



Notice of a public meeting of

Planning Committee A

To: Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre, Hollyer, Kelly, Merrett, Nelson, Steels-Walshaw, Steward, Waudby and Whitcroft

Date: Thursday, 8 February 2024

Time: 2.30 pm

Venue: The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

1. Declarations of Interest (Pages 1 - 2)

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see attached sheet for further guidance for Members].

2. Minutes (Pages 3 - 14)

To approve and sign the minutes of the last Planning Committee A meeting held on 18 January 2024.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at meetings. The deadline for registering at this meeting is 5:00pm on Tuesday 6 February 2023.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast, including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

4. Plans List

This item invites Members to determine the following planning applications:

- a) **BHE Self Storage, Self Storage Facility, Lambshill Towthorpe Moor Lane, Strensall, York [23/02117/FUL]** (Pages 15 - 52)
Change of use of agricultural land to the siting of 104 storage containers (use class B8) - retrospective (resubmission)
[Strensall Ward]
- b) **Agricultural Land to the South of Low Moor Lane, Hessay, York [23/00626/FULM]** (Pages 53 - 100)

Installation of a solar farm and associated infrastructure, including control station, DNO substation, access tracks, inverters and other auxiliary infrastructure [Rural West Ward]

- c) Limetrees, 31 Shipton Road, Clifton, York** (Pages 101 - 180)
YO30 5RE [23/01217/FULM]

Erection of 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 [Rawcliffe and Clifton Without Ward]

- d) York Central, Leeman Road, York** (Pages 181 - 272)
[23/01494/REMM]

Reserved matters application for 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 [Holgate Ward]

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Angela Bielby

Contact details:

- Telephone: 01904 552599
- Email: a.bielby@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

Ta informacja może być dostarczona w twoim (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

☎ (01904) 551550

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

Meeting	Planning Committee A
Date	18 January 2024
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre, Merrett, Nelson, Steward, Whitcroft, Melly (Substitute for Cllr Steels-Walshaw), Fenton (Substitute for Cllr Hollyer) and Widdowson (Substitute for Cllr Waudby)
In Attendance	Sandra Branigan (Senior Solicitor) Becky Eades (Head of Planning and Development Services) Ian Stokes (Principal Development Control Engineer (Planning) Transport) Rachel Tyas (Development Management Officer)
Apologies	Councillors Hollyer, Kelly, Steels-Walshaw and Waudby

75. Declarations of Interest (16:33)

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. None were declared.

76. Minutes (16:33)

Resolved: That the minutes of the last meeting held on 6 December 2023 were approved and signed as a correct record.

77. Public Participation (16:33)

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.

78. Plans List (16:34)

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.

2a) Paddock Lying Between Park Lodge and Willow Bank, Haxby Road, York [20 02495 FULM] (16:34)

Members considered a major full application from the Joseph Rowntree Housing Trust for the erection of 117 dwellings, pumping station and substation together with means of vehicular and pedestrian access, associated parking, landscaping and open space at the Paddock lying between Park Lodge and Willow Bank Haxby Road, York. Head of Planning and Development Services gave a presentation on the plans. The Development Management Officer provided a written update which detailed an amendment to an error at paragraph 7.2 of the report that detailed the inclusion of a contribution towards improvements to sports facilities. It was clarified that the Section 106 Agreement would secure £40,000 towards extending the existing 20mph speed zone, £6,000 towards amending the Traffic Regulation Order (TRO) to be able to introduce the extension of the 20mph speed limit towards York city centre and 100% of the homes to be affordable.

In response to questions from Members, the plans were further clarified and the sound proofing for houses located near the industrial estate was explained in more detail. It was reported that the applicant was to fund the ventilation system that would deal with potential smells from the nearby industrial estate. Members were also advised on additional text provided within Condition 31 to ensure the Travel Plan included an action plan with measures, indicative targets and costings. The additional information had been assessed and the officers recommendation remains for approval.

Members then asked officers questions to which Officers clarified:

- Why a contribution to open space was not requested.
- The shared road surface on the eastern side of the site.
- The wildlife habitat was in the open space and would be secured by a condition.
- The amendment to Condition 31.

Public Speakers

Martina Weitsch spoke in objection to the application. She noted that she was in support of affordable social housing in principle but had concerns relating to the development in relation to the flood risk of the site, the

sustainability of the development and the impact on traffic in adjacent areas.

Cllr Orrell (Ward Cllr), spoke in objection to the application. He explained that due to the number of extra new houses in the area, an extra development was not needed. He detailed his concerns regarding flooding and the overflow of sewage. In response to questions from Members, he explained that:

- The cause of the flooding was from the land retaining water, not from the river Foss.
- The issues with sewage in the area.
- Affordable and shared housing was suitable, however the land on the site was unsuitable for housing.
- The timeline of Local Plan and housing allocations, noting that since the Local Plan had been written climate change had accelerated. He added with the Secretary of State decision for 300 houses on New Lane there was an oversupply of houses.

