

Meeting	Planning Committee A
Date	8 February 2024
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre, Hollyer (until 6.15pm), Kelly (joined the meeting at 4.31pm), Merrett, Nelson (joined the meeting at 4.31pm), Steels-Walshaw (until 4.31pm), Steward, Waudby (joined the meeting at 4.31pm, Whitcroft (joined the meeting at 4.31pm, Baxter (Substitute for Cllr Kelly, left the meeting at 4.31pm), Melly (left the meeting at 3.12 and rejoined at 4.31pm, (Substitute for Cllr Nelson until 4.31pm, Substitute for Cllr Steels-Walshaw from 4.31 until end of meeting), Fenton (Substitute for Cllr Waudby, left the meeting at 4.31pm) and Wilson (Substitute for Cllr Whitcroft, left the meeting at 4.31pm)
Apologies	None
In Attendance	Becky Eades (Head of Planning and Development Services) Ruhina Choudhury (Senior Solicitor) Helene Vergereau (Head of Highway Access and Development) Tony Clarke (York Central Highways Lead) Louise Milnes (Development Management Officer) Lindsay Jenkins (Development Management Officer) Erik Matthews (Development Management Officer) Natalie Ramadhin (Development Management Officer)

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The Chair welcomed all to the meeting. He explained there would be a number of substitutions at the meeting. From 2.30pm, Cllr Wilson would substitute for Cllr Whitcroft (who would arrive at 4.30pm), Cllr Melly would substitute for Cllr Nelson (who would arrive at 4.30pm), Cllr Baxter would substitute for Cllr Kelly (who would arrive at 4.30pm), and Cllr Fenton would substitute for Cllr Waudby (who would arrive between items). From 4.30pm, Cllr Melly would substitute for Cllr Steels-Walshaw.

## **79. Declarations of Interest (2.37pm)**

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. Regarding agenda item 4a BHE Self Storage [23/02117/FUL], Cllr Fisher undertook to withdraw from the meeting for that application as it had been discussed at a Strensall with Towthorpe Parish Council meeting. Cllr Merrett noted that he was a member of York Cycle Campaign, York Bus Forum and previously a member of York Civic Trust had had no involvement with their submissions for applications.

## **80. Minutes (2.38pm)**

Resolved: That the approval of the minutes of the meeting held on 18 January 2024 be deferred to the next meeting.

## **81. Public Participation (2.38pm)**

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.

## **82. Plans List (2.38pm)**

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

[Cllr Fisher left the meeting at 2.38pm]

### **2a) BHE Self Storage, Self Storage Facility, Lambshill Towthorpe Moor Lane, Strensall, York [23/02117/FUL] (2.39pm)**

Members considered a full application from Simon Dunn for the Change of use of agricultural land to the siting of 104 storage containers (use class B8) - retrospective (resubmission) at BHE Self Storage, Self Storage Facility, Lambshill Towthorpe Moor Lane, Strensall, York.

The Head of Planning and Development Services gave a presentation on the application. The Development Management Officer gave an update on additional information for the application noting that an additional letter of support had been received, the drainage strategy had been received and an updated Ecologist response had been received. The additional

information had been assessed and the Officer's recommendation remains for refusal on grounds 1 and 2 as set out in the public report. Refusal reason 3 could be adequately addressed via condition, therefore refusal reason 3 was deleted.

Simon Dunn, the Applicant, spoke in support of the application. He explained the history of the storage facility and the work of the Investment Manager. He explained that the loss of income from subsidies resulted in a need to diversify. He added that he had received support from the MoD and explained the background to the increase in the storage containers. He noted that if he couldn't subsidise the conservation farming, it would no longer continue.

Members then asked officers questions to which they confirmed that: There were no changes to the access road but it would be conditioned to highways specifications.

