

Meeting	Planning Committee A
Date	19 March 2024
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), Hollyer, Nelson, Steels-Walshaw, Steward, Whitcroft, Baxter (Substitute for Cllr Kelly), B Burton (Substitute for Cllr Merrett), Fenton (Substitute for Cllr Waudby) and Widdowson (Substitute for Cllr Ayre)
Apologies	Councillors Ayre, Kelly, Merrett and Waudby
In Attendance	Becky Eades – Head of Planning and Development Services Mark Baldry – Development Projects Senior Officer Sandra Branigan – Senior Lawyer Ian Stokes – Principal Development Control, Engineer (Planning) Helene Vergereau – Head of Highway Access and Development Julian Ridge – Quality Bus Contract Advisor

93. Declarations of Interest (14:39)

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. Cllr Fisher noted that he was a member of the Foss Internal Drainage Board and added that he had never passed a firm opinion on the application. Cllr Steward noted that he was a member of York Environment Forum and had not taken part in any discussions regarding the outer ring road. There were no further declarations of interest.

94. Public Participation (14:40)

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.

95. Plans List (14:40)

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.

96. A1237 York Outer Ring Road A19 Roundabout Up To And Including Little Hopgrove Roundabout York [22/02020/FULM} (14:41)

Members considered a major full application for Improvements to the A1237 York Outer Ring Road including dualling of existing carriageway, improvements to roundabouts, provision of 5.1km shared use cycle and pedestrian route, signalised crossing facilities for active travel users, 2no. overbridges and no.6 underpasses for pedestrians and cyclists with ancillary development including sustainable drainage measures, flood compensatory storage areas, woodland planting/landscaping, habitat creation, noise barriers, revised field accesses, associated infrastructure and earthworks on the A1237 York Outer Ring Road A19 Roundabout Up To And Including Little Hopgrove Roundabout York.

The Principal Officer Development Management outlined the application and gave a presentation on it. Members then asked a number of questions to which he and officers responded that:

- The speed limits were taken into account as part of highway safety. [At this point the Chair explained the difference between the Planning Authority and Highway Authority].
- A demonstration of the locations of the cycle and pedestrian routes was given including the orbital route, underpasses and crossings, including where there was already existing cycle routes and bridges.
- The points where the bridleway was a public right of way crossing the carriage was part of the stopping up process and it was noted that there road restraint barriers.

The Head of Planning and Development Services gave an update on the published report which included amendments to paragraphs 2.14, 5.37 and 5.202 and the insertion of paragraphs 5.161a – e after 5.161. Members were advised of additional representations, comments and objections, including an additional response from the Environment Agency agreeing with conditions. The additional information had been assessed and the planning balance and the recommendation were unchanged from the published report.

Public Speakers

Dominic Tooze spoke in objection to the application. He explained that he worked voluntarily with vulnerable people and that a person he worked with did not receive support because of budget cuts at the council. He noted that increasing roads had an impact on air quality and that there was enough scrutiny on the impact of dualling the ring road.

Lisa Hilder spoke in objection to the application. She noted that as a York resident and global citizen she had returned to York in 2022 and was pleased to see the council's action on climate change including the action plan which included a reduction in car use. She cited a number of statistics regarding emissions and added that there was more objection than support for the application, mainly from environmental organisations. She added that global warming had increased and asked for the brakes to be put on the application.

Pax Butchart, an MA student on environmental and social justice, spoke in objection to the application. The reasons for this included more car journeys meaning more car crashes, road expansion cutting across ecosystems, more traffic worsening air pollution and the work on active travel being eclipsed by dualling the ring road. Following a request to the Chair, the remainder of the three minute speaking slot was held as a moment's silence.

Sarah Worthington spoke in objection to the application on behalf of Mr Harrison. She stated that none of the comments from Mr Harrison had been included in the committee report. She explained that there were no special circumstances for the proposed fourth arm of the Clifton Moor roundabout, which would not comply with green belt policy. In answer to a question from a Member she confirmed that Mr Harrison was a long term resident living near the Heslington Lane roundabout.

