality trees would be required to facilitate the proposed development; however the proposed tree removal will be mitigated by the planting of 72 new trees across the site.

5.77. The Category A pine tree (to be retained) is located near the main entrance of the new Willow House site. On account of the configuration of the building and landscaping, this would offer a relatively sensitive view centred around the existing tree. Knee rail fencing would be installed along the planting boundary to protect the tree. The boulders on the opposite side would prevent cars parking under the tree and compacting the soil.

5.78. BBUK has coordinated extensively with Mikhail Riches, Smeeden Foreman (the arboriculturists on the scheme) and taken pre-app feedback on board to safeguard this Cat A pine as much as possible. The measures include: (1) Retaining almost all the existing green space around the tree where it is likely roots would be present. (2) Setting the buildings as far back as possible so that the canopy would not need to be reduced through construction (3) The area of reduced existing green

space roughly corresponds to the area already excavated by York Archaeology. (4) Proposing cellweb buildups and metal edging in the RPA to minimise interference. In grubbing out of an existing sewer route, the portion within the RPA would be retained in situ to avoid damage to the tree.

DRAINAGE AND FLOOD RISK

Policy

5.79. Policy ENV5 (Sustainable Drainage) states Sustainable Drainage System (SuDS) methods of source control and water quality improvement should be utilised for all new development, to minimise the risk of pollution and to attenuate flood volumes. The type of SuDS used should be appropriate to the site in question and should ensure that there is no pollution of the water environment including both ground and surface waters. Existing land drainage systems should not suffer any detriment as a result of development.

5.80. Paragraph 181 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. For minor development and changes of use, applications should be supported by a site-specific flood-risk assessment.

Assessment

5.81. City of York Council's Flood Risk Engineer confirms that the site investigation provides sufficient evidence that soakaways will on work on site, further, with a suitable watercourse being remote. Plans demonstrate foul water being connected to a newly constructed combined sewer which in turn connects to the public combined sewer in Walmgate Bar. Yorkshire Water raise no objections to this arrangement.

5.82. With regard to surface water, the CCTV survey provides sufficient evidence that the existing connected impermeable areas are 0.31 hectares which equate to existing run-off - 43.4 litres per second (l/sec) and with betterment a permitted surface water discharge rate of 30.0 l/sec. This is shown to be connected, with appropriate attenuation up to and including the 1 in 100 year + 45% climate change event to the same newly constructed combined sewer.. Plans demonstrate the site being developed with separate systems onsite but not offsite. No objections are raised by Yorkshire Water or the Flood Risk Engineer.

5.83. According to the public sewer records there are public sewers crossing the site. A 225mm diameter combined sewer crossing the site diagonally and a 150mm diameter combined sewer which enters the site to the side of No. 46 Long Close Lane then skirting around the site. A 225mm diameter public sewer is shown to be 'Grubbed up'. As this is a live public sewer this is required to be considered and protected when agreeing the site layout which may require to be diverted or allowed to be built over. Prior consent has been evidenced between the applicant and Yorkshire Water.

5.84. Due to the constraints imposed by the archaeology which restricts areas available to excavate for open SUDS features it is proposed that all surface water attenuation is contained in an oversized pipe under the new highway access. The form of attenuation proposed is a 1.8m diameter Polystorm Rigid XL pipe, which have been proven to be an acceptable form of attenuation that could be adopted by Yorkshire Water under a S104 Agreement.

5.85. The development is in Environment Agency low-risk Flood Zone 1 and should not suffer from river flooding.

ARCHAEOLOGY

Policy

5.86. Policy D6 (Archaeology) states that development proposals that affect archaeological features and deposits should be accompanied by an evidence-based heritage statement that describes the significance of the archaeological deposits affected and, where necessary, report on intrusive and non-intrusive surveys of the application site and its setting. Works should not result in harm to an element which contributes to the significance or setting of a Scheduled Monument or other nationally important remains, unless that harm is outweighed by the public benefits of the proposal.

Assessment

5.87. During the construction of Willow House in 1975, part of the rampart was removed at the southeast corner of the building. This area remains within the boundary of the scheduled monument. Repeated cycles of development in this location have severely truncated earlier archaeological evidence, but in places the City Archaeologist considers that there is good potential for survival of features and deposits. In terms of archaeological potential, the application site falls into two halves identified to require different approaches: the northern half occupied by

buildings 3, 4 and 5 and the southern half by buildings 1 and 2 (as labelled on demolition plan).

5.88. In the southern area (which includes the former care home), all groundworks are considered probable to disturb any in situ archaeological features and deposits. The northern area is less well understood although potentially contains more significant archaeological remains. As the potential impacts for the northern and southern areas differ considerably, a different approach is required for each. The southern area, in contrast, however, is well-understood. The impact on archaeological remains can be mitigated through a condition for Strip, Map and Sample (SMS) where preservation in situ cannot be achieved.

5.89. The separate application for the demolition of existing buildings (25/02383/FUL) was accompanied by a condition for archaeological watching brief to ensure where sensitive archaeological deposits were observed, provision be made to preserve them in situ for mitigation during the subsequent development phases (covered by this application). On account of the fact that the former care home is yet to be demolished, conditions are re-imposed on this application to address all aspects of demolition and construction, to secure the same provision of monitoring and excavation.

5.90. The northern area is considered to require further archaeological evaluation. Therefore, a further stage of conditioned archaeological evaluation by trial trenching recommended for condition following demolition of buildings 3 and 4 to inform mitigation. The demolition of these buildings has been previously managed by application 25/02383/FUL with a watching brief condition, the results of which are intended to inform the scope for the evaluation trenching under a separate WSI if that phase of demolition goes ahead as currently proposed. Once the evaluation is completed, mitigation will consist of a combination of preservation in situ where possible, and excavation where this cannot be achieved. Preservation in situ remains the preferred mitigation option and therefore aspects of the proposed design may need to be adapted to accommodate this.

5.91. In terms of community and public engagement, Willow House has a history of successful community and public engagement through archaeology and heritage, and this legacy should be continued through the redevelopment of the site. Whilst the City Archaeologist recommends a condition for a programme of archaeological Community and Public Engagement, it is not considered that this is proportionate to impose on account of the wider public benefits considered to arise as a result of the site's redevelopment. In any case, with regard to the other archaeological conditions imposed, it is considered that there will be an inherent level of engagement,

including the deposition of information within City of York's Historic Environment Record for perpetuity. Separate conditions are imposed for the northern and southern areas to secure appropriate approaches to protecting existing on-site archaeological features.

CONTAMINATION

Policy

5.92. Policy ENV3 (Land Contamination) relates to land contamination and states where there is evidence that a site may be affected by contamination or the proposed use would be particularly vulnerable to the presence of contamination, planning applications must be accompanied by an appropriate contamination risk assessment and appropriate remedial measures secured if needed.

5.93. Paragraph 198 of the NPPF states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Assessment

5.94. A NOVA Acoustics residential noise assessment (Ref: NP01134) (dated 18 December 2025) has been submitted and also a NOVA Acoustics plant noise assessment (Ref: NP01134 – PR02) (dated 18 December 2025). Public Protection are content that, provided the noise mitigation measures as stated within the residential noise assessment are implemented, then there would be no objections to the proposal. An additional condition is imposed in relation to plant noise.

5.95. Public Protection raised further consideration with regard to the potential construction phase air quality impacts and noise emissions from construction and their impacts upon impact on surrounding residential properties. Therefore, a condition for a Construction Environmental Management Plan (CEMP) is also imposed.

5.96. A Phase 2 Site Investigation report by Solmek (Ref: S240918) (dated November 2024) was also submitted which demonstrated some soil remediation would be required. A full set of gas monitoring results was not presented; therefore, conditions are imposed which reflect this.

SUSTAINABLE DESIGN AND CONSTRUCTION

Policy

5.97. Policy CC2 (Sustainable Design and Construction of New Development) states all new residential development of 1 or more dwellings should achieve:

- i. on-site carbon emissions reduction of a minimum of 31% over and above the requirements of Building Regulations Part L (2013), of which at least 19% should come from energy efficiency measures; and
- ii. a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Should the dwelling not achieve a reduction in carbon emissions of 75%, compared to the target emission rate as required under Part L of the Building Regulations 2013, prior to construction a statement to demonstrate that such reductions would not be feasible or viable shall be submitted to and approved in writing by the Local Planning Authority. Development proposals will be expected to consider good practice adaptation principles for climate resilience in their design, construction, and operation.

Assessment

5.98. The scheme is within the Council's Housing Delivery programme; the application addresses that all dwellings are targeted to be constructed to Passivhaus standards, with the development as a whole being Zero Carbon in operation. SAP modelling of a variety of house types shows that the residential spaces as designed would significantly exceed the 75% improvement on Part L 2013 required by the Local Plan, with 104% achieved overall. A 42% reduction is made via energy efficiency measures, significantly improving upon the policy requirement of 19%. Heat recovery ventilation systems and other efficient building services systems and white goods will be incorporated. There is a target to maximise the area of Solar PV on all suitably oriented roofs in order to provide as much energy as possible from a local renewable energy source, with solar potentially providing 114% of total energy demand. It is considered that the requirements of policy CC2 could be achieved by condition to ensure a reduction in carbon emissions and in ensuring the buildings are energy efficient, as per the evidenced modelling.