- Parking and turning could be subject to conditions.
- Officers had looked at the balance and did not think that the very special circumstances outweighed the harm

Cllr Steward moved the officer recommendation for refusal for the reasons outlined in the additional information. This was seconded by Cllr Melly. On being put to the vote with nine voting in favour and one against, it was:

Resolved: That the application be refused.

Reasons:

1. The application site is within the general extent of the Green Belt. In accordance with paragraph 152 of the National Planning Policy Framework (NPPF), the proposed development constitutes inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal conflicts with the essential characteristics of Green Belts (their openness and their permanence) and the purposes of including land within the Green Belt by resulting in encroachment of development into the countryside and to preserve the setting and special character of the city. The Local Planning Authority has concluded that there are no other considerations that clearly outweigh the harm to the Green Belt and other harms (adverse impact on landscape character and visual amenity and insufficient drainage information) when substantial weight is given to the harm to the Green Belt. Very special circumstances

do not exist to justify the proposal. The proposal is therefore contrary to Section 13 of the NPPF and policy GB1 of the Draft Local Plan (2018).

2. The change in the character and appearance would sit at odds with its immediate context and would detract from the rural context of the surrounding area. The proposals could not be integrated satisfactorily into the landscape without some erosion of its rural character or coalescence of development that would undermine the prevailing open character and appearance. The 2.1 metre high close boarded timber fence that has been erected to the northern boundary of the development is of a domestic appearance and is considered jarring and incongruous in this location. Therefore, it is considered that the proposal would unacceptably harm the character and appearance of the area and fails to take the opportunities available for improving the character and quality of an area and would not respect or enhance the local environment, and therefore would conflict with Section 12 of the NPPF Policies D1 and D2 of the Draft Local Plan (2018) which similarly expect proposals to respect or enhance the local environment.

[The meeting adjourned from 2.55pm to 3.02pm]

[Cllr Fisher returned to the meeting at 3.02pm]

### **83. Agricultural Land to the South of Low Moor Lane, Hessay, York [23/00626/FULM] (3.02pm)**

Members considered a major full application from Neil Foxall for the installation of a solar farm and associated infrastructure, including control station, DNO substation, access tracks, inverters and other auxiliary infrastructure on agricultural land to the south of Low Moor Lane, Hessay, York.

The Head of Planning and Development Services gave a presentation on the application. She was asked and demonstrated where the buildings were on the plan and in the photos. The Development Management Officer gave an update on additional information for the application noting there had been two additional representations in objection to the application and that there were amendments to conditions 13 and 16.

Peter Rollings (Chairman of Rufforth with Knapton Parish Council) spoke in objection to the application, He explained that the solar installation was

deemed inappropriate development in Green Belt. He noted that the solar farm would link Rufforth and Hessay with a mass of industrial equipment and would affect the view. He added that the site was not identified for a solar farm on the local area energy plan. He added that there were no very special circumstances and there was a more suitable site in the parish at Harewood Whin. He asked the committee to approach the site in a strategic manner and urged refusal of the application or deferral so that this site and Harewood Whin could be considered at the same time. He also noted concern about the impact of construction traffic.

In response to Member questions he explained that it was the Parish Council's understanding that there was only sufficient grid capacity for one site. The Development Management Officer was asked and explained that it was not a straightforward issue of whether one or both of the solar farm schemes could go ahead. He added that there was a possibility that National Grid may seek funding arrangement from both the developers in order to increase grid capacity, in which case both schemes could be implemented.

[At 3.12pm Cllr Melly sought legal advice from the Senior Solicitor regarding future funding arrangements and following this advice she withdrew from the meeting at 3.13pm]

Richard Morgan, the Applicant, spoke in favour of the application. He introduced Solar 2, the company behind the application and thanked the planning department for their work on the application and balanced report. He explained that Hessay solar farm was a sensitively designed scheme that would deliver green energy to the local grid within two years. He added that it would deliver electricity to 13000 homes in York. He noted that there had been no objections apart from the Parish Council and the application complied with local and national planning policies. He noted the consultation that taken place and explained how the application linked to council policies.