Cllr Runciman (Ward Cllr), spoke in objection to the application. She explained the history of New Earswick as a garden village. She noted concerns about more development putting pressure on local services, including medical services and local schools needing more places. She noted that the field retained water and the roads in area were narrow, with existing parking problems. She asked why there was no S106 funding for the swimming pool and that the number of houses in the Local Plan had been exceeded. In response to Member questions she explained:

- Concerns regarding the number of new homes on healthcare services.
- There was an overprovision of sports provision in New Earswick and an under provision in surrounding areas.
- The process for the allocation of the site in the Local Plan.
- The sports teams that practised and played at New Earswick Sports Club.

The Applicant, David Boyes-Watson (Joseph Rowntree Housing Trust), spoke in support of the application. He explained that York had a housing crisis with affordable homes, and that the application site was allocated for residential housing. He explained the housing mix on the site and added that the development would contribute to sustainable housing and allow residents to make sustainable travel choices. He noted the 20mph zone on the site and that a third of the site was open space.

Members asked David Boyes-Watson a number of questions to which he explained that:

- The existing garages on the site were not in use and those in use were mainly used for storage. It was deemed that affordable housing outweighed the need for the garages.
- In respect of concerns regarding flooding, they had worked closely with the council flood risk officer. The site had to restrict the flow of water from the development and there was extensive water attenuation to the north of the site. There would be improvements to drainage on the site.
- Regarding the housing, a fabric first approach had been taken and air source heat pumps were to be used. The scheme could not bear the cost of solar panels. There would be double glazing and EV charging would be agreed through a condition.
- The six unallocated car parking spaces were located in curtilage spaces and were deemed to be the best place to locate those spaces.
- Water was held in an attenuation tank and Yorkshire Water had approved the plans.
- Phase 1 of the ground investigation had been undertaken and Phase 2 was in progress. The applicant was not aware that the site had previously been a tip.
- The Joseph Rowntree Housing Trust made a significant contribution to the Joseph Rowntree School. There had been a viability process and the Trust could not afford an education contribution.
- The cost of solar panels was several thousands of pounds per property.
- The previous percentage of affordable housing was 30% and it was always the intention to deliver 100% affordable housing.

[The meeting adjourned from 17:38 to 17:45]

The Head of Planning and Development Services was asked and outlined the status of the site in relation to and how it related to the Local Plan and other related policies. Members were referred to section 6.7 of the report onwards. The Head of Planning and Development Services explained that:

- The application site was located in the Green Belt and would therefore need very special circumstances to approve it. In addition to the harm to the Green Belt by reason of inappropriateness, it was considered that the proposal would lead to a degree of harm to its openness.
- There were unresolved objections in relation to the principle of the development of the site therefore limited weight should be applied to policies H1 and SS18. However, the evidence upon which the allocation relied on was material and could be afforded significant weight.
- The Council was unable to demonstrate a 5-year housing land supply and, in this context it is considered that significant weight should be given to the provision of new housing. Also, the shortfall of affordable homes in the York area, significant weight is given to the ability to deliver 117 affordable homes on the site.

- The site allocation has been based on comprehensive evidence with the allocation and it was considered in the round that the provision of 117 affordable new homes are considered to amount cumulatively to 'very special circumstances' that clearly outweigh the harm to the Green Belt and any other harm as a result of development.

Members asked further questions of officers. Officers clarified that:

- The site was not a strategic site and therefore the policy for travellers pitches was not applicable.
- Since the application was made in 2020 it had reached a point where there had been a viability assessment and it was not viable to make a contribution to healthcare. The site was not a strategic site in the Local Plan, and this had been balanced, and there was no request for a healthcare contribution as it was known it was not viable. Policy HW5 stated that the assessment of accessibility and capacity of existing primary and secondary care services would be required at the application stage for all residential strategic sites and as this was not a residential strategic site it wasn't deemed necessary to require that assessment. The Senior Solicitor explained that therefore this was not a material consideration as the policy did not call for a healthcare contribution for a non-strategic site.
- Concerning there being a transport contribution and no education contribution, it was needed to be considered that the development was 100% affordable housing and the contribution to education would not have had the same mitigation.
- Travel through the site was demonstrated to Members, including pedestrian and cycle links through the site. Regarding disabled car parking there was no information as to whether any properties would be enhanced access and when the highway would become adopted there was a process for allocating disabled parking.
- The widening of the footways and lowered boundaries on the site improved permeability through the site.
- Access to public transport was through bus stops to the north and south of the site and a contribution was sought to reduce the speed limit. There was a modified crossing in the middle of the site and the crossings were deemed necessary to meet the three tests of the NPPF.
- The additional wording to condition 31 provided the evidence for the travel plan.
- Condition 38 detailed EV charging for 100% EV and charging for EV and hybrid vehicles could be added as an informative.
- The applicant had offered the roads for adoption and this was included in a condition.
- Regarding the hectarage of the site for traveller provision, the size of the site was taken from the applicant.

