

Meeting	Planning Committee A
Date	9 November 2023
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), Hollyer, Nelson, Steels-Walshaw, Steward and Whitcroft
Apologies	Councillor Waudby
Officers Present	Becky Eades, Head of Planning and Development Services Lindsay Jenkins, Development Management Officer Ed Freedman, Conservation Officer Mark Baldry, Development Management Officer Ian Stokes, Principal Development Control Engineer Sandra Branigan, Senior Solicitor

64. Declarations of Interest (4.36 pm)

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.

The Chair noted, for transparency reasons, that in relation to Item 4a, York Station, his mother was a member of the steering group of York Disability Rights Forum (YDRF).

65. Minutes (4.37 pm)

Resolved: That the minutes of the last meeting held on 5 October 2023 were approved as a correct record.

66. Public Participation (4.37 pm)

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.

67. Plans List (4.38 pm)

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.

68. York Station, Station Road, York [23/01640/LBC] (4.38 pm)

Members considered an application for Listed Building Consent by London North Eastern Railway LTD, for internal and external alterations to front entry portico to include enclosing area with glazing to create pedestrianised and retail space with 2no. retail pods, repaving in Yorkshire flagstones, repairs to brickwork, re-pointing, repair rainwater goods, reinstate pigeon spikes, removal of external canopy and repair and repaint roof structure at York Station.

The Head of Planning and Development Services gave a presentation on the plans for the application and the Development Management Officer provided an update to the Committee that outlined four additional representations from the Victorian Society, The Conservation Area Advisory Panel, York Civic Trust and The Railway Heritage Trust. It was confirmed that the additional information had been assessed and the planning balance and recommendation remained unchanged from the report.

Public Speakers

Flick Williams, a resident, raised concerns about the additional walking distances that would be imposed once the bus stops were moved and noted that additional seating would be needed. She stated that the proposed commercial units would block desire lines. She also raised concerns on the minimum width requirements for accessible doors and entrances.

Anne Norton spoke on behalf of York Disability Rights Forum. She stated that accessibility had not been given sufficient consideration. She also raised concerns regarding walking distances, lack of seating and the width of entrances and exits.

Tim Hedley-Jones spoke in support of the application on behalf of the Railway Heritage Trust. He stated that the trust had funds available to provide a grant to restore the brickwork and remove the canopy. He also stated that the porte-cochère was a transitional space and did not need to be open.

In response to questions from Members, he reported that the glazing at Sheffield and Newcastle was positioned in the middle of the brickwork. He confirmed that grants of up to 40% of the capital cost of heritage works were available for up to 5 years.

David Horn, Managing Director of LNER, spoke as the applicant. He stated that it was the intention to make improvements to the porte-cochère in time for the 150 year anniversary of the station in 2027. He outlined the plans and noted that these were not part of the gateway scheme.

The reasons for the glazing decisions were clarified with the architect and it was reported that the retail pods, their number and size, were an integral part of the plans and the income was needed to offset costs. The size and location of the entrances were also explained in relation to questions regarding access.

[5.24 – 5.28pm, there was a brief adjournment for a comfort break]

Officers responded to a number of questions from Members. The Conservation Officer explained that he considered the application would cause significant harm to the appearance of the porte-cochère and that it was not designed to be a closed structure. Members were advised to consider the impact on both the porte-cochère and the taxi kiosk in their deliberations. Officers also noted that the fabric of the building was not considered to be at risk.

Following debate, Cllr Ben Burton proposed the officer recommendation to refuse the application. This was seconded by Cllr Nelson. Following a vote, with seven Members in favour and three against, it was;

Resolved: That the application be refused.

Reason:

- i. York Railway Station is of high significance, derived from the aesthetic and historical values of the curve of the train shed with fine arches and cast-iron detailing as well as the structural innovation in its design. The main station buildings (the porte-cochère, the entrance building and the two concourse wings) have retained much of their appearance and symmetrical arrangement surviving intact and mostly still in use as intended. The significance of the porte-cochère is derived in part from its architectural character and in part from its historical function as a semi-open threshold. Additionally, the context of the station in

relation to the city, the City Walls and Queen Street site also contributes to its significance. The station serves as a major entrance to the city and contributes to the setting of the heritage assets including the city ramparts and walls. The city has strong links with railway history and much of the historic railway environment around the station survives.