Richard Morgan was asked a number of questions from Member to which he responded that:

- The grid connection would be 40 megawatts and the yield would be different to that. Under planning they could build up to 49 megawatts.
- Concerning native tree planting around the boundary, they were content through the condition process that that they could introduce different trees.
- There was a full grid offer to link into Poppleton and it was explained why Hessay was chosen as the site for the solar farm.
- Regarding clearing the site at the end of the 40 year period it is not known at the present point how this would be undertaken. The Chair

noted that there was a condition to ensure the site would be cleared and he added that finance was not a consideration. It was clarified that this was condition 20.

- The carbon payback for the manufacture was two years. The Head of Planning and Development Services drew Members' attention to condition 40.

In response to a question from a Member, the Head of Planning and Development Services noted that the Local Plan did not allocate sites for solar farms. She was asked and explained that there were no allocated sites for solar farms but there was for employment and residential sites. The Senior Solicitor was asked and explained that the Committee had to look at the application before it on its merits and that the potential of permission being granted for other sites is not relevant to this application.. When asked if there was a shortfall of sites, the Head of Planning and Development Services explained that solar farms were not treated the same as housing sites. The Chair drew Members attention to paragraph 5.45 of the published report.

The Head of Planning and Development Services read out policy CC1 and noted the six points that proposals would need to relate to. A Member noted that policy CC1 also included a reference to renewable energy. The Head of Planning and Development Services noted that section 11.4 of policy CC1 referred to a 2014 council renewable energy study. Members were advised that they needed to give weight to the Local Plan, evidence base of the Local Plan, and other considerations.

A Member noted that condition 14 detailed the decontamination of the site and he asked why there was no financial plan. The Head of Planning and Development Services noted that the condition needed to be reasonable and was a standard condition for reverting the site back to its original condition. She clarified that officers felt that the conditions were reasonable. Asked about Northern Powergrid deciding which site to connect to (Hessay or Harewood Whin) the Development Management Officer clarified that the Applicant when addressing the Committee stated that the provider has confirmed the grid connection and he noted that prior to the meeting he had not been aware of this. The Senior Solicitor advised that this was new information and it was unknown which site the provider would work with. She was asked and clarified that some weight could be given to this.

The Head of Planning and Development Services advised that in the Local Plan there were no sites allocated for renewable energy but the 2014 council renewable energy study identified potential sites. This study was included as evidence for the Local Plan and Members needed to consider

the evidence base and the evidence base that had been taken out of the Local Plan. The Chair noted national policy as detailed in paragraph 5.45 of the published report.

At this point, Cllr Ayre proposed deferral of the application. This was seconded by Cllr Steward. The Senior Solicitor advised that the Constitution required the officer recommendation to be tested before a further motion could be made.

Following debate, Cllr Merrett moved the officer recommendation to approve the application. The motion was seconded by Cllr Baxter. On being put to a vote, with six votes in favour, two against, and one abstention, it was:

Resolved: That the application be approved following the Secretary of State Decision.

Reason:

1. The proposal for the construction of a solar farm to produce 49.9 MW of electricity per annum over a 61-hectare site lying between Hessay and Rufforth is acknowledged to be inappropriate development within the Green Belt. However, subject to appropriate conditions the proposal is felt to be acceptable in terms of flood risk and drainage, aviation safety, biodiversity, residential amenity and transportation and access. It is felt that the clear environmental benefits when put in the context of the declared climate emergency of generation of a significant quantity of renewable energy outweighs the harm to the openness of the Green Belt and the localised harm to the adjoining landscape character. The proposal is therefore felt to be acceptable in planning terms.
2. Approval is recommended subject to the referral of the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2021 (“the 2021 Direction”) and the application not being called in by the Secretary of State for determination. The application is required to be referred to the Secretary of State as the development is considered to be inappropriate development in the Green Belt, and the proposed floorspace would be in excess of the 1000 sqm threshold set out in the 2021 Direction.