- Detail on water attenuation was given and consultees for drainage were satisfied with the drainage solutions.
- A measure to reduce parking on green space had not been considered before.
- Clarification was given on the drainage of foul and surface water. It was noted that Yorkshire Water had not objected to the application. Water discharge rates could be controlled.
- The wetland area would be retained to attract birds.
- Education colleagues were aware of the planning balance that development management colleagues made and an explanation on the weight given to different aspects and balance of the application was given.

[The meeting adjourned from 18:37 to 18:45]

- Policy HW5 covered a number of issues, for example it stated that the council would support the provision of new or enhanced primary and secondary care services in line with the national policy framework. It also stated that a developer contribution would be required in support of the increase in provision. Following this it stated that an assessment of the accessibility and capacity of existing primary and secondary care services would be required at the application stage for residential and strategic sites. This application had not got to that stage because it was not a residential strategic site, hence why at that point officers had made an assessment and had not engaged with the developer at the start of the application process. As the application progressed it became clear that the site had viability issues and as such, officers had then not sought further a further evidence base knowing that there were viability issues at the site. There was a difference in the interpretation of the policy. Officers would consider looking at an assessment of the accessibility and capacity of existing primary and secondary care services for future applications.

Following debate, Cllr Whitcroft moved the officer recommendation to approve the application subject to the conditions within the report, condition 31 as detailed in the additional information and an amendment to condition 28 for hybrid and EV. The motion was seconded by Cllr Nelson. On being put to a vote, with seven votes in favour, two against, and one abstention, it was:

Resolved: That delegated authority to be given to the Head of Development Services to:

1. Refer the application to the Secretary of State for Communities and Local Government under the

requirements of Section 77 of the Town and Country Planning Act 1990, and should the application not be called in by the Secretary of State, then APPROVE the application subject to:

2. The completion of a Section 106 Agreement to secure the following planning obligations:
 - £40,000 towards extending the existing 20mph speed zone along Haxby Road/Hawthorn Terrace from outside Joseph Rowntree School, southwards a distance of approximately 300m to join with the existing 20mph zone just to the north of Cherry Tree Avenue
 - £6,000 towards amending the Traffic Regulation Order (TRO) to be able to introduce the extension of the 20mph speed limit towards York city centre stated above
 - £57,297 to be spent on improvements to sports facilities at New Earswick Sports Club, New Earswick and District Indoor Bowls or Huntington Sports Club.
 - 100% affordable housing provision.
3. The Head of Planning and Development Services be given delegated authority to finalise the terms and details of the Section 106 Agreement.
4. The Head of Planning and Development Services be given delegated authority to determine the final detail of the planning conditions as set out in the report.
5. Amended Condition 31 (Travel Plan)
No part of the development shall be occupied until a Travel Plan (based on the submitted North of Willow Bank, New Earswick, York, Travel Plan, December 2020) has been submitted and approved in writing by the LPA. The submitted Travel Plan shall include an action plan with measures, indicative targets and costings where appropriate. The Travel Plan should be developed and implemented in line with local and national guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

Within 12 months of occupation of the site a first year travel survey shall have been submitted to and approved in writing by the LPA. Results of yearly annual travel surveys carried out over period of 4 years from the first survey shall

then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure that traffic flows from the site can be safely.

6. Amended Condition 38

A strategy for the provision of EV **and hybrid vehicle** charging facilities on the site shall be agreed in writing with CYC prior to commencement of development and shall be implemented in accordance with the approved details prior to first use of the development hereby permitted.

- Charging points to be located in a prominent position on the site and to be for the exclusive use of zero emission capable vehicles. Parking bay marking and signage shall reflect this.
- The EV charging strategy shall confirm that the charge point(s) will be serviced and maintained in line with the manufacturer's recommendations for a minimum period of 10 years. It should also address charge point fault resolution.

Reason: To ensure provision of EV charging facilities in line with the National Planning Policy Framework (NPPF) and CYC's Low Emission Planning Guidance.