Richard Lane spoke in objection to the application on behalf of Extinction Rebellion. He noted that the NPPF stated a need to be sustainable. He noted that scared teenager had spoken on climate change at a 2019 Council meeting and he noted that 2023 was the hottest year on record. He added that evidence was building that more roads would equal more traffic and that the council's statistics showed a traffic increase of 30% on roundabouts. He noted the need to take responsibility for impacts on the world. In response to Member questions he explained that when additional road capacity was built, there was an increase in the number of journeys. He added that this was old transport policy and there was a need to move on because of the climate crisis.

Tom Franklin spoke in objection to the application on behalf of the Green Party. He explained that the evidence was that widening road schemes increased traffic. He stated that there was a need to improve public transport and he noted that there were problems in the assumptions made in the traffic modelling. He noted that there was nothing in the planning application to say that traffic in the city centre would not increase. He noted that transport was one of the largest causes of emissions in York and the council could not be serious about reducing emissions and dualling the ring road.

Tony May was asked and explained that when the Green Party was in coalition administration, they were in a minority and voted for sustainable travel on the ring road. He was asked what the evidence base was for the dualling of the ring road increasing traffic and he explained that it had happened on the A59 roundabout and there was increased traffic with people driving into York. He added that this was taken from council data. He was asked and explained that there was evidence of an increase in traffic on Boroughbridge Road.

Tony May spoke in objection to the application on behalf of York Civic Trust. He explained Trust's concerns regarding the application which included the applicant's submission not including evidence of traffic reduction. He explained that the traffic reductions in inner York were very small and their suggested solution was for a condition for the applicant to develop measures to divert traffic from inner York to the outer ring road. With this in place the application would have the support of the Civic Trust.

In response to questions from Members, Tony May explained that:

- Regarding the Highway Authority improving the scheme, the difficulty was that if nothing was done at the outset, the scheme would achieve nothing. He added that the scheme needed to demonstrate a reduction in pollution and congestion.
- Concerning the Local Plan setting out developments, he asked what assessment had been done in the demand from the road and dwellings and noted that it was hard to answer because the developments were not in place at the time of the dualling of the outer ring road. He added that it was crucial that new developments were planned to have reduced car use.
- He could not see how dualling the ring road would help developments through increased S106 or SIL contributions
- Regarding a condition regarding a movement and place plan, it would be appropriate to specify a range of measures to achieve a reduction in traffic.

Mark Corrigan, British Horse Society Access Officer for Yorkshire spoke in objection to the application on behalf of The British Horse Society. He noted that there had been a number of incidents with horses and the Society would welcome pegasus crossings. He noted that the proposal did not include a reference to horse riders on the 5.4km shared use route and underpasses. He added that horse riding was a recreational active travel mode.

In response to questions from Members, Mark Corrigan explained that:

- There was no mention of equestrian users on the shared cycling and pedestrian routes.
- He was referring to routes such as the Cinder Pass in the North York Moors.
- Regarding data on the amount of horse riders accessing routes, for the YO32 postcode there was 641 horse passport holders

Andy Shrimpton spoke in objection to the application on behalf of York Cycle Campaign. He noted that the Campaign had objected to the original application on three points and he outlined those points. He noted that the changes in relation to the scheme were relatively minor and raised additional concerns, which he detailed. He stated that the council should concentrate on active travel. Members asked him a number of questions to which he clarified that:

- He could not comment on Active Travel England not raising any concerns on the application.
- Regarding the LTN 1/20 provision rising from 44% before the dualling to 82% afterwards, the scheme would not take traffic out of the city centre and there were still significant deficiencies to the east of the scheme.