[Cllrs Wilson, Baxter, Fenton and Steels-Walshaw left the meeting at 4.13pm]

[The meeting adjourned from 4.13pm until 4.31pm]

[Cllrs Whitcroft, Nelson, Kelly, Melly and Waudby joined the meeting at 4.31pm. At this point, Cllr Melly became the Substitute for Cllr Steels-Walshaw]

**84. Limetrees, 31 Shipton Road, Clifton, York YO30 5RE  
[23/01217/FULM] (4.32pm)**

Cllr Waudby declared that she was a Ward Councillor for Clifton with Rawcliffe and a Member of Clifton Parish Council and had not taken part in any decision making regarding Limetrees.

Members considered a major full application from Mr Garton, Ms Stubbs and Mr Elliot for the erection of a 60no. bed care home (Use Class C2) with associated parking, landscaping and access following the demolition of existing buildings and the creation of new sports pitches for use by York Sports Club at Limetrees, 31 Shipton Road, Clifton, York.

The Head of Planning and Development Services gave a presentation on the application. In relation to Sport England's concern about stray balls, clarification was given on the location of the cricket pitches. Sport England's concern was read out and it was clarified that this applied to all pitches. Referring to the speed of balls being fielded by national and international teams using the pitches, a Member was advised that this was a question for the speaker from the cricket club. The Management Officer read out the additional information on the application noting additional representation from an occupier of Fairway, the council Ecologist response and the Sport England objection. The responses from statutory consultees were noted and suggested amendments to conditions 2 and 13 were detailed.

Gary Craig spoke in objection to the application for environmental reasons. He expressed concern regarding the felling of mature trees, that the mature saplings on the footpath to Clifton Park Avenue not be removed and fencing effectively cutting off residents of the care home. He noted that the number 2 bus did not stop outside and asked how this would be addressed. He further expressed concern regarding the impact of not enough parking and concern about ridge and furrow on the site.

Tom Robinson, the Agent for the Applicant, spoke in support of the application. He explained that the application was by York Care Homes, NHS Property Services and York Sports Club He detailed the accommodation in the care home and noted that there was a shortfall of 350



care beds creating a need for those beds. He explained the very special circumstances and noted that a parcel of land would be given to York Sports club and the benefits of this were detailed. He added that there would be 41 new trees with TPO trees being replanted. He outlined the landscaping and referring to ball strike he added that there had been no comment from the ECB.

In response to Member questions he explained:

- The number of car parking spaces was linked to the impact on trees and there was a balance to this. In terms of sustainability, the Applicants wanted to reduce car use and the site was walkable and cyclable. The sports pitches were added to relieve the pressure on the sports club by giving existing members more space to play.
- The concern regarding ball strike was related to the sports pitches not the car home.
- The outer boundary was untouched and the inner boundary had changed.
- The new playing pitches to the north of the site would be viewable by residents of the care home and there was one point of access for security.
- Five trees were being removed and the TPO trees that were removed were replaced by the previous owners of the site. The planting was explained and it was noted there was a condition for a detailed landscape plan. It was not known whether the felled trees would be used as material. The replacement of the felled lime trees was on the advice of arboriculture consultants.
- An ornithologist survey had been undertaken and bats would be protected.
- Thought had not been given to the installation of swift bricks. Officers advised that this could be added as an informative.
- There could not be more than two blue badge spaces because of the trees.

Kevin Johnson, Manager of York Sports Club, spoke in support of the application. He explained how he had been involved in York Sports Club for 28 years and explained that as Manager he was excited about opportunity of providing more sports and training grounds. He explained that the sports club is on a flood plain and when flooded how this limited the use of the existing pitches and teams. He added that the club was trying to increase the quality of the sports pitches for all teams and there would be a focus on the participation of girls teams. He noted the benefits of the new pitches.