- ii. There is currently a clear architectural language displayed by the porte-cochère that symbolises its original design intention. The proposals to glaze the porte-cochère confuse an appreciation of the aesthetic and architectural special interest of this heritage asset. The position of the glazing within the reveals of the masonry will result in a much greater impact externally, detracting from the legibility of a lightweight modern addition to the historically open arches. In addition, the significance and setting of the taxi kiosk which is listed in its own right and is, at present, the only freestanding structure within the porte-cochère will be compromised by the introduction of the two retail pods. The proposed retail pods will reduce how the interior of the porte-cochère is experienced, undermining its grand volume, historical function and open character as well as the sense of the architectural legibility of the wider station building.
- iii. For these reasons, the proposal would result in less than substantial harm to the significance of the designated heritage assets, in this case the Grade II* listed railway station and the Grade II listed taxi kiosk. In accordance with para. 202 of the NPPF, this harm should be weighed against the public benefits of the proposal. It is considered that the Public benefits of the proposal do not outweigh the identified level of harm. The proposal therefore would conflict with the NPPF, Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy D5 of the City of York Draft Local Plan (2018).

[6.11 – 6.23 pm, the meeting adjourned]

**69. Hempland Cp School, Whitby Avenue, York, YO31 1ET
[23/01514/FULM] (6.24 pm)**

Members also considered a major full application, submitted by ISG Construction on behalf of the Department for Education for the erection of two storey school building with associated parking, play space and landscaping, and demolition of existing school buildings.

The Head of Planning and Development gave a presentation on the plans and the Development Management Officer gave an update to Members which clarified the following:

- Further to paragraph 5.62 of the report, In total 31.no individual trees are to be removed. Of these 11.no are Category B Trees, 17.no are Category C Trees and 3.no are Category U Trees. In addition to this 4.no tree groups are to be removed 3.no Category C.
- The Officer recommendation as published does not include a condition to secure a Travel Plan for the development. Officers in consultation with Highways do not consider such a condition is necessary because:
 - The size/capacity of the school is not going to increase as a result of the proposed development.
 - The proposals will result in on-site parking increasing by 12.no spaces. This should reduce demand for on street parking (by staff) around the site.
 - There is sufficient cycle parking, but exact details will be resolved through condition.
 - The school is already a Modestars accredited site which is a Travel Plan programme and accreditation scheme.

The officer recommendation was unchanged from the published report.

In response to Member questions, officers confirmed on the plans the position of the trees in relation to the construction site.

Public Speakers

Cllr Nigel Ayre, spoke as Ward Councillor and recommended that improvements should be made to the parking arrangements by amendment of the traffic conditions. He raised concerns regarding the future proofing of the proposed school buildings and noted that approximately an additional 250 places would be required within the next five years. Finally, he requested that Members gave consideration to the management of construction traffic.

In response to questions, he suggested a re-examination of the times scheduled for deliveries.

Brian Kavanagh, the agent for the applicant, spoke in support of the application. He outlined the travel plan and noted that the removal of trees meant that the school would be able to continue to operate.

In response to questions from Members, it was confirmed that changes to delivery times would have a knock on effect but would be acceptable, the building was designed to facilitate an extension at a later date, trees would be replanted to meet bio diversity net gains, there was a travel plan in place at the school and further EV charging points could be added later and there was no loss of curriculum sports space.

Officers responded to questions from Members and reported that:

- The development surpassed current carbon reduction targets.
- An updated construction management plan had been submitted.
- The applicant had considered a retrofit but a new build brought greater advantages.
- Condition 16 dealt with demolition dust management.

Following debate, Cllr Fenton proposed a change to condition 16 whereby delivery times were prohibited from 14.45, rather than 1500, unless otherwise agreed in writing by the local planning authority, this was seconded by Cllr Fisher and unanimously approved by Members.

Cllr Whitcroft proposed the officer recommendation to approve the application subject to the conditions within the report and the amendment to condition 16 as outlined above. This was seconded by Cllr Wilson. Following a vote, the recommendation was unanimously approved by Members.

Resolved: That the application be approved subject to the conditions contained in the report, with condition 16 amended as outlined above.

Reason:

- i. Overall, it is considered that the proposed development would provide a modern and up to date school environment which adheres to current standards and practices. This would be the benefit of the immediate community and the pupils which attend the school. The development will give rise to some impacts which could adversely affect the immediate vicinity of the site. However, these would be limited to the construction phase of the development which, in the context of the overall expected lifespan of the development would be relatively small.

- ii. The proposed development is considered to be acceptable in principle and subject to the various conditions outlined below can be delivered in a suitably controlled and managed manner so as to minimise undue impacts as far as possible. The proposals accord with the provisions of the NPPF and policies contained with the City of York Draft Local Plan 2018. Approval is therefore recommended.

Cllr J Crawshaw, Chair

[The meeting started at 4.31 pm and finished at 7.24 pm].