5.99. Since submission of the application, we have been made aware of an update to the Housing Delivery Programme Delivery Strategy presented at Executive

Committee. The report addresses that, to safeguard the delivery of 100% affordable housing schemes, it has been deemed necessary to shift from the current requirement in the Housing Delivery Programme Design Manual to deliver Passivhaus-certified homes. It is now proposed that new homes are instead delivered to the Homes England Healthy Homes Standard. In any case, either of these standards would still produce a policy compliant development with respect to the requirements of Policy CC2.

PLANNING OBLIGATIONS

Policy

5.100. Policy GI6 (Open Space Provision) states residential development proposals should contribute to the provision of open space for recreation and amenity with current local standards and using the Council's up to date open space assessment. The Council will require on-site provision where possible but off-site provision will be considered acceptable in certain circumstances. Circumstance (i) is considered to apply in the case of Willow House which is that the proposed development site is of insufficient size in itself to make the appropriate provision feasible within the site.

5.101. Policy DM1 (Infrastructure and Developer Contributions) states new development will be supported by appropriate physical, social and economic infrastructure provision.

Assessment

5.102. Open space provision is calculated using the standard set out within paragraph 2.5 of the City of York Local Plan Evidence Base: Open Space and GI update (Sept 2017) and repeated within Table 1 of the CYC advice note titled 'Commuted Sum Payments for Open Space in New Developments' (January 2026). Open space typologies and standards are expressed as hectares per 1000 population.

5.103. As advised in the CYC advice note titled 'Commuted Sum Payments for Open Space in New Developments' (January 2026), for each open space typology, a requirement to contribute new open space will normally be waived only if it is found that the relevant standard is met or exceeded. In Guildhall Ward there is a deficit of natural/semi-natural open space, amenity green space, allotments and children's/young people's play spaces.

5.104. At full occupancy the development would have 117 residents, so open space requirements are calculated on this basis. However, there is no requirement for contributions to play space for children and young people for single bedroom dwellings, so the figures for children and young person's play spaces are based on 95 people which excludes single bedroom dwellings. On this basis, the following provision should be made:

Table 1: Open Space provision			
	Recommended Standard per 1000 population (Ha)	Space per person (sqm)	Open space requirement (based on 117 residents/95 residents*) (sqm)
Parks and Gardens	0.18	1.8	210.6
Natural / Semi natural	2.13	21.3	2492.1
Amenity green space	1.45	14.5	1696.5
Children's play space	0.48	4.8	456*
Young person's play space	0.21	2.1	199.5*
Outdoor sports facilities	1.78	17.8	2082.6
Allotments	0.29	2.9	339.3

5.105. The on-site open space provision delivers 0.25ha (2500sqm) of amenity space plus 0.03ha (300sqm) of children's play space. This leaves a deficit of:

- Natural/semi natural open space: 2492.10sqm (0.25ha)
- Children's play space: 156 sqm (0.02ha)
- Young person's play space: 199.5sqm (0.02ha)
- Outdoor Sports facilities: 2082.6sqm (0.21ha)
- Allotments: 339.3sqm (0.03ha)

5.106. Calculations for commuted sums are given within the CYC advice note titled 'Commuted Sum Payments for Open Space in New Developments' (January 2026) on the basis of sum required per dwelling dependant on number of bedrooms within the dwelling. While this calculation can be used to identify commuted sums required for types of open space with no on-site delivery, it is not suitable for calculating commuted sums required where there is part on-site delivery.

5.107. The deficit of Allotments - 339.3sqm: it is recognised the development proposal includes grow tables which will function as community gardens for the growing of food and other plants. While not directly equivalent to an allotment, it is considered this goes some way to meeting this need and therefore within the specific context of the application, no commuted sum is sought in lieu of on-site delivery of allotments.

Total commuted sum for open space

Open space type	Suggested commuted sum
Natural/Semi natural space	£4,042.86
Play space	£7,999.52
Outdoor Sports Facilities	£14,147.53
Total	£26,189.91

PLANNING BALANCE

5.108. The development would respond largely positively to local building height and massing character and landscape context. The layout and typology would enhance the immediate setting of Long Close Lane. The proposal would comprise its most simple and legible elevations organised parallel to the City Walls in a terrace, including gaps around the mature evergreen to the west and set back from mature trees on Walmgate Green to the East. The two-storey housing is positioned adjacent to the Walls so that long distance views would be maintained for a large part across it, from the Walls, including enhanced views of Walmgate Bar from street level along Long Close Lane.

5.109. Further, the development would have the potential to better reveal the significance of the Conservation Area. However, the resultant impact of increased development on-site would result in some change to the views experienced from the City Walls. Cumulatively when combined with the introduction of additional built form alongside the City Walls, the site would result in a more urbanised character which would lead to less than substantial harm to the significance of the designated heritage asset that is the City Walls.

5.110. The NPPF (paragraph 125) gives substantial weight to the value of using suitable brownfield land within settlements for homes. The scheme would deliver 100% affordable housing, noting Local Plan SS1 which aims to deliver at least 45% of the 9,396 affordable dwellings that are needed to meet the needs of residents and acknowledged to achieve such it is reliant upon the housing delivery programme and schemes exceeding affordable housing targets in policy H10.

5.111. Securing redevelopment of an existing dilapidated site back into use is considered to better reveal the significance of the Conservation Area, in particular Character Area 16, as a result of the proposed layout and typology which would enhance the immediate setting of Long Close Lane. It is considered that these public benefits outweigh the less than substantial harm identified in respect of the impact upon the designated heritage assets.

6.0 CONCLUSION

6.1. The application seeks consent for the erection of 36no. dwellings (use class C3) with associated open space, landscaping, access and parking following demolition of an existing care home and garage blocks at Willow House, Long Close Lane.

6.2. The application site lies within an urban area of the city, in a sustainable and accessible location and in a predominantly residential area. The development would contribute to the city's housing stock and provision of affordable housing. Whilst redevelopment of the brownfield site is considered to less than substantial harm to the significance of the designated heritage asset that is the City Walls, it is considered that the public benefits outweigh the less than substantial harm identified in respect of the impact upon the designated heritage assets.

6.3. The scheme is considered otherwise acceptable with regard to its design, layout and appearance, impact on highway safety, residential amenity of existing and future occupiers and the natural environment, subject to the imposed conditions. In light of the above, It is considered it complies with national planning guidance, as contained in the National Planning Policy Framework, Planning (Listed Buildings and Conservation Areas) Act 1990 and the City of York Local Plan. Approval is therefore recommended.

7.0 RECOMMENDATION: Approve

1 The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

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

Location Plan - Dwg. No: (EX) 001 Rev 01
Ground Floor Site Plan - Dwg. No: (00) 001 Rev 01
First Floor Site Plan - Dwg. No: (00) 002 Rev 01
Second Floor Site Plan - Dwg. No: (00) 003 Rev 01
Roof Site Plan - Dwg. No: (00) 004 Rev 01
Demolition Plan - Dwg. No: (00) 020 Rev 01

Proposed Block Plans

Block 1 & 2 (Gatehouse) Plan GF - Dwg. No: (00) 101 Rev 01
Block 1 & 2 (Gatehouse) Plan 1F - Dwg. No: (00) 102 Rev 01
Block 1 & 2 (Gatehouse) Plan 2F - Dwg. No: (00) 103 Rev 01
Block 3 (Tree) Plan GF - Dwg. No: (00) 104 Rev 01
Block 3 (Tree) Plan 1F - Dwg. No: (00) 105 Rev 01
Block 3 (Tree) Plan 2F - Dwg. No: (00) 106 Rev 01
Block 4 (Terrace) Plan GF - Dwg. No: (00) 107 Rev 01
Block 4 (Terrace) Plan 1F - Dwg. No: (00) 108 Rev 01
Block 4 (Terrace) Plan 2F - Dwg. No: (00) 109 Rev 01

Proposed Block Elevations

Block 1 & 2 Elevations (North & South) - Dwg. No: (00) 201 Rev 01
Block 2 Elevations (East & West) - Dwg. No: (00) 202 Rev 01
Block 3 Elevations - Dwg. No: (00) 203 Rev 01
Block 4 Elevations (North) - Dwg. No: (00) 204 Rev 01
Block 4 Elevations (South) - Dwg. No: (00) 205 Rev 01

