

City of York Council	Committee Minutes
Meeting	Planning Committee A
Date	11 September 2025
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre, Clarke, Cullwick, Melly, Steward, Whitcroft, Watson, Moroney (Substitute for Councillor B Burton) and Rose
In Attendance	Becky Eades – Head of Planning and Development Gareth Arnold – Development Manager Jodi Ingram – Lawyer Lindsay Jenkins – Senior Planning Officer Jonathan Kenyon – Principal Planning Officer Lauren Cripps – Senior Planning Officer Ian Milsted – City Archaeologist
Apologies	Councillor B Burton

### **13. Apologies for Absence (4:36pm)**

Apologies for absence were received and noted for Cllrs B Burton and J Burton.

### **14. Declarations of Interest (4:36pm)**

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. Concerning agenda item 4c Land Comprising Field adjacent to Gells Farm, Murton Way, York [24/02303/FULM], Cllr Fisher noted that his son had a business on Osbaldwick Industrial Estate for which Cllr Fisher was a director of the business. Regarding agenda item 5a Northern House, 1 - 9 Rougier Street, York [24/02021/FULM], Cllr Whitcroft noted that he worked at Aviva which adjoined Northern House and Cllr Watson noted he was a York Archaeological Trust which had commented on the application. In regard to agenda item 5b Turnbull Mazda, 17 - 27 Layerthorpe, York YO31 7UZ [24/01077/FULM], Cllrs Melly and Clarke noted that the application was in their Ward and they had contact with the Applicant.

## **15. Minutes (4:39pm)**

Resolved: That the minutes of the meeting held on 8 May 2025 be approved subject to the timings being updated and the minutes of the meeting held on 19 June being carried forward to the next meeting as due to the amendment of the resolution to the application for Land to the South of Sugar Hill Farm, Stockton Lane, York [24/02302/OUTM] and the bullet point 'there was no named neighbourhood plan' being changed to 'there was no made neighbourhood plan.'

## **16. Public Participation (4:40pm)**

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 A.

## **17. Plans List (4:40pm)**

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

### **17a) Northern House, 1 - 9 Rougier Street, York [24/02021/FULM] (4:40pm)**

Members considered a major full application from Evans Dakota Hotels Limited for the erection of hotel comprising 140no. rooms including external terraces with associated car parking and vehicular drop off area, landscaping and highways works to existing access following the demolition of the existing building at Northern House, 1 - 9 Rougier Street, York.

The Development Manager gave a presentation on the application. Following the presentation, Members asking him and the Senior Planning Officer a number of questions to which they responded:

- Using the screen Members were shown the access points to the building and the location of the taxi drop off point, and cycle parking for hotel guests and employees and roof terraces.
- There had been discussion regarding the taxi drop off point during pre-application and this was now at the back of the building.
- There was a condition that removed advertisements from the scheme and the condition covered both areas of branding.

The Senior Planning Officer gave an update, noting that there had been an additional consultee response from York Civic Trust and outlined their response. It was noted that there had been a planning history with a prior approval in 2019 for which the 5 year time period had lapsed.

### Public Speakers

Eamonn Keogh, the Agent for Applicant in support spoke in support of the application. He explained that prior to the submission of the application they had engaged in a pre-application process with officers. He explained that the hotel delivered a successful scheme, which had been revised in response to additional comments. He noted that the site sat in the historic core and the area had been through regeneration of a number of years with that site to be the last to be regenerated. He noted that the tourism and hotel development supported economic growth through employment and meeting council policy EC4. He added that the scheme was a sustainable development.

Eamonn Keogh was joined by Marc Banks (Applicant) John Oxley (former City Archaeologist) to answer questions. They were asked and explained that:

- It was necessary to demolish as the condition of the structure of the building struggled to meet modern building regulations. The new building incorporated sustainable aspects and used air source heat pumps.
- The existing building could not be reused as the existing frame was structurally compromised.
- There were now 2 car parking spaces as the scheme was in the most sustainable part of the city and there were also 14 cycle spaces, 4 for visitors and 10 for staff. They were asked and explained how the level of cycle parking was decided and that it was per council guidance. It was expected that there would be 45 staff on site at any time and it was a well-served site by public transport.
- There was a travel plan that stated that staff get to work in the most sustainable way possible.
- There were 90 full time equivalent (FTE) posts.