Members asked Kevin Johnson a number of questions to which he explained:

- How the pitches were used.

- Regarding the concerns about ball strike, there wouldn't be training on during a cricket match and this wouldn't be allowed under the club's own health and safety rules.
- There was no objection to netting from the club.
- Regarding retaining ridge and furrow, this had been looked but couldn't be retained because of the shape of the land. He added that outside of the pitch areas could be retained.
- There was a fair amount of parking on the site and a parking agency was employed for bog events. The extra pitches would help parking as there would be the ability to have playing and training during the week.

[The meeting adjourned from 5.28pm until 5.33pm]

Members then asked officers questions to which they responded:

- There could be a condition for the cricket pitches. There was already a condition for netting for the rugby union pitch would could either be added to, or a new condition regarding cricket pitch netting could be added.
- Regarding paragraph 5.38 of the published report, the playing pitch strategy was city wide and the open green space infrastructure update was linked to the playing pitch strategy. The very special circumstances related to using an area of land for an existing sports club.
- The number of parking spaces had reduced from 34 to 28 because of the impact on trees and protected trees.
- Highways officers felt that parking was sufficient and this was explained why.
- Regarding the number 2 bus not stopping at the site, the bus routes near the site were outlined. The last time of the no 2 bus was noted.
- Regarding the green belt and brownfield land on the site, The Head of Planning and Development Services showed the existing elevations on the screen and showed the difference in openness of the existing and proposed buildings. She explained that sports club and buildings were taken out of the green belt and the sports pitches were left in due to the openness and she noted that the area was allocated as a green wedge.
- It was confirmed that council housing officers had been consulted on the application and that the local housing needs assessment addressed housing deficits.
- It was clarified that the site was not in the boundary of the conservation area.
- Regarding sustainability measure, officers noted this was included at paragraph 5.114 of the published report.

- Regarding the consideration of biodiversity net gain, the Ecology officer had looked at the report and highly commended ecology on the site.

During debate, officers were asked and clarified that a percentage of affordable care homes could not be requested. They also clarified that regarding ball strike, planning permission was not needed for netting less than 2m and would be for 3m netting with a base. Therefore there was enough scope in permitted development rights for netting up to 2m.

Following debate, Cllr Whitcroft moved the officer recommendation to approve the application subject to the conditions listed in the additional information and amendments to the final working of conditions 4 and 28. The motion was seconded by Cllr Steward. On being put to a vote, with ten votes in favour and one against, it was:

Resolved: That the application be approved subject to the conditions listed in the additional information and amendments to the final working of conditions 4 and 28 and following the Secretary of State Decision.

Reasons:

1. The application site is located within the general extent of the Green Belt and serves a number of Green Belt purposes. National planning policy (para. 154 states that the construction of new buildings in the Green Belt should be regarded as inappropriate unless it falls within one of the exceptions to this outlined in paragraph 154g. Further, the material change in the use of the northern part of the site for use as playing pitches by York Sports Club, outlined by paragraph 155 e, is not inappropriate. However, the proposal fails to preserve the openness of the Green Belt and conflicts with the purposes of including land within the Green Belt specifically purposes A (checking unrestricted sprawl), C (safeguarding the countryside from encroachment) and D (preserving the setting and special character of historic towns) of para. 143 of the NPPF.
2. The proposal is considered to deliver significant benefits; it will provide a residential care home providing 60 bedrooms in total meeting an identified need across the city. The care home will be split with 40 bedrooms offering dementia care with the remaining 20 bedrooms providing residential care. The proposed building is designed to meet the requirements of all the prospective residents' care needs. The site is in an

accessible and sustainable location, with access to public transport. Other benefits of the proposal include the provision of playing pitches for use by York Sports Club to alleviate existing pressures on the main sports pitches (rugby union and cricket), and the provision of junior pitches would meet an identified need as set out in the York Active Playing Pitch Strategy (2014). These are given substantial weight. Other matters that are considered to be acceptable include design, highway and parking, ecology, residential amenity drainage and flood risk. Moderate weight is applied to these matters.