[The meeting adjourned from 16:04 until 16:11]

Luke Charters (Labour Parliamentary Candidate for York Outer) spoke in support of the application. He explained that the scheme was not perfect and the dualling of the ring road could not afford any more delay. He noted that the scheme would take traffic out of the city centre. He advocated for further active travel provision and noted that it was a shame that the scheme did not include an underpass at the Wigginton Road roundabout. He was confident in the benefits of dualling the ring road in reducing congestion.

Neil Rowley spoke in support of the application on behalf of York Private Hire Association. The Association was fully in support in the dualling of those parts of the ring road. He noted the expansion of the York population and the need for the road network to be improved. He suggested that

controlled crossings were unnecessary and requested that other road improvements not be carried out at the same time as the work to dual the ring road. He was asked why controlled crossings were unnecessary and explained that this was more to do with there being underpasses and he suggested that it would be better to have an underpass at the Wigginton Road roundabout.

Cllr Ravilious (Executive Member for Environment and Climate Emergency) spoke on the application. She noted that she had been sent the modelling data and she explained the data. She explained that the Local Plan was counting on the ring road being dualled but there was a need for further requirements which would result in more congestion. She noted that there should be underpasses and not crossings and that there needed to be changes in the active travel routes to be more accessible. She expressed concern that the data she shared with the committee was not included in the report and she suggested that the application be deferred. She was asked and explained that she had been given a verbal update on the data in November which didn't include data on traffic flow.

Cllr Kilbane (Deputy Leader and Executive Member for Economy and Transport) spoke in support of the application. He asked the committee to support the application. He noted that he had inherited the plan when he came into office. He added that Members needed to decide if the application met national planning policy and noted there were four housing developments and one business park served by the application. He noted that they had tried to improve active travel connectivity.

In response to Member questions, Cllr Kilbane explained that:

- Policy T4 subsection 8 referred to housing sites in the Local Plan and the dualling of the ring road.
- It was incumbent on the local authority that the scheme was delivered and it was largely funded by the West Yorkshire Combined Authority (WYCA) with the cost to York Council tax funding of £3.4million.
- There was a need to make sure that the combined authority managed the road and a need to get agreement from the Mayor on how active travel would be enacted.
- Changes had been made to the active travel infrastructure and the design was built to the budget available. The focus had been on bus prioritisation measures.

[At this point he was asked how many trees would be removed and the Chair detailed the removal of trees to the committee]

- The management of the road network was yet to be agreed with the combined authority.

Clare Davies (Senior Transport Project Manager, CYC) spoke in support of the application on behalf of the Applicant, City of York Council. She explained that the application met the Leeds city region aims of connecting home or work. She explained that the application supported policy T4 and she outlined how the proposed scheme included improvements. She noted that the scheme freed up space for those that wanted to use the ring road. She explained that the application was subject to robust environment assessment. She noted the aspirations of the scheme, adding that 3500 respondents supported or strongly supported the scheme. She supported the recommendation to support the scheme.

Claire Davies was joined by Gary Frost (Head of Major Transport Projects, CYC) and Adrian Wightman (Scheme designer, Pell Frischmann) to answer questions from Members. They were asked and explained:

- The crossings were borne out of consultation. Traffic would come to a halt at the crossings for 30 seconds and it was estimated that a person would take 10 seconds to cross the carriageway.
- The survey was done during lockdown and the use of the was low with more people cycling and walking.
- The data referred to by Cllr Ravilious was not part of the remit for planning officers.
- Regarding options for using crossings and underpasses, there was a need to balance resource with where the need was.
- The underpass could be built under the road.
- Concerning horses on route, the route would be designated as a restricted byway.
- In regard to the location of the underpasses, after public consultation they had looked at what underpass options would look like and undertook an initial assessment of it.
- Regarding whether there had been a conversation with the White Rose Forest, there was an Executive decision to plant 30 acres of additional trees as well as 32 acres of trees. The scheme would retain 60 acres of trees.
- On the former RAF site the former runway will be used for the compound and the field to the north for storage. Most of the trees loss would be to accommodate the road.