- The design life of Northern House was not known.
- The use of cycles for guests to use had not been considered but that was a good idea.
- Regarding archaeological deposits, it was impossible to undertake the testing of existing piles and it was noted that there was a lack of information on the existing piles. There was also so many uncertainties regarding reusing the existing piles. The new piles were kept to as minimal as possible and would take out 2.5% of nationally significant deposits.
- Concerning consideration given to the reuse of existing piles at the point of demolition, there were a number of uncertainties with the existing piles.
- In regard to the condition of the deposits, deposits below 6.8m were waterlogged and in good condition between 6 to 7m. Hydrology monitoring would be put in to see if the piles had a destructive or neutral effect.
- The timescale and impact of traffic management was explained. There was 4 to 5 months for demolition and 5 years for construction.
- Each guest would be given information on arrival by car. It was expected that guests would arrive by train and they were not expecting a high proportion by taxi.
- Regarding anti-social behaviour near the trees outside the hotel, the hotel would be staffed 24 hours and this was not a problem at other hotels.

Rachel Slater, Architect for the scheme, spoke in support of the application. At this point in the meeting, the second floor floorplan was shown on the screen. Rachel Slater explained that the scheme was a city warehouse feel and the concept was collaboratively delivered to produce a high quality building. She explained the scale and massing and noted that careful consideration had been given to local materials, adding that consideration had been given to bricks. She explained that the building was accessible and in a sustainable location.

Rachel Slater was joined by Chris Harding (Structural Engineer) and Mike Kershaw (demolition and construction) to answer questions. They were asked and explained that:

- There would be two terraces on the second floor and a roof that would be subdivided by trellis. There was a standard roof.
- The building was similar in scale and massing of the buildings surrounding the buildings and it would be an attractive building on arrival from the station.
- The building masses had been designed to minimise canonisation on Rougier Street.

- They had engaged with access groups in York and there were accessible platform lifts in two entrances. The booking system asked about access needs. After demolition the ramp would come back to ground floor level.
- A wind assessment had been undertaken and the consultant confirmed there were limited wind issues.
- The lifespan of the existing building was 25-30 years and the new building was 125 years.
- The assessment of the building structure found that it was not suitable for use or as a hotel. The building in its current state did not meet current building regulations. The building was underloaded and to strengthen it would need to be reinforced.
- The existing piles were presumed to be concrete but it was not known if these were precast or joined together. The new piles avoided clashes with the existing piles. To test the existing piles anchor piles would need to be put in, which would cause detrimental damage. The new piles would be bored.
- Regarding the impact of demolition on archaeology, it was a complex demolition and they would dismantle rather than demolish. There were three exploratory archaeology digs.
- There was a second floor terraced area with hedging and a flat roof.

[The Chair noted that these would have to comply with building regulations].

- There would be an impact on the Rougier Street carriageway during demolition and construction. The key access point was on Tanners Moat and there would be segregation of pedestrians and cyclists to moving vehicles. Deliveries would be fully man marshalled. There would be impact on Rougier Street two times with weekend closures.

[The meeting adjourned from 6.26pm to 6.37pm].

Members then asked officers further questions to which they responded that:

- It was not known what new building York Civic Trust were referring to in their consultation response.
- The policy on cycle spaces was explained noting that there was not a local policy and LTN 1/20 did not include guidance on hotels. They had used the old Appendix E of the Development Control Plan.
- The view of the City Archaeologist was that the application was entirely compliant with policy and practice.
- Condition 16 was a recommendation and needed amending to only apply to the west facing elevation.

- If there was a separate illuminated sign, that would come forward as a separate application.
- The public benefit of employment use had no stricter definition; to be policy compliant it just needed to be employment.
- The City Archaeologist confirmed that all options had been explored regarding the retention of as many deposits as possible. The constraints of the site were noted and the officers had as much information as possible.
- As the building would last 110 years deposits would be present in situ and 95% of what was in the development footprint would be safe.