Reasons:

1. The scheme has been designed to represent an extension of New Earswick rather than a stand-alone development, with the design principles picking up on the spatial pattern and landscape features that are inherent to the defining principles established in the design of the original Garden Village. Buildings are arranged in small terraces of 3, 4 or 5 and semi-detached blocks similar to the existing urban grain of New Earswick. Officers consider that the scheme, through its layout, scale, massing, use of materials and detailing, creates a relationship between the site and the original Garden village and therefore respects local character. It is also not considered that it would detract from the character or appearance of the adjacent Conservation Area.
2. In terms of landscaping, the scheme involves the retention of the broad open space to the east of the site, the inclusion of a new area of equipped play space, the safe

retention of the line of mature trees along the northern boundary and good landscape design within the housing complex, which includes generous tree planting and a central greenway which provides a good connection between the Haxby Road roundabout and the open space. Accordingly, Officers consider that the scheme sufficiently retains the critical GI credentials of the application site. Furthermore, it is considered that the recommendations detailed within the ecological appraisal and revised landscape masterplan will have a beneficial impact on habitats and biodiversity in providing ecological enhancement. These recommendations and proposals for biodiversity enhancement will be secured via conditions.

3. In respect to highway matters, suitable numbers of (unallocated) car parking spaces are provided, and each dwelling would have an external store for two bikes. Good pedestrian and cycling links are provided from and through the site including a segregated cycle-track / footway on the east side of Haxby Road between Park Lodge and Willow Bank. As part of the scheme and as a means to encourage more active travel to and from the site and enable safer cycle journeys, the existing 20mph speed zone along Haxby Road would be extended. The site is located adjacent to Haxby Road where there is a regular bus service.
4. The layout of the scheme has been designed so as to secure a good standard of amenity for future residents. All the properties are set back from the road behind defined front gardens and also have access to private rear gardens – the blocks of flats have communal gardens. The provisions of gardens results in sufficient distances between dwellings to ensure the proposal does not give rise to unacceptable levels of overlooking, overshadowing, or overbearing. In terms of the impact on existing residents who live close to the site, separation distances and the existing and supplementary hedge and tree boundaries proposed are such that no harm would be caused to their amenity.
5. A review of the Financial Viability Assessment demonstrates that viability is a material consideration in this case and that the proposed 100% affordable housing scheme is unable to provide any S106 contributions

towards meeting the need for pre-school, primary and secondary places. This is balanced against the contribution this development would make towards meeting the significant need for affordable homes, a high proportion of which are 2 and 3 bedroomed.

6. Technical matters can be addressed, to achieve policy compliance, through conditions in respect of sustainable design and construction, design, landscape, biodiversity, drainage, archaeology, the highway network and ground conditions and pollution.
7. The application site is located within the general extent of the York Green Belt and as such is assessed against paragraph 152 of the NPPF which states inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, are clearly outweighed by other considerations.
8. In addition to the harm to the Green Belt by reason of inappropriateness, it is considered that the proposal would lead to a degree of harm to its openness. Substantial weight is attached to the harm that the proposal would cause to the Green Belt.
9. There are unresolved objections in relation to the principle of the development of the site therefore limited weight should be applied to policies H1 and SS18. However, the evidence upon which the allocation relies is material and can be afforded significant weight.
10. The City Council is unable to demonstrate a 5-year housing land supply. In this context it is considered that significant weight should be given to the provision of new housing. Furthermore, given the shortage of affordable homes in the York area, significant weight is given to the ability to deliver 117 affordable homes on the site.
11. It is considered that the site allocation in the DLP 2018, the comprehensive associated evidence on which the allocation of the site relies and the provision of 117 affordable new homes are considered to amount

cumulatively to 'very special circumstances' that clearly outweigh the harm to the Green Belt and any other harm as a result of development.

12. 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 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 Direction.

Cllr J Crawshaw, Chair

[The meeting started at 4.30 pm and finished at 7.22 pm].

This page is intentionally left blank

COMMITTEE REPORT

Date: 8 February 2024 **Ward:** Strensall
Team: East Area **Parish:** Strensall With Towthorpe
Parish Council

Reference: 23/02117/FUL
Application at: BHE Self Storage Self Storage Facility Lambshill Towthorpe
Moor Lane Strensall
For: Change of use of agricultural land to the siting of 104 storage
containers (use class B8) - retrospective (resubmission)

By: Mr Simon Dunn
Application Type: Full Application
Target Date: 10 January 2024
Recommendation: Refuse

1.0 PROPOSAL

1.1. Planning permission is sought for the siting of 104 storage containers for use of the site as a self-storage facility. The application is retrospective. The application is the result of a Planning Enforcement investigation. The application has been called in by Councillor Healey on 8th December 2023.

1.2. The site falls within/adjacent to Strensall Common. Access to the site is from Towthorpe Moor Lane. The site has been used as a farm in the past and it appears that some agricultural activities are still ongoing. The site is surrounded by agricultural fields. There are dwellings to the north west and there is public access to the land to the north.