[Following a Member question regarding the purchase of land, the Chair advised that the committee could only consider the application before it.

- Regarding an acoustic barrier for the Strensall roundabout, there was a combination of bunds.
- A number of measures could be used to mitigate noise during construction.

- The business case for the scheme was built on strategic local and economic needs and whilst the scheme was being process interventions could be made in the city centre to reduce traffic flow.
- The scheme created capacity at roundabouts to let more traffic through and there would be improvements in journey times in certain sections.

Matthew Stopforth (Agent for the Applicant) spoke in support of the application. He noted that there were no outstanding objections from statutory respondees. He detailed the very special circumstances to justify the harm caused. He noted that the application reduced traffic flow from the centre of York and that the application included mitigation measures.

Matthew Stopforth was joined by Fiona Wilson (Environmental matters, Pell Frischmann) and Richard Ellam (Transport matters, Pell Frischmann) to answer questions from Members. They were asked and explained that: There was induced demand and model had been built for the whole of the city. The scheme had been reviewed by the Department for Transport (DfT) and it also included Local Plan growth, background growth and the testing of future years scenarios. It had been demonstrated that the dualling on its own would have benefits.

- There was an overall net gain in woodland and the landscaping of the plan was being developed.
- Regarding traffic levels to the north of the ring road, the modelling looked at how traffic was reassigned.
- There was a biodiversity net gain plan and what it included was explained to Members.
- The modelling looked at changes in routes and showed reductions in traffic flow.
- There were lots of opportunities for the local authority to consider active travel measures and the modelling looked at the benefits across all of York.
- An explanation of induced demand was given and it was not thought that people would be dissuaded from using public transport.
- The evidence business case considered all of the benefits of the scheme.
- The air quality assessment was carried out as per guidance. There were reductions in nitrogen levels in some traffic flows and it was clarified that it was an assessment of that part of the rad network.

[The meeting adjourned from 17.37 to 17.49]

The committee asked officers questions to which they responded that:

- Regarding the illumination of the new walking and cycling infrastructure, there was a balance of requests received.
- For the consideration of solar lighting to be used, there would be an extra condition delegated to officers in conjunction with the Chair and Vice Chair.
- The process for the three stages of road safety audits was explained.
- The traffic signalled controlled crossings were safe and the other crossings in place were what were already in place.
- Officers were not aware of safety issues on the two other controlled crossings on the dual carriageway.
- Regarding what was in the committee's remit to add further controls, the Head of Planning and Development Services advised Members that they had to consider the application before them and it was not felt that additional conditions would meet the five tests. She added that an informative regarding the applicant being aware of the movement and place strategy. She then clarified informatives and conditions.
- The Hopgrove roundabout was part of the strategic road network and came under National Highways who would have the capacity to modify the timing of the crossing on the Hopgrove roundabout.
- Regarding concern about induced demand, the Head of Planning and Development Services advised that the committee had to take into account the application before it and that Highways Authority had a different set of requirements.
- Traffic flow was explained and the DfT report on induced traffic was noted.
- Concerning assurance that the scheme would affect the possibility of dualling the A64, at Little Hopgrove it was a case of dualling the A1237 at the Hopgrove roundabout.
- Some of the roads had less and more than a 500 vehicle reduction and the impact on air pollution was negligible.
- There were some substantial reductions in diverting traffic away from the city centre and these were listed to Members. The results of the consultation on the local transport strategy were noted.
- The DfT methodology for the business case was explained.

[Following a question from a Member regarding an informative on active travel, the Senior Lawyer advised Members that it was not a function of the local Planning Authority to seek changes to the proposals. The Head of Planning and Development Services added that there could be a conversation with the council as the applicant outside of the meeting]

- All of the underpasses were illuminated.
- There was phasing in the scheme.