Following debate, Cllr Whitcroft moved approval of the application subject to an amendment to Condition 16 to remove the removal of the advertising on the west elevation and an additional condition relating to the advertising on the south elevation with its plans and details submitted in writing to the planning authority. This was seconded by Cllr Fisher and upon a unanimous vote in favour it was;

Resolved: That the application be approved subject to an amendment to Condition 16 to remove the removal of the advertising on the west elevation and an additional condition relating to the advertising on the south elevation with its plans and details submitted in writing to the planning authority.

Reasons:

1. This application seeks the demolition of the existing building 'Northern House' and its replacement with a 140-bed hotel (Class C1). Along with external terraces and ancillary bar and restaurant. The existing building is a vacant office building. The proposed hotel use remains an employment use, as defined in the LP glossary and thus there is no loss of employment generating uses within this proposal. The hotel development is located within the city centre, which is a priority area for a range of employment uses and the principal location for the delivery of economic growth in tourism, leisure and cultural sectors. The city centre location is also a sustainable and accessible location, by a range of transport modes. The ancillary bar and restaurant will likely generate activity thorough the day and into the evening, contributing to a strong evening economy and will encourage overnight stays. The hotel use remains an employment use. The proposals therefore comply with policies SS3 and EC4.
2. The rear space of the site will be improved to provide a semi-private courtyard area, to complement the internal

restaurant/bar areas within the building. This will be shared with areas for limited car parking (2no. spaces including an accessible parking space and EV charging) with the hotel operating a valet service, and short stay cycle parking. The proposal has been designed with back-to-back entrances, from both the courtyard and Rougier Street. Disabled access is provided for on both building approaches.

3. The application site is located within Flood Zone 3a, though the building will benefit from a plinth to set ground floor above flood level. There will be no sleeping accommodation provided on the ground floor and the River Ouse in this location benefits from flood defences. There would be an increase in the flood risk vulnerability classification from 'Less Vulnerable' to 'More Vulnerable'. The sequential test demonstrated that there are no other reasonably available alternative sites in areas of lower flood risk. In addition, given the agreement and ability to provide finished floors levels to 11.35AOD in line with EA and LLFA advice, the development is not considered to increase flood risk elsewhere, as passes the sequential and exception tests.
4. In respect to environmental impacts, the amendments forthcoming during the course of the application along with the imposition of suggested conditions, the impacts from noise, lighting, odour and air quality are acceptable. The applicant has set out that the development will follow the principles of the 'energy hierarchy' and have agreed to meet and undertake BREEAM certification for 'excellent' rating (or equivalent) in respect of sustainability assessment. Objections have been raised in respect to sustainability, and the resulting loss of embodied carbon within the building, from its demolition. The adaption and reuse of the building have been addressed, and alongside matters concerning the condition and structure of the extant building and the internal layout of the building, these would individually, and cumulatively have an impact upon the ability to deliver a hotel use within the existing building. Policy CC2 of the LP and section 14 of the NPPF set out the requirements for sustainability, including following the energy hierarchy and climate impacts and supporting the transition to net zero, however beyond this, neither the Local Plan nor NPPF provide further detail in respect to embodied carbon resulting from the building's demolition.
5. The proposed building intentionally and positively replicates the podium design of the existing Northern House building, as this

approach is successful because of the close proximity to existing tall buildings on both sides. The upper floors of the proposal are however considerably wider than the existing building, resulting in a slightly negative and minor objection on design grounds. The replacement building is broadly designed in line with the height of the extant building, although includes a plinth level, which is otherwise not provided, to accommodate flood levels. The impact of its height is assessed as being largely neutral in the wider vista. The applicant has provided a proposal which provides a more staggered and visually animated frontage to Rougier Street, which is a significant improvement from the existing and an open area (free from overhead projections) allows for three appropriate/suitable street trees to be planted, generally level with the pavement, and will assist in making a positive contribution to the landscape quality of this urban streetscape. On the whole, the proposed building will protect the historic environment, preserving the features of special architectural or historic interest which adjacent and surrounding listed buildings possess whilst also resulting in neutral harm to the character and appearance of the conservation area.