Proposed Sections

Proposed Site Sections - Dwg. No: (00) 300 Rev 01

Proposed House Type Plans

House Type A (Block 4) A - Dwg. No: (00) 100 Rev 01
House Type B (Block 4) B - Dwg. No: (00) 100 Rev 01
House Type C (Block 4) C - Dwg. No: (00) 100 Rev 01
Type D (Block 1/2) - Ground/First D - Dwg. No: (00) 100 Rev 01
Type D (Block 1/2) - Second/Roof D - Dwg. No: (00) 101 Rev 01
Type D (Block 1/2) Elevations D - Dwg. No: (00) 200 Rev 01
Type D (Block 1/2) Elevations 2 D - Dwg. No: (00) 201 Rev 01
Type D (Block 1/2) Section D - Dwg. No: (00) 300 Rev 01

Type E (Block 3) - Ground/First E - Dwg. No: (00) 100 Rev 01
Type E (Block 3) - Second/Roof E - Dwg. No: (00) 101 Rev 01
Type E (Block 3) Elevations E - Dwg. No: (00) 200 Rev 01
Type E (Block 3) Elevations 2 E - Dwg. No: (00) 201 Rev 01
Type F (Block 4) - Ground/First F - Dwg. No: (00) 100 Rev 01
Type F (Block 4) - Second/Roof F - Dwg. No: (00) 101 Rev 01
Type F (Block 4) Elevations F - Dwg. No: (00) 200 Rev 01
Type F (Block 4) Elevations 2 F - Dwg. No: (00) 201 Rev 01
Type F (Block 4) Section F - Dwg. No: (00) 300 Rev 01
Type G (Block 4) - Ground/First G - Dwg. No: (00) 100 Rev 01
Type G (Block 4) - Second/Roof G - Dwg. No: (00) 101 Rev 01
Type G (Block 4) Elevations G - Dwg. No: (00) 200 Rev 01
Type G (Block 4) Elevations 2 G - Dwg. No: (00) 201 Rev 01
Type G (Block 4) Section G - Dwg. No: (00) 300 Rev 01

Landscaping Plans and Drawings

Hardworks Plan - Dwg. No: 24242-BBUK-ZZ-ZZ-DR-L-0200 Rev P05
Tree Planting Plan - Dwg. No: 24242-BBUK-ZZ-ZZ-DR-L-0300 Rev P04
Planting Mixes Plan - Dwg. No: 24242-BBUK-ZZ-ZZ-DR-L-0400 Rev P05
Tree Pit Detail 01 - Dwg. No: 24242-BBUK-ZZ-ZZ-DR-L-3000 Rev P01
Tree Pit Detail 02 - Dwg. No: 24242-BBUK-ZZ-ZZ-DR-L-3001 Rev P01

Accommodation Schedule

GIA Accommodation Schedule - Dwg. No: (00) 910 Rev 01

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

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

Note: Because of limited storage space at our offices sample materials should be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

4 Large scale details for the following items shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (excluding demolition and site clearance) hereby approved. The

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

Windows and doors

Balconies

Eaves/gable detailing

Boundary treatments

Placement and fitment of solar panels and associated support systems

Cycle hangars and stores

Bin stores

Reason: In the interests of good design, in accordance with paragraph 135 of the NPPF.

5 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order), development of the type described in Classes A, B, C, and D of Schedule 2 Part 1 of that Order shall not be erected or constructed within the curtilage of the dwelling as formed.

Reason: In the interests of safeguarding neighbouring amenity and that of future occupants and the form and character of the wider streetscene and Conservation Area, the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "Permitted Development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015. It is considered that future adaptations within Classes A, B, C, and D should be managed to control any future proposals to the dwellings hereby permitted, taking into account the impact changes could have given the number of and proximity of adjacent properties and upon the adjacent Scheduled Monument.

6 No development shall commence unless and until a scheme for affordable housing provision has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall thereafter be provided in accordance with the approved scheme.

The scheme shall include:

- The amount type / tenure and location of the affordable housing.
- The timing of the construction of the affordable housing.
- The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing where relevant.
- The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

Reason: In order to meet identified need for affordable housing in accordance with

policy H10 of the Local Plan.

7 No development shall commence unless and until details of provision for off-site public open space, play space and sports pitch provision has been submitted to and approved in writing by the Local Planning authority. The facilities shall thereafter be provided in accordance with the approved scheme, or the alternative arrangements agreed in writing by the Local Planning Authority prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy GI6 of the Local Plan which requires that all new housing sites make adequate provision for the open space needs of future occupiers.

8 Prior to the first occupation of any dwelling, a sustainable travel strategy shall be submitted to the Local Planning Authority. The strategy shall provide details regarding the following sustainable travel incentives -

- Provision of all cycle parking across the development including the management of the communal cycle parking.
- Provision and implementation of sustainable travel incentives for the first occupants: J200 per dwelling for bus or cycle vouchers.

Reason: In order to promote sustainable travel, in accordance with Local Plan policy T7 and section 9 of the NPPF.

9 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday 0800 to 1800 hours
Saturday 0900 to 1300 hours
Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of the locality.

10 Details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the Local Planning Authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15 minutes during the hours of

23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014+ A1 2019, associated inclusive of any acoustic feature corrections with tonal, impulsive, distinctive or intermittent characteristics.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

11 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must include a site-specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

NOTE: For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may results in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any). With respect to dust mitigation, measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean-up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>. The CEMP must include a site-specific risk assessment of dust impacts in line with the IAQM guidance note and include mitigation commensurate with the scale of the risks identified.

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting. In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received, and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk

Reason: To protect the amenity of the locality

12 Prior to development (excluding demolition), a site investigation and risk assessment must be undertaken to assess the nature, scale and extent of any land contamination and the potential risks to human health, groundwater, surface water and other receptors. A written report of the findings must be produced and is subject to approval in writing by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

13 Where remediation works are shown to be necessary, development (excluding demolition) shall not commence until a detailed remediation strategy has been submitted to and approved by the Local Planning Authority. The remediation strategy must demonstrate how the site will be made suitable for its intended use and must include proposals for the verification of the remediation works. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the proposed remediation works are appropriate and will remove unacceptable risks to identified receptors.

14 Prior to first occupation, remediation works should be carried out in accordance with the approved remediation strategy. On completion of those works, a verification report (which demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the agreed remediation works are fully implemented and to demonstrate that the site is suitable for its proposed use with respect to land contamination. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

15 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

16 A programme of post-determination archaeological investigation is required during all development activity on the Northern part of this site.

This programme includes:

Archaeological monitoring by watching brief, which is required during all demolition and foundation removal on this site. If the Watching Brief during demolition identifies sensitive archaeological deposits or features, then provision for preservation in situ for mitigation during subsequent conditioned work, or for excavation, if necessary, must be made.

This is to be followed by archaeological evaluation in the areas currently occupied by garages and storage structures identified by the applicant as Buildings 3 and 4, once these structures have been demolished. This results of this Evaluation will inform subsequent mitigation, by preservation in situ or for the investigation, recording and recovery of archaeological remains and the publication of results.

A Written Scheme of Investigation (WSI) is required for all these phases of work. WSIs for the evaluation and any subsequent mitigation can be amendments of the original WSI.

The archaeological scheme comprises 6-8 stages of work. Each stage shall be completed and agreed by the Local Planning Authority before it can be approved.

A) No demolition and/or associated groundworks shall take place until a written scheme of investigation (WSI) for archaeological investigation by watching brief, with provision for preservation in situ or excavation, has been submitted to and

approved by the local planning authority in writing. For land that is included within the WSI, no demolition or groundworks shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

B) The site investigation and post-investigation assessment for the watching brief shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report (and evidence of publication if required) for the watching brief shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

D) A post-determination archaeological evaluation is required on this part of the site. No archaeological evaluation shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. The WSI can be an amendment to the original WSI and should conform to standards and guidance set by LPA and the Chartered Institute for Archaeologists.

E) The site investigation and post-investigation assessment for the evaluation shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (D) and the provision made for assessment, analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

F) A copy of a report on the evaluation and an assessment of the impact of the proposed development on any of the archaeological remains identified in the evaluation shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

G) Where archaeological features and deposits are identified mitigation proposals for the preservation in-situ, or for the investigation, recording and recovery of archaeological remains and the publishing of findings shall be submitted as an amendment to the original WSI. It should be understood that there shall be presumption in favour of preservation in-situ wherever feasible.

H) No development shall take place until:

- details in G have been approved and implemented on site
- provision has been made for analysis, dissemination of results and archive deposition has been secured
- a copy of a report on the archaeological works detailed in Part G should be deposited with City of York Historic Environment Record within 6 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site lies within an Area of Archaeological Importance. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ, in accordance with Section 16 of the NPPF.

17 A programme of post-determination archaeological investigation is required during all development activity on the Southern part of this site.

This programme includes:

Archaeological monitoring by watching brief, which is required during all demolition and foundation removal on this site. If the Watching Brief during demolition identifies sensitive archaeological deposits or features, then provision for preservation in situ for mitigation during subsequent conditioned work, or for excavation, if necessary, must be made.