1.3. There is no consent for the large amount of hardstanding on site. It is intended that the storage containers would rest on this hardstanding. Officers are aware that the hardstanding was on site in 2015 as such it is outside the 4 year time period for enforcement action.

1.4. The sites is within the general extent of the City of York Green Belt. The site is adjacent to: a Site Of Special Scientific Interest; Special Area of Conservation; Priority Habitat for Lowland Heathland. The site is within the impact zones for Strensall Common Special Area of Conservation (SAC). The site is within Flood Zone 1.

1.5. The proposed development does not comprise 'Schedule 1' or 'Schedule 2' 'Schedule 2' development of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

1.6. An application for 118 storage containers at this site was presented to Planning Committee A on 5th October 2023. The application was refused as recommended by the Planning Officer on the following grounds;

- Inappropriate development in the Green Belt
- Lack of very special circumstances
- Landscape harm
- Insufficient information regarding drainage.

1.7. Since the previous refusal, the following changes and additional information has been provided within this current application:

- The number of containers on site has been reduced by 14 (The Planning Statement states these were to be removed at the end of December 2023). The containers proposed to be removed are located close to the western boundary.
- Additional planting is to be undertaken to the boundaries (The Planning Statement states this was being undertaken mid November 2023).
- Further details of the farming operation and the impacts of loss of subsidies to the business.

1.8. The additional site history is also relevant:

- 17/02175/FUL - Change of use of existing farm building to a secure, self-storage facility for 22 self-storage containers – Approved
- 17/01690/FUL - Change of use of part of farmyard to self storage facility with 22no. self storage containers – Withdrawn
- 15/00542/FUL - Erection of agricultural livestock building (resubmission) – Finally Disposed of
- 14/01468/FUL - Erection of agricultural livestock building – Refused on residential amenity and drainage grounds
- 11/02872/FUL - Extension to rear of existing farm building – Approved
- 11/00035/AGNOT - Extension to existing agricultural building – Refused
- 10/01466/FUL - Agricultural livestock building – Approved
- 10/01190/AGNOT - Agricultural building - Refused

1.9. There is a relevant, recent appeal on a site in Wigginton (22/00939/FUL - Land to The North East Of Roundabout, Wigginton Road, Wigginton, York YO32 2RH). This sought the use of land for a self-storage use with the siting of containers in connection with this use (retrospective). It was refused and dismissed on appeal (APP/C2741/W/22/3311678). The Planning Inspector considered that the proposal would be inappropriate development in the Green Belt and there would be harm to

the character and appearance of the area and there were no ‘very special circumstances’ that outweighed the harm to the Green Belt. The Inspector emphasised that “Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

2.0 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK

2.1. The revised National Planning Policy Framework (NPPF) was published in December 2023 and sets out the government’s planning policies for England and how these are expected to be applied.

2.2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

2.3. The Statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan.

2.4. The presumption in favour of sustainable development set out at paragraph 11 of the NPPF does not apply when the application of policies relating to Green Belt, and habitats sites indicate that permission should be refused.

PUBLICATION DRAFT LOCAL PLAN (DLP 2018)

2.5. The Publication Draft Local Plan 2018 was submitted for examination on 25th May 2018. The examination is still ongoing with additional hearings expected to take place in early 2024. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF. Draft policies relevant to the determination of this application are:

SS2 – The Role of York’s Green Belt

DP2 – Sustainable Development

D1 – Placemaking

D2 – Landscape and Setting

GI2 - Biodiversity and Access to Nature

G12a - Strensall Common Special Area of Conservation (SAC)

ENV2 – Managing Environmental Quality

GB1 - Development in the Green Belt

ENV5 - Sustainable Drainage

T1 - Sustainable Access

STRENSALL NEIGHBOURHOOD PLAN

2.6 The Strensall Neighbourhood Plan (NP) was adopted in 2023. Full weight can be given to the policies contained in the NP; which is the statutory Development Plan for this application. There are no policies within the Neighbourhood Plan that are relevant to this proposal.

STRENSALL VILLAGE DESIGN STATEMENT

2.7 The village design statement was approved on 3 March 2015 as a draft Supplementary Planning Document (SPD) to the City of York Council's draft Local Plan. The relevant policy is: Policy 4.

3.0 CONSULTATIONS

INTERNAL

CYC Archaeologist

3.1 Do not wish to impose any archaeological condition.

CYC Ecologist

3.2 Natural England need to be consulted.

3.3 It is noted that section 6.14 of the Planning Statement highlights that 'the drainage system remains the same' with no increase in the yard area and subsequently no increase in surface water run-off. The Ecologist however notes with previous applications for this development, questions around whether water would be discharged into the drain alongside Towthorpe Moor Lane. Requests more information around drainage and discharge, as this will need to be assessed within the HRA.