6. The application site lies within the York Central Area of Archaeological Importance, where sub-surface archaeological features and deposits are of equivalent significance to scheduled monuments. Historic England have objected to the proposals citing that the general arrangement of the foundations showing both proposed and existing pile configurations increases the harm to significance, with no clear justification and that there is no evidence in support of the statement that the existing pile arrangement cannot be re-used. The re-use of the existing piles has been discounted because the structural integrity and future load-bearing capacity of the piles is unknown. The above ground building clearly exhibits structural issues; the current building/structure is not suitable for a change of use and has exceeded its original design life and thus the combination of the unknown condition of the piles means that the piles cannot be re-used for the new development. The intrusive elements, which are assessed as impacting below 8.1m AOD have been calculated as having an impact of 4.18% on archaeological deposits. Whilst the significance of the archaeological interests is high, it is concluded that the impact of the foundations will not lead to a greater than 5% disturbance, in line with Local Plan policy D6. Further harmful impacts upon archaeological deposits could be



mitigated, through the use of planning conditions requiring, adding to the data set for future policy consideration and archaeological monitoring taking place on shallower areas of disturbance. In line with the requirements of the NPPF (para. 215), where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The public benefits outlined in para's 5.185 – 5.187 are considered to represent a public benefit that justifies this harm.

7. As such, the proposal is found to be in accordance with policies ss3, ss2, EC4, D1, D4, D5, D6, CC2, ENV1, ENV2, ENV3, ENV4, ENV5, T1 of the Local Plan along with the NPPF, in particular Section 12 (particularly para's. 135 and 136), Section 14 and 15 and Section 16 (particularly para. 213 and 215 as well as footnote 75

[The meeting adjourned from 7.21pm until 7.30pm].

The Development Manager left the meeting and the Head of Planning and Development joined the meeting at 7.30pm.

**17b) Turnbull Mazda, 17 - 27 Layerthorpe, York YO31 7UZ  
[24/01077/FULM] (7:30pm)**

Members considered a major full application from Danehurst Developments Limited for the Demolition of existing car showroom (sui generis) and erection of a purpose-built student accommodation (sui generis) with up to 220 units and associated landscaping and parking at Turnbull Mazda, 17 - 27 Layerthorpe, York.

The Head of Planning and Development gave a presentation on the application. Following her presentation, she was asked and showed on the screen where the site was in flood zone 3. She responded to Member questions by explaining:

- All accommodation was above the 10.97m flood risk height, the issue was that the communal area was lower than the 100 year flood risk height of 10.6m.
- The flood risk assessment was from the Environment Agency.

Public Speakers

Matthew Roe, Agent for the Applicant, spoke in support of the application. He explained that he was surprised to be at Committee as they had been working with the council since 2023. He explained that the scheme had

reduced from 289 to 222 beds. He noted that he had a meeting with officers on 10 October 2025 to discuss the application and believed that all issues raised could be addressed. He then addressed the reasons for refusal. He noted that the accommodation was aimed at second and third year students and postgraduates. He thought it was too premature to determine and asked for a deferral.

Members asked Matthew Roe questions on the application to which he explained:

- Regarding the site being marketed, the car dealership was moving somewhere else. The employment report went through different types of employment and the site was unviable. He added that all car dealerships had moved to outside the city.

[The Chair noted that policy EC2 made clear the marketing of the site].

- Concerning a clear plan for getting students in and out of the building at the beginning and end of term, there were 4 car parking spaces and there would be a booking system.
- Consultants agreed with the Environment Agency that there would be advance warnings of flooding and students would be able to stay on site during flooding.
- Negotiation was ongoing about the offsite housing contribution and the level of funding was still under negotiation.
- The contribution from an independent assessment was a matter of negotiation between the council and the applicant.

[At this point the Head of Planning and Development Services advised the Committee that there were at a point where they needed to decide the application].