- The process of stopping up public rights of way was a separate process. Officers were not aware of public rights of ways being used as commuting routes and they were largely used for leisure use.
- Condition 22 secured landscaping.
- All comments received were summarised in the case officer's report.
- There was no impact on heritage assets and archaeology.
- Concerning impact on the footprint of Clifton airfield, the council archaeologist had not objected but had requested a condition.
- The airfield would revert back after being used as a construction compound.
- In regard to the NPPF, officers had considered all information and had come to a balanced view.
- There was a CEMP.
- Officers could not answer questions on the carbon impact being outweighed by carbon reduction and had made a balanced view in the report. The proposals allowed for virtual savings in carbon reduction.
- There were a number of measures to reduce noise and there would be post monitoring of it.
- The air quality of residents would be slightly higher and this was affected by the weather and different types of vehicles, engines, size and speed of vehicles and congestion.
- The air quality projections were based on traffic modelling.
- Concerning the protection of pollutants entering the river, vortex separators had been proposed.
- Regarding traffic disruption during the construction phase, there would be air quality monitoring and some traffic diversions.
- Officers drew attention to condition 19 and explained how air quality would be monitored.
- With regard to whether properties would be eligible for compensation by being adversely affected by noise, after scheme was completed noise would be assessed and they would see if further mitigations regarding properties and after which it would be for residents to seek compensation.
- There had been work with the applicant and drainage engineers and the internal drainage boards and they were satisfied with the drainage. The drainage was enhanced by flood compensation measures.
- The protection of the airfield runway was covered by condition 23 and it was noted that it was not a heritage asset.
- There was a request for an interpretation board from the city archaeologist that was removed in updated comments. Interpretation would take place as part of a wider engagement project.

- Regarding whether the scheme could be without a fourth arm, Members were advised that they were looking at the scheme as a whole. Following a Member question they were advised that it was not reasonable to condition harm versus public benefit.

[The meeting adjourned from 19.13 to 19.22]

Members debated the application in detail. In response to comments made during debate, the Head of Planning and Development Services clarified that conditions needed to meet the five tests.

Cllr Hollyer moved the officer recommendation for delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to the application being referred to the Secretary of State and to delegate the final wording of the conditions to the Head of Planning and Development Services. This was seconded by Cllr Steward. Following a unanimous vote in favour it was;

Resolved: That delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to the application being referred to the Secretary of State in accordance with the provisions of The Town and Country Planning (Consultation) (England) Direction 2021; and in the event of the Secretary of State confirming that they do not wish to call the application in. For the Head of Planning and Development Services be given delegated authority to finalise the planning conditions.

Reasons:

- 1) The application seeks planning permission for Improvements to the A1237 York Outer Ring Road including dualling of existing carriageway, improvements to roundabouts, provision of 5.1km shared use cycle and pedestrian route, signalised crossing facilities for active travel users, 2no. overbridges and no.6 underpasses for pedestrians and cyclists with ancillary development including sustainable drainage measures, flood compensatory storage areas, woodland planting/landscaping, habitat creation, noise barriers, revised field accesses, associated infrastructure and earthworks.
- 2) The majority of the application site and the proposed development is located within the general extent of the York Green Belt. The proposals would be regarded as constituting inappropriate development within the Green Belt. This would by definition be harmful to the Green Belt. Substantial weight is

given to the harms to the Green Belt in the planning balance. However, in this case there are considered to be very special circumstances which exist (as set out in paragraphs 5.181.- 5.187.) which would collectively clearly outweigh the harm to the Green Belt and the harms identified within the above report, which justify the development.

- 3) Based on the merits of the case it was recommended that the application be referred to the Secretary of State in accordance with the provisions of The Town and Country Planning (Consultation) (England) Direction 2021; and in the event of the Secretary of State confirming that they do not wish to call the application in, planning permission be granted, subject to conditions set out in the published report.

Cllr J Crawshaw, Chair

[The meeting started at 2.34 pm and finished at 8.00 pm].