This is to be followed by archaeological mitigation, specifically archaeological strip, map and record, which is required in the areas of this site currently occupied by a former care home, carpark, garden and garages identified by the applicant as Buildings 1 and 2, once these structures have been demolished.

A Written Scheme of Investigation (WSI) is required for all these phases of work. The WSI for the mitigation can be submitted as an amendment to the original WSI.

The archaeological scheme comprises 6 stages of work. Each stage shall be completed and agreed by the Local Planning Authority before it can be approved.

A) No demolition and/or associated groundworks shall take place until a written scheme of investigation (WSI) for archaeological investigation by watching brief, with provision for preservation in situ or excavation, has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or groundworks shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

B) The site investigation and post-investigation assessment for the watching brief shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report (and evidence of publication if required) for the watching brief shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

D) A programme of post-determination archaeological mitigation, specifically archaeological strip, map and record exercise is required on this site. No groundworks shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no groundworks shall take place other than in accordance with the agreed WSI. The WSI can be an amendment to the original WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

E) The site investigation and post-investigation assessment for the strip, map and record shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (D) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

F) A copy of a report (and evidence of publication if required) shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

This condition is imposed

Reason: The site lies within an Area of Archaeological Importance and the development may affect important archaeological deposits which must be recorded prior to destruction, in accordance with Section 16 of the NPPF.

18 The dwellings hereby permitted shall achieve a reduction in carbon emissions of at least 31% (of which at least 19% should come from energy efficiency measures) compared to the target emission rate as required under Part L of the Building Regulations 2013 and a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Should the dwellings not achieve a reduction in carbon emissions of 75%, compared

to the target emission rate set out in Part L of the Building Regulations 2013, prior to the construction of development above foundation level, a statement to demonstrate that such reductions would not be feasible or viable shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policies CC1 and CC2 of the Local Plan.

19 Prior to the commencement of development an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) and scheme of arboricultural supervision regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority.

This statement shall include but not be limited to a schedule of tree works where applicable, details and locations of protective fencing, ground protection, phasing of works and protection measures, site rules and prohibitions, site access during demolition/construction, method of demolition and site clearance, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials and means of moving materials around the site, locations and means of installing utilities, location of site compound (and marketing suite where applicable).

The document shall also include methodologies and construction details where specialist construction techniques are required for a change in surface material and/or boundary treatment within the recommended root protection areas of existing trees.

The development shall be implemented in strict accordance with the approved details. The approved AMS and TPP shall be available for reference and inspection on site at all times. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: To ensure every effort and reasonable duty of care is exercised during the development process in the interests of protecting the existing trees shown to be retained which are considered to make a significant contribution to the amenity and setting of the development and the conservation area in accordance with Policy GI4 of the Local Plan.

20 Within three months of commencement of development above foundation level, a detailed landscape scheme in accordance with the approved plans shall be submitted to and approved in writing by the Local Planning Authority. This shall include the species, stock size, density (spacing), and position of trees, shrubs and

other plants; and seed mixes, sowing rates and mowing regimes where applicable. The approved landscape scheme for soft works shall be implemented within a period of six months of the practical completion of the development. Any trees or plants which within a period of five years from the substantial completion of the planting and development die, are removed, fail to thrive, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing.

Reason: The landscape scheme is integral to the amenity of the development.

21 No construction works in the relevant area(s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times.

Reason: In the interest of public health and maintaining the public water supply.

22 No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary having been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

On the Statutory Sewer Map, there is a 225 mm diameter public combined sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. A proposal by the developer to abandon/remove a public sewer will be subject to Yorkshire Water's requirements and formal procedure in accordance with Section 116 Water Industry Act 1991.

Reason: In the interest of public health and maintaining the public sewer network.

23 Prior to the commencement of development (excluding demolition and site

clearance) hereby approved, details of the proposed means of foul and surface water drainage, including details of any balancing works and off-site works shall be submitted to and approved by the Local Planning Authority. The information shall include site specific details of:

- the surface water discharge rate shall be restricted to a maximum rate of 30.0 (thirty point zero) litres per second;
- the full surface water storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100-year storm. Proposed areas within the model must also include an additional 30% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required;
- details to satisfy Standard 2: management of everyday rainfall (interception) and in particular General Requirements 2.5 and 2.6; and
- a topographical survey showing the existing and proposed foul and surface water drainage invert and cover levels (to include levels for the proposed foul and surface water drainage connections), ground, and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper and sustainable drainage of the site.

24 No development shall take place (including ground and enabling works, and vegetation removal) until a construction environmental management plan (CEMP: Biodiversity) is submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include, but not limited to the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features and receptors, such as nesting.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The roles and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

- h) Use of protective fences, exclusion barriers and warning signs.
- i) The approved CEMP shall be adhered to and implemented throughout the
- j) construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To facilitate the protection of notable/sensitive habitats and species within the local area.

25 A biodiversity enhancement plan/drawing shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of works. The content of the plan shall include (but not limited to) the erection/installation of bat and bird boxes on suitable new buildings or any suitable retained trees around the site.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraphs 187-195 of 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.

26 Demolition of the principal Willow House building shall not commence unless the local planning authority has been provided with either:

- a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- confirmation that the site is registered on a Bat Mitigation Class licence (formally Low Impact Class Licence) issued by Natural England; or
- a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure bats and their habitat are protected during the proposed works. Bats and their habitat are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

27 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.

- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period followed by five yearly reviews to cover a thirty-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP must be fully implemented as approved in accordance with the agreed timescales.

Reason: To ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, the NPPF and policy GI2 of the Local Plan To ensure wildlife mitigation, compensation and enhancements measure are managed and maintained appropriately.

28 Prior to the commencement of development (excluding demolition and site clearance) hereby approved, full detailed drawings showing the design and materials for roads, footways, and other highway areas shall be submitted to and approved in writing by the Local Planning Authority. Such roads, footways and other highway areas shall be constructed in accordance with such approved plans prior to the occupation of any dwelling which requires access from or along that highway.

Reason: In the interests of good planning and road safety.

29 Vehicular access shall be from Long Close Lane and details of the design of this access, together with associated sightlines, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason: In the interests of highway safety.

29 Prior to commencement of development a Construction Management Plan (Highways) shall be approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period.

The plan shall include: -

- a) Vehicle parking facilities for site operatives and visitors.
- b) Means of access control, and measures to prevent construction/delivery

vehicles parking/blocking the highway.

c) Details of measures to keep the highway clean - to include wheel washing facilities for the cleaning of vehicles leaving the site, to include location and type.

Reason: In the interests of highway safety, in accordance with Policy T1 of the Local Plan.

30 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the egress of water and loose material onto the public highway.

31 No part of the site shall come into use until turning areas have been provided in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby ensuring the safe and free passage of traffic on the public highway.

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) 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: Supplementary information sought from the applicant in response to consultee representations, as managed through the use of planning conditions.

2. DISCONNECTION OF EXISTING WATER SUPPLIES:

Any existing water supplies to buildings scheduled for demolition will require disconnection prior to the demolition taking place.

The proposed hard works have the potential to affect the existing 4 inch and 3-inch cast iron water mains located in Long Close Lane, these will either require suitable protection during construction.

For assistance mapping the mains please contact Yorkshire water on 0345 1242 4243.

A supply can be made available under the terms of the Water Industry Act 1991.

3. PUBLIC SEWER NETWORK:

The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal.

The applicant should be advised that the Yorkshire Waters prior consent is required (as well as planning permission) to make a connection of foul and surface water to the public sewer network.

We are unable to consent drainage works outside an applicant's ownership; the relevant permission must be sought.

4. BIODIVERSITY GAIN PLAN:

The statutory framework for biodiversity net gain 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. So, in effect the deemed condition states:

Development may not be begun unless:

- (a) a biodiversity gain plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan

This deemed condition does not appear on the Decision Notice, therefore an informative needs to be added. The informative states:

What is to be submitted to discharge a Biodiversity Gain Plan

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

- 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;
- the pre-development biodiversity value of the onsite habitat;
- the post-development biodiversity value of the onsite habitat;
- any registered off-site biodiversity gain allocated to the development and the biodiversity; and
- any biodiversity credits purchased for the development.

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).

5. BATS:

The applicant is reminded that all British bat species are fully protected through The

Conservation of Habitats and Species Regulation 2017 (as amended) as European Protected Species (EPS). All British bat species also receive protection through inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under the legislation, it is an offence:

- o To deliberately capture, injure or kill a bat.
- o To damage or destroy a breeding site or resting place of a bat.
- o To intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection; or obstruct access to any structure or place which it uses for that purpose.
- o To deliberately disturb a bat; in particular any disturbance which is likely:
 - o to impair their ability - (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate;
 - o to affect significantly the local distribution or abundance of the species to which they belong.