Cllr Whitcroft proposed the officer recommendation to refuse the application. This was seconded by Cllr Cullwick, and following a unanimous vote is was:

Resolved: That the application be refused.

Reasons:

1. 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; and nor does it demonstrate that the proposal would not lead to the loss of an employment site that is necessary to meet employment needs during the

plan period. 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.

2. The scheme is contrary to policy H7: Student Housing in that there is no agreement in principle that the rooms in the development are secured through a nomination agreement for occupation by students of one or more of the University of York and York St. John University. The proposals are contrary to the requirements of policy H7 which seeks to control occupancy to ensure that development only comes forward when it is needed and that it does not suppress affordability of accommodation and delivery of affordable housing in general. The scheme is contrary to the deliverability of affordable housing as explained in the spatial strategy, in policies H7: Student Housing and SS1: Delivering Sustainable Growth for York. There is also conflict with policy SS3: York City Centre specifically the principle to deliver sustainable homes that provide quality, affordability and choice for all ages, including a good mix of accommodation.
3. The scheme is unacceptable on flood risk grounds; the site is in Flood Zone 3 and the scheme is not designed to adequately mitigate against flood risk against current and future flood events. It does not provide for access and egress during a flood event and the majority of the ground floor area would be unprotected without demountable flood barriers. The scheme is also not appropriate in Flood Zone 3 as it has not been sufficiently demonstrated the Sequential Test is passed. The proposals are contrary to policy ENV4: Flood Risk and contrary to policies in the NPPF in respect of meeting the challenge of climate change, flooding and coastal change.
4. The proposals due to the amount, scale and form of development proposed, would be overbearing and over-dominant in its context and wider setting and fail to respect the qualities of the urban grain of the riverside in the vicinity of the site. The unacceptable scale and built form would result in a lack of appropriate landscaping being achieved. The proposal is therefore unacceptable in design terms, would fail to respect, conserve or enhance the special historic character of the city centre and setting of the riverside. The proposals conflict with Local Plan policies SS3: York City Centre, D1: Placemaking, D2: Landscape setting and GI6: New Open Space Provision.

5. Due to the lack of active travel provision within the public realm in the vicinity the site (in the form of a safe and LTN 1/20 compliant cycle lane on Layerthorpe and footpath improvements) the proposals fail to sufficiently contribute towards delivering a fundamental shift in travel by prioritising and improving pedestrian and cycle networks. The scheme is unacceptable in active travel terms and not compliant with Local Plan policies DP2: Sustainable Development and T1: Sustainable Access and the Local Transport Strategy 2024-2040 (as referred to in section 14 of the Local Plan) in respect of providing safe and suitable pedestrian and cycle networks associated with maximising the use of more sustainable modes of transport, reducing carbon emissions and improving active travel, health and wellbeing.
6. The scheme would overdevelop the site and be of excessive massing and scale to the extent it would detrimentally effect views of and dominate and challenge the prominence of landmark buildings (the York Minster (Grade I) and Country House (Grade II)) on the townscape. The impact on views and townscape is regarded to be less than substantial harm on the setting of the conservation area and the setting of listed buildings; a modest level of less than substantial harm. The identified harm would not be offset by sufficient new public open space (in size and landscape typology) that would consequently better reveal views of the Central Historic Core Conservation Area and views of Listed Buildings in their townscape context. The are not regarded to be public benefits to outweigh the harm. There is conflict with Local Plan policies D4: Conservation Area and D5: Listed Buildings.
7. The scheme would not enhance the biodiversity of the River Foss and its bank and such measures are deemed appropriate in this instance. The proposals are therefore contrary to policy GI2: Biodiversity and Access to Nature which seeks to conserve and enhance all sites and areas of biodiversity value in York.
8. The lack of planning obligations offered in respect of affordable housing and open space contributions are contrary to Local Plan policies H7: Student Housing and GI6: New Open Space Provision. The scheme is contrary to the vision and development principles of the Local Plan, within policy DP2: Sustainable Development; to provide good quality homes, addressing the housing and community needs of York's current

and future population and to preserve and enhance York's green infrastructure and policy SS1: Delivering Sustainable Growth for York, in respect of delivering at least 45% of the 9,396 affordable dwellings that are needed to meet the needs of residents unable to compete on the open market.