CYC Landscape Architect

3.4 No objections to the proposed (retrospective) development. It is noted that some perimeter planting is already in place.

CYC Public Protection

3.5 No objections.

CYC Flood Risk Management Team

3.6 The scheme has not changed and not had any further info/details as per the request in July 2023. It is not clear how the existing hard paved area is/was drained, therefore prior to determination we require a plan showing how the existing and proposed surface material, together with details of the existing and proposed surface water drainage arrangements.

CYC Highways

3.7 Requested further information;

- Submit drawings with customer parking – this should be able to accommodate large vehicles, with it being a self-storage facility;
- Turning within the development;
- Parking hardstand material and drainage;
- Widened site access – two vehicles should be able to pass each other at the site entrance; and
- Visibility splay.

EXTERNAL

Foss Internal Drainage Board

3.8 Hardstanding appears to have been constructed around 2017. It is not clear what drainage (if any) has been put in place. The IDB object to the application until further drainage details can be provided.

3.9 Following the submission of an email and drainage plan from the Applicant, the Foss IDB have updated their comments:

3.10 Strictly on the basis that the yard surface remains the same as when it was first installed in 2010 and no further drainage/pipework has been/is being installed, the Board will remove their previous objection. If the yard is extended or the material of the yard's surface changes, the Applicant would need to contact the IDB.

North Yorkshire Police

3.11 No concerns or issues to raise.

Parish Council

3.12 There are no significant changes to the previous application. The development is harmful to the greenbelt and there are no very special circumstances. The Parish Council fully supports City of York Councils decision 22/01032/FUL.

Natural England

3.13 No objection. Natural England considers that the proposed development will not have significant adverse impacts on designated sites.

3.14 Natural England notes that the HRA has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions.

4.0 REPRESENTATIONS

4.1 The application has been advertised via Site Notice and neighbour notification letter. One third party letter of support received from the MOD Senior Estates Surveyor on the following grounds;

- The applicant has been a Ministry of Defence (MOD) tenant farmer at Lambshill Strensall since 1994.
- In this time with the support of Natural England and the MOD the status of Strensall Common SSSI has been enhanced by the applicant so that it is recognised as one of the most special lowland heaths not only in this country but also Europe.
- With the new policy on farm support and the corresponding reduction of the basic payment scheme coming into effect and leading to the total removal by 2027 the MOD is encouraging its tenant farmers to consider diversification opportunities as a means of supplementing income lost.
- With the increase in costs for agricultural inputs and the disappearance of farm support, concerns regarding the long-term future for farming especially on marginal land such as Strensall Common need to be addressed.
- Against this background the diversification opportunity should be considered as a positive benefit to support farm income which will assist with maintaining the long-term management of Strensall Common. The site for the containers is a surfaced yard which is relatively well screened from the common and the highway. A lease agreement for the use will be put in place by the MOD to ensure the site is managed and controlled by the applicant to meet all current standards and obligations.

5.0 APPRAISAL

Key Issues

5.1. The key issues are as follows:

- Principle and Green Belt
- Visual Amenity and Impact on Landscape Character
- Ecology and Biodiversity
- Highways
- Residential Amenity
- Drainage
- The Case for Very Special Circumstances
- Public Sector Equalities Duty

PRINCIPLE AND GREEN BELT

Policy

5.2. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that, the essential characteristics of the Green Belt are its openness and permanence.

5.3. Paragraph 143 of the NPPF states that the Green Belt serves 5 purposes:

- o to check the unrestricted sprawl of large built-up areas;
- o to prevent neighbouring towns merging into one another;
- o to assist in safeguarding the countryside from encroachment;
- o to preserve the setting and special character of historic towns;
- o and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.4. In line with the decision of the Court in *Wedgwood v City of York Council* [2020], and in advance of the adoption of a Local Plan, decisions on whether to treat land as falling within the Green Belt for development management purposes may take into account the RSS general extent of the Green Belt, the 2005 DCLP, the 2018 Draft Plan, insofar as can be considered against paragraph 48 of the NPPF and should have regard to site specific features in deciding whether land should be regarded as Green Belt.

5.5. The site is located within the general extent of the York Green Belt as described in the RSS. In addition to the saved policies YH9(C) and Y1 (C1 and C2) of the Regional Spatial Strategy which relate to York's Green Belt, the site is identified as falling within greenbelt in the proposals maps of the Development Control Local Plan (2005) and Draft Local Plan (2018).

5.6. The site is not identified in the City of York Local–Plan - The Approach to the Green Belt Appraisal (2003) which the Council produced to aid in the identification of those areas surrounding the City that should be kept permanently open. However, whilst this document identifies key important areas, which do not include this site, it leaves large areas of countryside as similarly not being of particular importance and it does not set out that all that remaining land within the extent of the Green Belt is necessarily suitable for development or that it has no Green Belt purpose.