3. Weighed against these benefits are concerns about the loss of and potential risk to protected trees, although it is recognised that the proposed landscaping scheme provides a high level of replacement planting, and the amendments have been made to address these concerns. Additionally, whilst there is some harm arising from the change in character of the northern part of the site as open space, the footpath will be retained, a recreational use, albeit in a different form of playing pitches, will be maintained and it will generally retain an open setting. The proposal will also provide a detailed programme of ecological enhancement measures.
4. Weighing up the planning balance, it is considered that the considerations set out in paragraphs 5.125 – 5.127 would collectively clearly outweigh the harm to the Green Belt and the very special circumstances necessary to justify the proposed development exist.
5. Approval is recommended subject to the referral of the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2021 (“the 2021 Direction”) and the application not being called in by the Secretary of State for determination. The application is required to be referred to the Secretary of State as the development is considered to be inappropriate development in the Green Belt, and the proposed floorspace would be in excess of the 1000 sqm threshold set out in the 2021 Direction.

[Cllr Hollyer left the meeting at 6.15pm]

[The meeting adjourned from 6.15pm until 6.24pm]

## **85. York Central, Leeman Road, York [23/01494/REMM] (6.24pm)**

Members considered a major reserved matters application from Homes England and Network Rail Infrastructure Limited for the layout, scale, appearance, landscaping and access for the creation of a new public realm with associated infrastructure and landscaping and alterations to the existing road network pursuant to outline planning permission 18/01884/OUTM at York Central, Leeman Road, York.

The Head of Planning and Development Services gave a presentation on the application. She was asked and demonstrated the location of the two pedestrian crossings and cycle lanes. She also demonstrated the pedestrian, cycle and routes on Hudson Boulevard and pedestrian, cycle and bus routes.

The Development Management Officer gave an update on additional information for the application. She noted there was an additional consultation response from design and sustainability. In addressing the concerns, relating to disincentivising pedestrians from using the cycle lane through Leeman Road tunnel, the Applicant had advised that they could introduce a level change but are concerned this could cause a safety issue. However they considered this level of detail could be agreed at the discharge of conditions stage.

The Development Management Officer noted that since the report had been published the Applicants had submitted an amended plan to move the northern pedestrian crossing point closer to the Bullnose/Mineral Office building to allow vehicles exiting the access to achieve an improved visibility than what had been previously presented. She detailed the concerns from highways officers about the control and traffic and interactions on the impact of this on the two-way cycle route, a pedestrian crossing and three accesses all in one small area. They had requested a road safety audit which was already included at condition 8. She gave an update on the Public Sector Equalities Duty and detailed the removal of condition 7 (replaced by condition 7.1) and amended condition 9 (which became condition 8).

Leon Guyett (Home England Project Director, York Central) spoke in support of the application as an Applicant. He noted that Committee Members would be aware that the York Central development had begun. He outlined the benefits of the application and noted that the delivery of the square was supported by other partners and would be enjoyed by the people of York.

Jason Syrett (Architect and Design Lead, York Central) spoke in support of the application as an Applicant. He detailed the design benefits of the project and explained that the design had been made after years of consultation. He noted that the square was fully accessible and included an inclusive entrance to the National Railway Museum. He added that the square used high quality materials and locally sourced materials. He added that the square would set a precedent for the design of public realm at York Central. He noted that if approval was granted they would work with officers and the square would be of a high standard.