[Cllr Ayre left the meeting at 7.53pm].

**17c) Land Comprising Field adjacent to Gells Farm, Murton Way, York [24/02303/FULM] (7:53pm)**

Members considered a major full application from Aaron Jackson for the Installation of a Battery Energy Storage System (BESS) and associated infrastructure, including access, a high voltage substation, inverters, switchgears, fencing, CCTV, landscaping and biodiversity enhancements and land comprising field adjacent to Gells Farm, Murton Way, York.

The Head of Planning and Development gave a presentation on the application and noted that it was a recent application refusal overturn. She was asked and explained that the fenced off area to the left of the site was the area where the access road came through and there was no proposed use for it.

Using the screen, she showed the location of the Travellers site, holiday let site and neighbouring residents' properties. She was also asked and confirmed that the 4.93 hectares for the battery storage system was equivalent to approximately 130 dwellings.

The Head of Planning and Development gave an update noting that there had been additional comments and from Highway Development Control for which there was an additional informative regarding Abnormal Indivisible Loads.

Public Speakers

Steve Harding, Agent for the Applicant, spoke in support of the application. He explained that more needed to be done to meet the energy demands to meet net zero 2050. He explained that battery storage provided short term resilience to the grid and there was only limited technical concerns raised during consultation. He welcomed the officer recommendation to approve and explained what the very special circumstances for approval were.

On behalf of the Applicant, Gary Johnson spoke in support of the application regarding compliance with all relevant fire safety guidance and

regulations. He gave a short summary of his background and experience and noted the guidance for the site, explaining how it met NFCC guidance. He noted the separation distance had changed and the separation distance was double the required distance. He noted that the scheme met or exceeded all fire safety requirements.

Steve Harding and Gary Johnson were joined by the Applicant Aaron Jackson to answer questions. They explained that:

- There would be a fire risk assessment and the site would be fire safety compliant for the lifetime of the site.
- The site would be connected to the national grid. There was a need for battery storage and the scheme met that need. The battery storage would be connected to Osbaldwick substation.
- Battery storage of 60 gigawatts was needed to achieve net zero.
- The site was in the Green Belt and would be screened off for visual impact. Existing borders would be used and there was a loss of a small amount of vegetation at the entrance. Landscaping would be enhanced and hedgerows would contribute to biodiversity net zero.
- 12m was the highest part of the site was an electric substation which would be screen by hedges.
- Regarding the 40 year timeframe, the consent would only be for 40 years after which it would be restored.
- [The Head of Planning and Development noted that site ST7 was to the north of the site].
- The minimum distance from the battery storage to residential properties was 25m.

The Head of Planning and Development was then asked further questions by Members. She explained:

- How much weight could be given to the Planning Inspector's decision and that significant weight was given to the planning balance. She added that officers believed that there were very special circumstances and that there was significant weight to the Planning Inspector's decision.
- That the 40 year timespan for the scheme stood.

Cllr Fisher moved the officer recommendation to approve the application with the additional informative regarding Abnormal Indivisible Loads. This was seconded by Cllr Watson. Nine Members voted in support and there was one abstention. It was therefore:

Resolved: That the application be approved subject to an additional informative regarding Abnormal Indivisible Loads.

Reason: The proposal would be inappropriate development within the Green Belt which is harmful by definition, however it is considered that very special circumstances exist which clearly outweigh the harm to the Green Belt and other harms identified above. When the harms are considered within the context of the urgent need for the Battery Energy Storage Systems as reflected in a plethora of Government publications which support renewable energy in all its forms, there is convincing justification that the benefits of the proposal in combating climate change and achieving net zero carbon clearly outweigh the harms. The recommendation is therefore for approval subject to conditions.

Cllr J Crawshaw, Chair

[The meeting started at 4.30pm and finished at 8.28pm].

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