6. NESTING BIRDS:

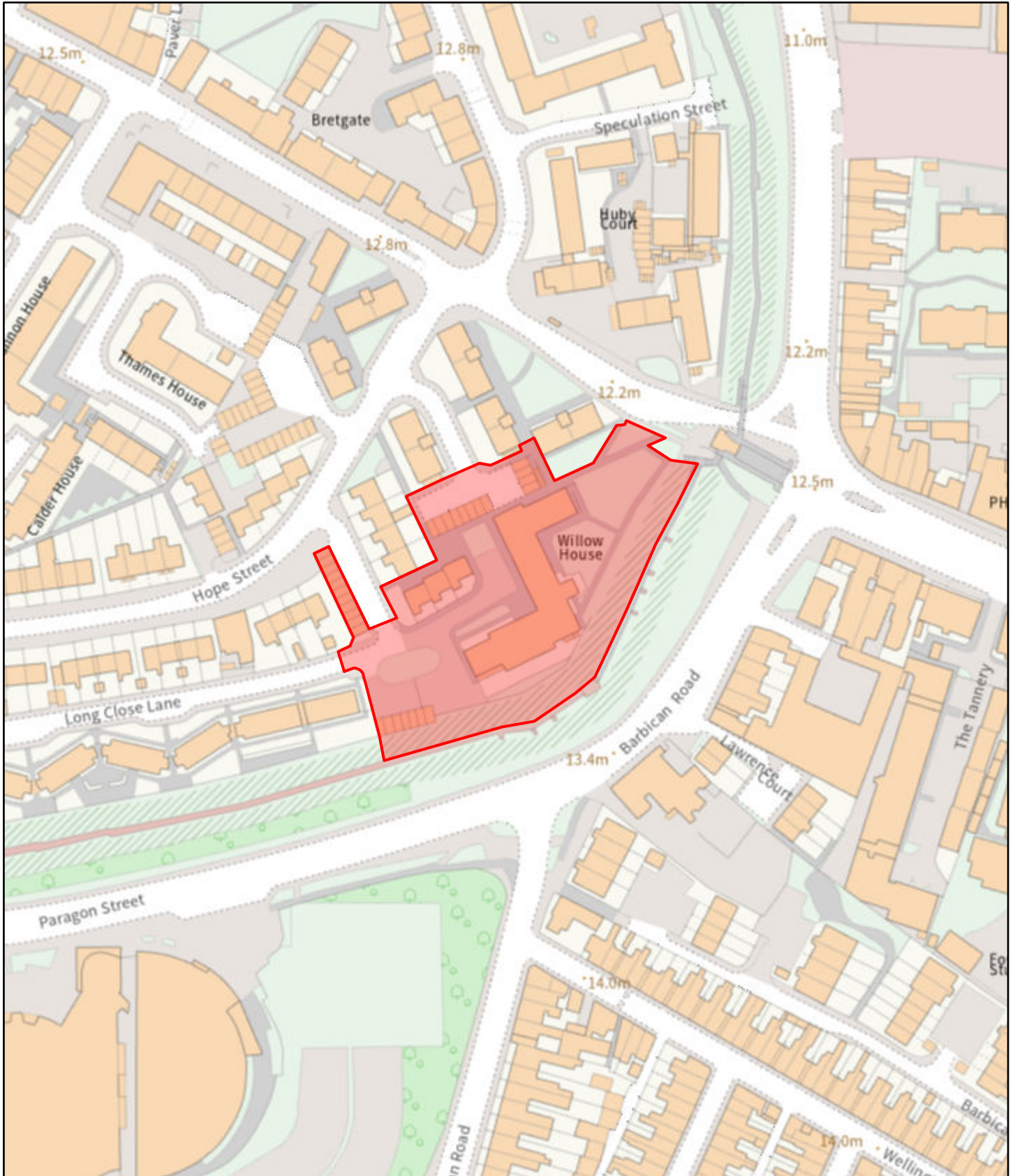
The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess nesting bird activity.

Contact details:

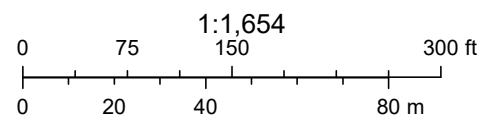
Case Officer: Owen Richards

Tel No: 01904 552275

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4/24/2026, 10:26:01 AM

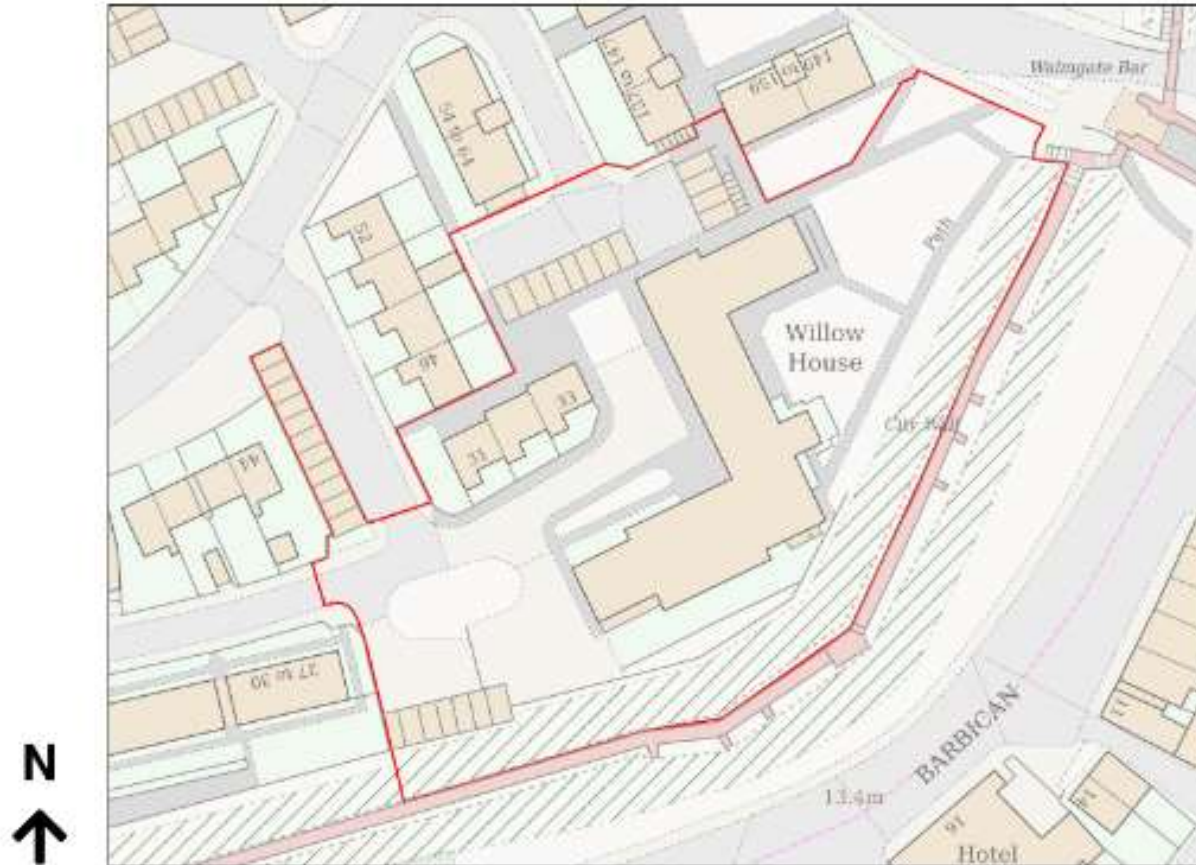


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**25/02537/FULM -
Willow House, Long Close Lane,
York, YO10 4UP**

Erection of 36no. dwellings (use class C3) with associated open space, landscaping, access and parking following demolition of existing care home and garage blocks

Location Plan



Existing Site Plan



	Site Red Line Boundary
	Existing Tree - to remove
	Existing Tree - to retain
	Flood Protection Area

Change ID	Change Name	Comment

Revision	Issued	Issue Title
01	06/09/2005	Stage 3

MIKHAIL RICHES
 17a Newmarket Street
 London W1T 3PD
 +44 (0)20 7098 1505
 mikhailriches.com

HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION BOX

Note: This drawing is to be used in conjunction with the risk register prepared for inclusion in the health and safety plan. The hazard notes are in addition to normal hazards and risks faced by a competent contractor when dealing with the type of works detailed on this drawing.