Following speaking in support of the application, Leon Guyett and Jason Syrett were joined by David Sweeting (Director of Development, Avison Young) and Adrian Kemp (Transport Consultant Avison Young) to answer questions on the application. They were asked and explained:

- Regarding what events were envisaged in the public realm, they had been in discussions with the National Railway Museum (NRM) about doing events with local groups. Later on, Coaldrops Yard would be another forum for events.
- With regard to there being no blue badge parking in the square the relocation of station parking would include accessible parking within distance of the square. It was noted that there was accessible parking on the access plan.
- Concerning if there was blue badge parking within 50m of the square, the square was seen as a whole space with the Coaldrops site. The blue badge parking not shown on screen (in the meeting room) was part of York Station redevelopment. [At this point the Management Development Officer demonstrated the location of blue badge parking on screen.]
- The blue badge parking was beyond 50m and it was proposed to be within the turning area. This was demonstrated on the screen and Members were shown where parking was proposed in the future, some of which was in the area of 50m.
- Rest points were shown to Members on the screen. The areas of informal seating were noted. This included 314 benches with a maximum of 27m between them.
- Regarding whether the benches were age friendly, there was a mixture of seating including high backed benches. It was noted that this was set out in the Equalities Impact Assessment (EIA) and design statement.

The Chair noted the concerns of the York Access Forum and highways officers. The applicants noted that they had consulted with York Access Forum and had used cycling guidance. They explained that there was now a delineated route and explained where this was located. They noted that there would be a colour change in the materials used on the ground. They

demonstrated what introductions had been made after consultation with York Access Forum and regarding the safety of cyclists and pedestrians, they had introduced bollards and they explained how cyclists would be slowed as they approached crossing routes.

- In York Central as a whole there was a plan for green space. This was a hard space that would be a civic square. They had worked with a York landscape architect regarding the introduction of native planting and there was a balance on the whole scheme.
- There was a diversity management plan as part of the outline planning permission and they would look to incorporate bird boxes on buildings as they came forward.
- The route for the cycle lane from Wilton Rise continued through the site and Members were shown where cyclists could join the cycle route in Hudson Boulevard as an alternative.
- Regarding a form of an interactive playful space, they were in discussion with partners for two areas of public art. The NRM was looking at public art on the Coaldrops site.

The Head of Planning and Development services summarised the reserved matters application and explained that the principle had already been secured by the outlined planning permission. Members were advised that they needed to consider that the application was set out in line with the design guide.

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

- The term plonk art was explained to Members.
- Regarding whether the rest area and seating met the DDA, there was a number of different seating areas and it was felt that there was a sufficient amount of seating on the site.
- The crossings in relation to the amphitheatre and where traffic stopped was demonstrated to Members. Officers noted the constraints of the site in terms of traffic flow. They demonstrated where the coach bus had been removed.

Highways officers noted their safety concerns regarding signals and explained that some elements of the design may change if auditors found issues. They then explained how the signals worked with the NRM road train. They were asked and explained that discussions had been ongoing regarding the use of red tactile at the signalised pedestrian crossing. The Head of Planning and Development Services advised that this could be conditioned.

Officers were asked further questions in which they explained:

- Condition 24 of the outline consent required details of all hard surfaces and officers would expect example to be provided.
- Public Protection had considered air quality and this was detailed in condition 53 of the outline planning permission. They had also considered of light pollution on amenity.
- Cycle parking provision was provided and officers demonstrated the location of cycle racks and cycle spaces, including accessible racks and spaces. It was noted that cycle parking had been increased.
- There would be space between the cycle the cycle racks and seating which would create natural surveillance by being an area of public realm.
- It was confirmed that there would be accessible cycle parking near the bullnose building. Highways officers noted their views on some areas being difficult for wider cycles.
- An additional condition could be added regarding accessible cycle parking not going through the Hostile Vehicle Measures (HVM).
- The owner of the land was responsible for the long term management of soft planting.
- CCTV was covered as part of condition 19 of the outline planning permission. That condition was read out and it was noted that the condition did not go into detail of the arrangements for the monitoring and management of the CCTV
- Tactile paving would help people with visual impairments find the entrance to the NRM.
- The interactions between pedestrians and cyclists was explained and it was noted that the highways team was trying to secure levels but all were proposed to be at the same level.
- Active Travel were satisfied with the highways standards and highways did not feel that the highways met standards and felt that different levels were needed on the site.