5.7. Additionally, when the site is assessed on its merits it is concluded that it serves two Green Belt purposes as set out in paragraphs 143(c) and (d), namely assisting in safeguarding the countryside from encroachment and helping to preserve the setting and special character of York. As such, the site should be treated as lying within the general extent of the York Green Belt and the proposal falls to be considered under the restrictive Green Belt policies set out in the NPPF and within policy GB1 of the Draft Local Plan (2018).

Assessment

5.8. The relevant local policy is GB1 and the relevant paragraphs of the NPPF are 152 and 155. A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt unless it meets one of the exceptions set out in paragraph 154 of the NPPF. The proposal does not meet any exceptions set out in paragraph 154.

5.9. Certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it as set out in paragraph 155 of the NPPF . The proposal does not meet any exception set out in paragraph 155.

5.10. The development is classed as inappropriate development in the Green Belt, which is by definition harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether very special circumstances exist is assessed at paragraphs 5.33 – 5.35 below.

5.11. Turning to the impact on the Green Belt and openness, Planning Policy Guidance refers to a number of matters that the courts have identified can be taken into account in assessing openness, which include: spatial and visual aspects, duration of development and remediability and the degree of activity generate.

5.12. The hardstanding area that the proposal would stand upon does not have planning permission. However from aerial maps officers contend that the hardstanding has been in place for over 4 years and as such is no longer subject to enforcement action.

5.13. Storage containers where they are substantial in size and/or number and are frequently in the same place or there is a greater degree of regular activity generate can impact on Green Belt openness. Whilst the proposed landscaping would in time create some element of screening, this would not mitigate the impact to the openness of the Green Belt. Spatially, the containers have an effect on the openness of the Green Belt by virtue of their footprint, height and overall massing. The introduction of the containers has reduced the openness of the Green Belt in spatial terms. The reduction in the number of containers by 14no. (from the previous refusal) does not mitigate against the harm identified above.

5.14. Visually, the mature hedgerow along the boundary with the highway does provide an element of screening to views from the south. However, the containers remain prominently visible through gaps in the trees from west. Furthermore, they remain fully visible from the north. 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 appears jarring and incongruous in this location, it provides a solid barrier which draws attention to the proposed development. The development has resulted in a loss of both spatial and visual openness of the Green Belt.

5.15. The fundamental purpose of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The concept of 'openness' in this context means the state of being free from development, the absence of buildings, and relates to the quantum and extent of development and its physical effect on the site. The proposal would undoubtedly result in harm to the openness and permanence of the Green Belt. It also conflicts with the Green Belt purposes of preventing encroachment into the countryside.

VISUAL AMENITY AND IMPACT ON LANDSCAPE CHARACTER

Policy

5.16. Chapter 12 of the NPPF gives advice on design, placing great importance to that design of the built environment. In particular, paragraph 135 of the NPPF states that planning decisions should ensure that development, inter alia, will add to the

overall quality of the area, be visually attractive, sympathetic to local character and history and have a high standard of amenity for existing and future users. This advice is reflected in Policies D1 and D2 of the 2018 Draft Local Plan and, therefore, these policies can be given weight.

Assessment

5.17. The Local Planning Authority are unable to consider the extensive hardstanding which is immune to enforcement action as a result of the 4 year time limit set in section 171B of the Town and Country Planning Act 1990. The open location, set apart from the village make the storage containers more apparent. 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.

5.18. The proposal 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 2.1m high fence is uncharacteristic in this setting. The Planning Statement states further planting is proposed (in addition to that proposed previously) however this is not shown on the plans.

5.19. It is considered that lighting may result in illumination beyond the natural pattern of development and may be atypical and out of character. Further lighting may also impact on local biodiversity and residential amenity. In the event the application were to be approved, this element could be controlled by condition to ensure a suitable lighting scheme is submitted and approved by the Local Planning Authority.

ECOLOGY AND BIODIVERSITY

Policy

5.20. Paragraph 180 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Policies GI2 and GI4 of the Draft Local Plan (2018) reflect this advice in relation to trees, protected species and habitats.

5.21. Habitats Regulations Assessment (HRA) refers to the several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether

to undertake, permit or authorise it. European Sites identified under these regulations (such as Strensall Common) are referred to as 'habitats sites' in the NPPF.

5.22. The National Planning Policy Guidance (NPPG) sets out that all planning applications 'which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration – typically referred to as the 'Habitats Regulations Assessment Screening' – should take into account the potential effects both of the plan/project itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, a competent authority must make an appropriate assessment of the implications of the plan or project for that site, in view of the site's conservation objectives. The competent authority may agree to development only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out and where there are no alternative solutions, the development can only proceed if there are imperative reasons of over-riding public interest and if necessary compensatory measures can be secured.