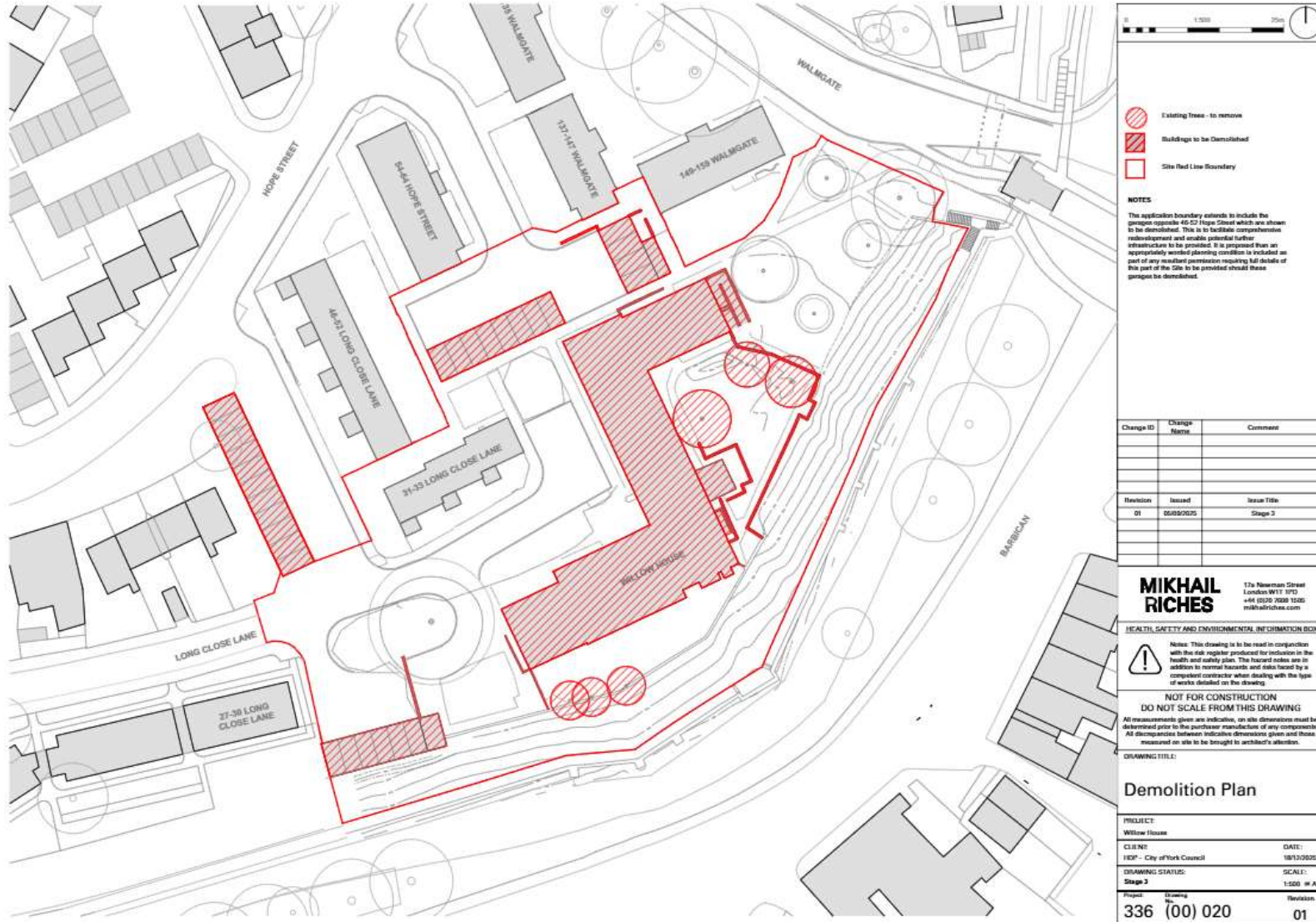
NOT FOR CONSTRUCTION
DO NOT SCALE FROM THIS DRAWING
 All measurements given are indicative, on site dimensions must be determined prior to the purchaser/manufacture of any components. All discrepancies between indicative dimensions given and those measured on site to be brought to architect's attention.

DRAWING TITLE:

Existing Site Plan

PROJECT:	Willow House
CLIENT:	HEP - City of York Council
DATE:	18/12/2005
DRAWING STATUS:	Stage 3
SCALE:	1:500 @ A3
Project Number:	336 (EX) 002
Revision:	01

Demolition Plan



Proposed Site Plan & Ground Floor Plans



Change ID	Change Name	Comment

Revision	Issued	Issue Title
01	05/09/2025	Stage 3

MIKHAIL RICHES
 17a Newmarket Street
 London W1T 3PD
 +44 (0)20 7098 1500
 mikhailriches.com

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DRAWING TITLE:
Ground Floor Site Plan

PROJECT: Willow House	
CLIENT: HEP - City of York Council	DATE: 18/12/2025
DRAWING STATUS: Stage 3	SCALE: 1:500 @ A3
Project No: 336	Revision No: (00) 001
	Revision 01


Proposed First Floor Plans



Change ID	Change Name	Comment

Revision	Issued	Issue Title
01	05/09/2025	Stage 3

MIKHAIL RICHES
 17a Newman Street
 London W1T 1PD
 +44 (0)20 7538 1540
 mikhailriches.com

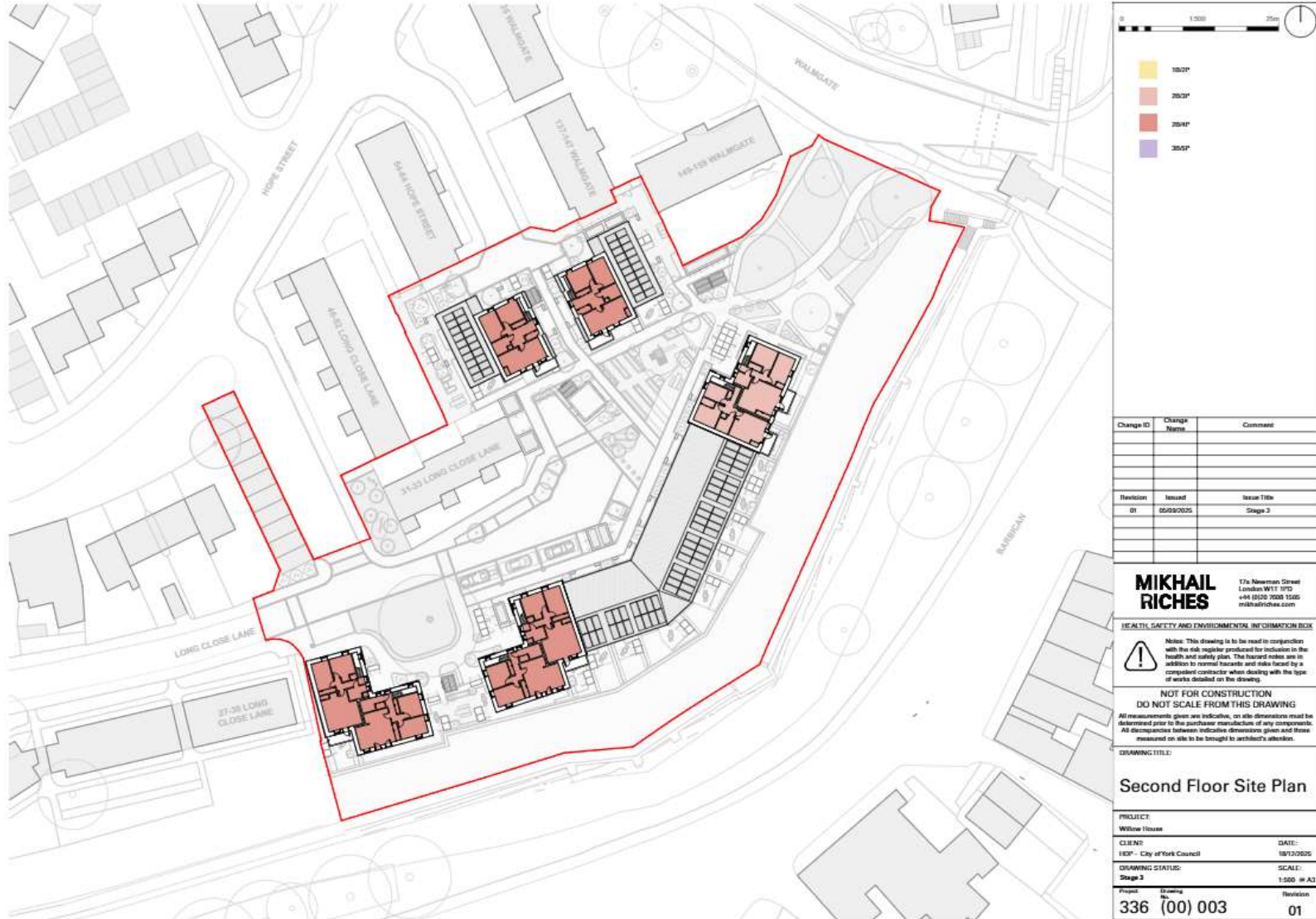
HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION BOX
 **Notes:** This drawing is to be read in conjunction with the risk register produced for inclusion in the health and safety plan. The hazard notes are in addition to normal hazards and risks faced by a competent contractor when dealing with the type of works detailed on the drawing.