[The meeting adjourned from 7.45pm to 7.51pm]

The Head of Planning and Development Services advised that there was a planning balance and condition 8 regarding highways was balanced. She added that Members could add in red tactile paving under condition 8. She noted that regarding a condition for cycle parking, the wording could be delegated to officers in conjunction with the Chair and Vice Chair.

Officers were asked if there was secure cycle parking for people who use their cycle as a means of travel. Members demonstrated where cycle parking was located. Highways officers noted that most cycles would fit through the HVM and the only accessible cycle parking was at the bullnose building. The location of the HVM was demonstrated to Members. The



Head of Planning and Development Services clarified that condition 8 could be amended to include red tactile paving and there would need to be a separate condition regarding cycle parking. Members asked if there was a way of enabling a route for access cycles. Highways officers advised that Members could condition cycle parking outside the HVM. The Head of Planning and Development Services advised that there could be an additional condition for further cycle parking with the wording delegated to officers in conjunction with the Chair and Vice Chair, along with condition 8 being amended to include red tactile paving.

The officer recommendation to approve the application, including the changes to conditions in the additional information, an amendment to condition 8 to include red tactile paving (wording delegated to officers in conjunction with the Chair and Vice Chair) was and an additional condition regarding accessible cycle spaces proposed by Cllr Merrett. This was seconded by Cllr Steward. A Member asked if a condition regarding LTN 120 could be added and the Head of Planning and Development Service advised that this was guidance. On being put to a vote, with nine votes in favour and one abstention, it was:

Resolved: That the application be approved subject to the conditions listed in the report, additional information, change to condition 8 to include red tactile paving (wording to be delegated to the Head of Development and Services in conjunction with the Chair and Vice Chair) and an additional condition relating to accessible cycle spaces (wording to be delegated to the Head of Development and Services in conjunction with the Chair and Vice Chair).

#### Reasons

1. The principle of development of the site as public realm as part of the York Central development was approved at outline stage and the reserved matters application aligns with the approved parameter plans and design guide approved by Conditions 6 and 7.
2. The proposals would see a significant improvement to the appearance of the site and the fundamentals of the design appear logical given the constraints and variety of functions and roles the public realm needs to achieve. The proposals would make a positive contribution to the character and appearance of the area and the wider City and are in compliance with the approved parameter plans and design guide and align with the Environmental Statement submitted at outline stage and with local and national policies. Any matters of design detail

outstanding are either covered by existing outline conditions which need not be repeated or through new conditions.

3. The proposals provide a satisfactory layout, appearance and landscaping which accord with the outline Design Guide and would enhance the character and appearance of this area. The application takes account of the impact of the development on the setting of heritage assets within and adjoining the site and the setting of the Conservation Area where it is concluded that the proposals would have a positive impact.
4. CYC Highways Officers remain concerned with respect to some aspects of the layout and design, they have however recommended that these matters are addressed further through conditions supported by a Road Safety Audit. Officers note the proposals are in line with what was accepted at outline stage in terms of pedestrians and cyclists linkages, access for servicing and deliveries and the lack of parking provision.
5. Impacts on habitats and ecology have been appropriately assessed and any outstanding matters addressed by condition.
6. There are no additional impacts identified with respect to drainage and flooding and it is noted that conditions at outline stage would need to be discharged.
7. The proposals are in accordance with the outline Environmental Statement which set out the anticipated impacts with respect to air quality, noise and contamination subject to mitigation and a series of conditions to be discharged.

Cllr J Crawshaw, Chair

[The meeting started at 2.30 pm and finished at 8.24 pm].