NOT FOR CONSTRUCTION
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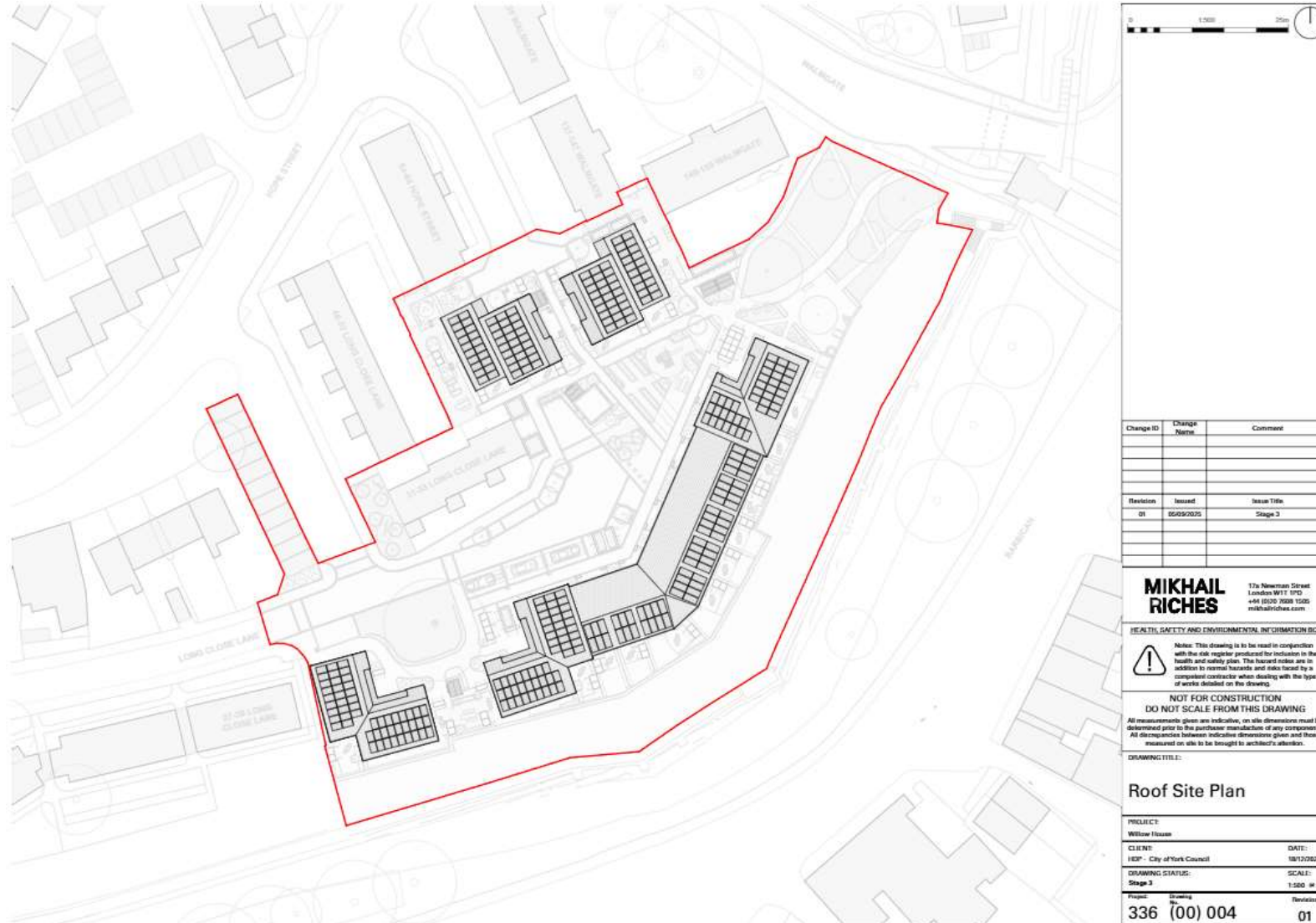
DRAWING TITLE:
First Floor Site Plan

PROJECT: Willow House	
CLIENT: HEP - City of York Council	DATE: 18/12/2025
DRAWING STATUS: Stage 3	SCALE: 1:500 @ A3
Project No. 336	Revision (00) 002 01

Proposed Second Floor Plans



Proposed Roof Plan



Proposed Site Sections



Section AA



Section BB

Key

1. Light grey and buff mix brick in exterior bond	8. Composite external solid door with toplight and sidelight
2. Light grey and buff mix brick in outlier bond	9. Dark brick plan
3. HZ and mix/recessed brickwork in dark grey tone brick in outlier bond	10. Recycled/reconstituted York stone blocks
4. Recycled/reconstituted York stone corner stones	11. Glazed single door
5. Recycled/reconstituted York stone window sill	12. Polyester powder coated metal balustrade
6. Anodised aluminium window frame	13. Clay roof tile in grey tone
7. Smooth light neutral coloured render around	14. Coloured steel gutters and downpipes
	15. Standing seam metal roof covering
	16. Blue stone
	17. Blue stone

0 1:200 10,200mm

Revision	Issued	Issue Title
01	05/09/2025	Stage 3

MIKHAIL RICHES

17a Newmarket Street
London W1T 1PD
+44 (0)20 7626 1055
mikhailriches.com

HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION BOX

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DRAWING TITLE:
Proposed Site Sections

PROJECT:
Willow House

CLIENT: City of York Council DATE: 18/10/2025

DRAWING STATUS: **Planning** SCALE: 1:200 # A1

Project No: **336** Drawing No: **(00) 300** Date: 01

Proposed Elevations Block 1 and 2 (North and South)



Key

1. Light grey and buff mix brick to exterior band
2. Light grey and buff mix brick to soffits band
3. Red and mix/roussed brickwork to dark grey tone brick to soffits band
4. Recycled/reconstituted York stone corner stones
5. Recycled/reconstituted York stone window sill
6. Acoustic aluminium window frames
7. Smooth light neutral coloured metal surrounds
8. Composite external solid door with toplights and sideglaze
9. Dark brick piers
10. Recycled/reconstituted York stone blocks
11. Glazed single door
12. Polywater powder coated metal balustrades
13. Clay roof tiles to grey tone
14. Galvalume steel gutters and downpipes
15. Standing seam metal roof cladding
16. Brick stone
17. Brick stone

Scale: 1:100

Revision	Issued	Issue Title
01	05/09/2025	Stage 2

MIKHAIL RICHES

17a Newmarket Street
London W1T 1PD
+44 (0)20 7620 1500
mikhail@riches.com

HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION BOX

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DRAWING TITLE:
Block 1 & 2 Elevations
(North & South)

PROJECT:
Willow House

CLIENT:
RDP - City of York Council

DRAWING STATUS:
Planning

DATE:
18/10/2025

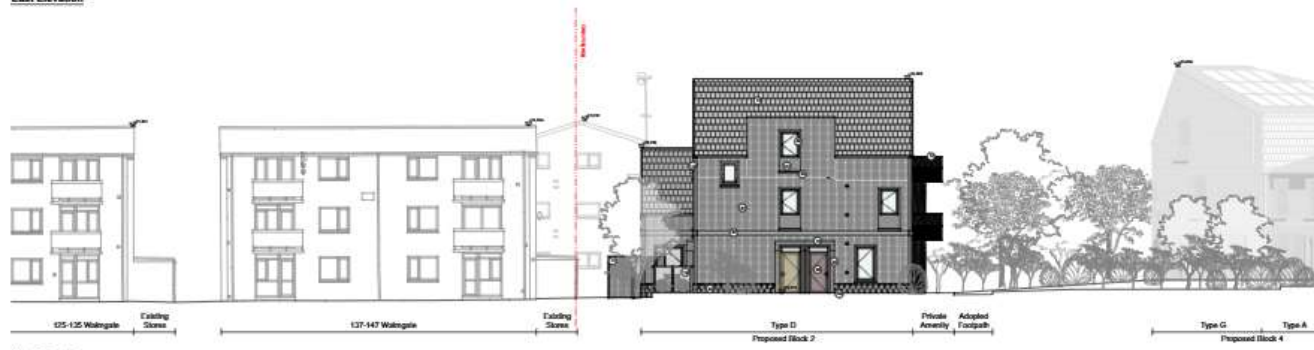
SCALE:
1:100 # A1

Project No: 336
Drawing No: (00) 201

Proposed Elevations Block 1 and 2 (East and West)



East Elevation



West Elevation

Key

1. Light grey and buff mix brick in exterior bond
2. Light grey and buff mix brick in soldier bond
3. 1/2 and mix recessed brickwork in dark grey base brick in soldier bond
4. Recessed brickwork in dark grey base brick in soldier bond
5. Recessed brickwork in dark grey base brick in soldier bond
6. Anodised aluminium window frame
7. Smooth light neutral coloured render upwards
8. Composite external solid door with uplights and sidelights
9. Dark brick glass
10. Recessed brickwork in dark grey base brick in soldier bond
11. Glazed single door
12. Polymer powder coated metal balustrade
13. Clay roof tiles in grey tone
14. Galvalume steel gutters and downpipes
15. Standing seam metal roof covering
16. Brick stone
17. Brick stone

0 1:100 2000mm

Revision	Issued	Issue Title
01	05/09/2025	Stage 2

MIKHAIL RICHES

17a Newmarket Street
London W1T 1PD
+44 (0)20 7626 1506
mikhail@riches.com

HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION BOX

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DRAWING TITLE:
Block 2 Elevations (East & West)

PROJECT:
Widley House

CLIENT:
City of York Council

DRAWING STATUS:
Planning

DATE:
18/10/2025

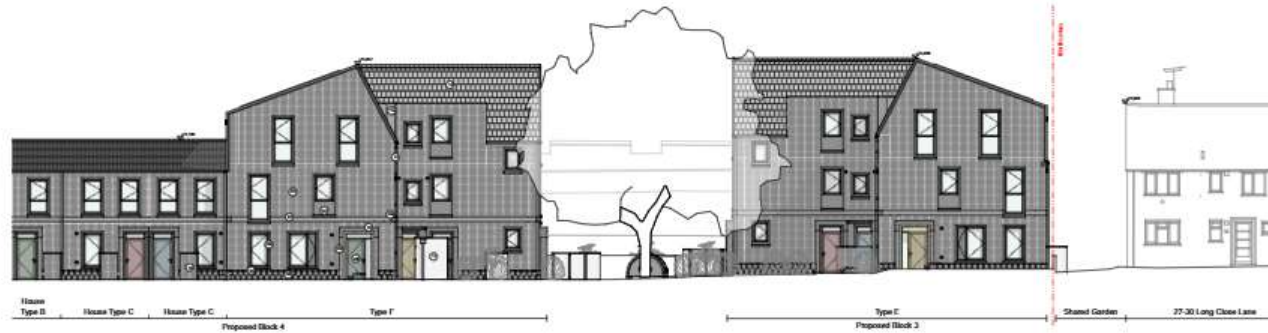
SCALE:
1:100 @ A1

Project No:
336

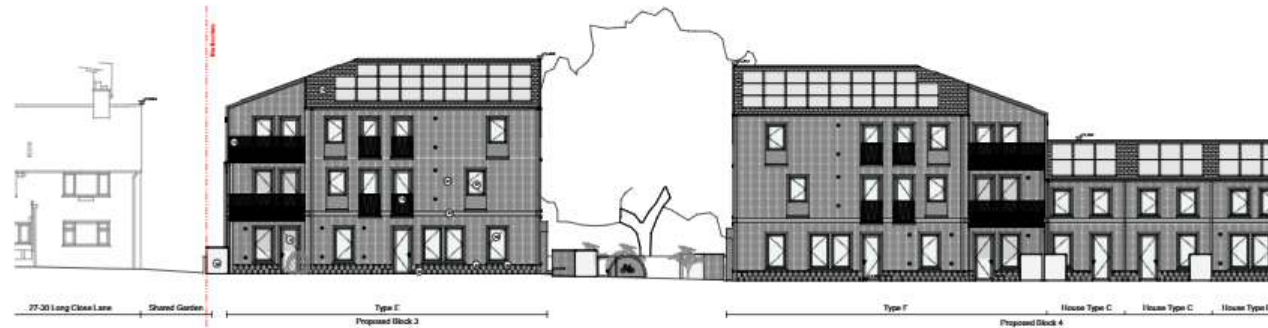
Drawing No:
(00) 202

Sheet:
01

Proposed Elevations Block 3



North Elevation



South Elevation

Key

1. Light grey and buff mix brick in crosser bond
2. Light grey and buff mix brick in soldier bond
3. Red and white-headed brickwork in dark grey tone brick in soldier bond
4. Reynolds/ironstone/brick stone corner course
5. Reynolds/ironstone/brick stone window sill
6. Reynolds/ironstone window frame
7. Smooth light neutral coloured render
8. Composite external solid door with toplights and sidelights
9. Dark brick plan
10. Reynolds/ironstone/brick stone lintel
11. Glazed single door
12. Polyester powder coated metal balustrade
13. Clay and tile in grey tone
14. Galvanized steel gutters and downpipes
15. Shallow seam metal roof capping
16. Blue stone
17. Red stone

0 1:100 3550mm

Revision	Issued	Issue Title
01	05/09/2025	Stage 2

MIKHAIL RICHES

17a Newmarket Street
London W1T 1PD
+44 (0)20 7638 1500
mikhailriches.com

HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION BOX

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DRAWING TITLE:
Block 3 Elevations

PROJECT:
Willow House

CLIENT:
EOP - City of York Council

DRAWING STATUS:
Planning

DATE:
18/12/2025

SCALE:
1:100 @ A1

Project No:
336

Drawing No:
(00) 203

Page:
01

Proposed Elevations Block 4 (North)



	Key 1. Light grey and buff mix brick in stretch bond 2. Light grey and buff mix brick in outside bond 3. HR and mix-honed brickwork in dark grey tone brick in outside bond 4. Recycled/uncoated York stone stair treads 5. Recycled/uncoated York stone window sill 6. Anodised aluminium window frame 7. Smooth light neutral coloured render surround 8. Composite external solid door with toplights and sidelights 9. Dark brick plinth 10. Recycled/uncoated York stone stone 11. Glazed single door 12. Polyester powder coated metal balustrade 13. Clay roof tiles in grey tone 14. Galvanised steel gutters and downpipes 15. Standing seam metal roof covering 16. Elin cornice 17. Bin stores	0 1:100 2000mm 	<table border="1"> <thead> <tr> <th>Revision</th> <th>Issued</th> <th>Issue Title</th> </tr> </thead> <tbody> <tr> <td>01</td> <td>05/08/2025</td> <td>Stage 3</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Revision	Issued	Issue Title	01	05/08/2025	Stage 3							MIKHAIL RICHES 17a Newman Street London W1T 1PD +44 (0)20 7668 1506 mikhailriches.com	DRAWING TITLE: Block 4 Elevations (North)
		Revision	Issued	Issue Title													
01	05/08/2025	Stage 3															
HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION BOX Note: This drawing is to be read in conjunction with the risk register produced for inclusion in the health and safety plan. The hazard notes are in addition to normal hazards and risks faced by a competent contractor when dealing with the type of works detailed on the drawing. DO NOT SCALE FROM THIS DRAWING All measurements given are indicative, on site dimensions must be determined prior to the purchase/manufacture of any components. All discrepancies between indicative dimensions given and those measured on site to be brought to architect's attention.	PROJECT: Willow House CLIENT: HOP - City of York Council DRAWING STATUS: Planning Project No: 336 Drawing No: (00) 204 Date: 18/10/2025 Scale: 1:100 @ A1																

Proposed Elevations Block 4 (South)



Key

1. Light grey and buff mix brick in corner bond
2. Light grey and buff mix brick in soldier bond
3. 1/2 and mix/hatched brickwork in dark grey base brick in soldier bond
4. Recycled/reconstituted York stone corner stone
5. Recycled/reconstituted York stone window sill
6. Anodised aluminium window frames
7. Smooth light neutral coloured render surrounds
8. Composite external solid door with uplight and sidelight
9. Dark brick glaze
10. Recycled/reconstituted York stone steps
11. Glazed single door
12. Polyester powder coated metal balustrade
13. Clay roof tile in grey tone
14. Galvanneal steel gutters and downpipes
15. Standing seam metal roof covering
16. Blue stone
17. Red stone

Revision	Issued	Issue Title
01	05/09/2025	Stage 3

MIKHAIL RICHES

17a Newnham Street
London W1T 1PD
+44 (0)20 7608 1606
mikhail@riches.com

HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION BOX

! **NOTE:** This drawing is to be read in conjunction with the risk register produced for inclusion in the health and safety plan. The hazard notes are in addition to normal hazards and risks found by a competent contractor when dealing with the type of work detailed on the drawing.

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DRAWING TITLE:
Block 4 Elevations (South)

PROJECT:
Winton House

CLIENT:
HDF - City of York Council

DRAWING STATUS:
Planning

Project No.: 336
Drawing No.: (00) 205
Issue No.: 01

DATE: 18/12/2025
SCALE: 1:100 @ A1

Site Photograph
Willow House
as viewed
from Northeast



Site Photograph
Willow House as
viewed from
North



Site Photograph
Pedestrian Route
towards
Walmgate



Site Photograph
Willow House
As viewed from
Northwest



Existing View
from Tower 37
City Walls
(Key View 14)

View 1 — Baseline

24mm | HFoV 74° | 96% @ A1



Proposed
(simulated)
View from
Tower 37 (Key
View 14)

View 1 — Proposed (AVR1-Type4)

24mm | HFoV 74° | 96% @ A1