Assessment

5.23. The Applicant has submitted a report to inform a Habitats Regulations Assessment (dated September 2022) by Wold Ecology. The report is based on the previous application for 118no. containers.

5.24. The Ecologist requested additional information regarding drainage and confirms the application requires a Habitats Regulations Assessment and that Natural England need to be consulted. Natural England confirmed they had no objections. At the time of writing this report, the Ecologist had not yet provided an updated response following Natural England's comments. Members will be updated at committee.

HIGHWAYS

Policy

5.25. The NPPF encourages development that is sustainably located and accessible. Paragraph 114 of the NPPF requires that all development achieves safe and suitable access for all users. It advises at paragraph 115 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the

road network would be severe. Further paragraph 116 requires development to give priority first to pedestrians and cycle movements and create places that are safe, secure and attractive thereby minimising the scope for conflicts between pedestrians, cyclists and vehicles.

5.26. Policy T1 of the Draft Local Plan (2018) supports the approach in the NPPF in that it seeks the safe and appropriate access to the adjacent adopted highway, giving priority to pedestrians and cyclists.

Assessment

5.27. The Planning Statement states the business (including the previously approved use of the shed for storage purposes) generates in the region of 30-35 car and van movements to and from the site on a daily basis. The Planning Statement argues the local highway network has been shown to be capable of accommodating this traffic over the years the site has been operating for storage purposes.

5.28. For this application the Highways Officer recommended further details be provided. In the previously refused application the Highways Officer had no objections but required improvements to the access with Towthorpe Moor Road. In the event this application were to be approved, these details could have been conditioned.

RESIDENTIAL AMENITY

Policy

5.29. The NPPF seeks a good standard of amenity for all existing and future occupants and that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are sympathetic to local character and history, including the surrounding built environment and landscape setting. Policies D1 and ENV2 of the 2018 Draft Local Plan seek to ensure that development proposals do not unduly affect the amenity of nearby residents in terms of noise disturbance, overlooking, overshadowing or from overbearing structures.

Assessment

5.30 The proposal (subject to a lighting condition) is unlikely to impact on the residential amenity of the occupants of the nearby dwellings.

DRAINAGE

Policy

5.31 The NPPF requires that suitable drainage strategies are developed for sites, so there is no increase in flood risk elsewhere. Policy ENV5 of the Draft Local Plan (2018) advises that discharge from new developments should not exceed the capacity of receptors and water run-off should, in relation to existing runoff rates, be reduced.

Assessment

5.32 The proposal would stand on extensive area of hardcore, the compaction of which would make it impermeable which would be exacerbated by the siting of the storage units. As previously mentioned the hardstanding area is now immune from planning enforcement action. The Agent has submitted a drain map which states all surface water drains into the underground pipe network. The Flood Risk Management have reviewed the submission and note insufficient information has been submitted as it is still unclear regarding the surface material, pipe sizes, depths and where it ultimately drains too. Additionally insufficient details have been provided to demonstrate that a soakaway would be suitable in this location or that the drainage in place is formal.

5.33 The site is adjacent to Strensall Common. The Habitats Regulations Assessment for the Local Plan sets out that Common is particularly vulnerable to changes to the local hydrological regime. Therefore, on the basis of the lack of information, officers are unable to assess if the proposed method of drainage is acceptable in this location.

THE CASE FOR VERY SPECIAL CIRCUMSTANCES

5.34 Paragraphs 152-153 of the NPPF advise that permission should be refused for inappropriate development in the Green Belt unless other considerations exist that clearly outweigh the potential harm to the Green Belt and any other harm so as to amount to very special circumstances. Substantial weight is to be given to any harm to the Green Belt in the balancing exercise.

5.35 The identified harm arising from the proposal is as follows:

- The proposal is inappropriate development in the Green Belt which is harmful by definition.
- There is a clear spatial and visual harm to the openness of the Green Belt.

- The development fails to protect the countryside from encroachment and to preserve the setting and special character of the city.
- The use will ultimately lead to a change in the character of the site, including increased traffic/parking, increased volume of people visiting/working at the units and general landscaping associated with the use.
- Landscape harm due to the change in the character and appearance of the area, arising from the storage units and boundary treatments, which would sit at odds with its immediate context and would detract from the rural context of the surrounding area. The proposal leads to the erosion of its rural character or coalescence of development that would undermine the prevailing open character and appearance.
- Inadequate drainage scheme presented which may have potential implications on the drainage network and local ecology.

5.36 The Agent concludes that the proposal is not inappropriate development in the Green Belt, however has also put a case forward of very special circumstances as set out within 5.14 – 5.23 of the Planning Statement. It is noted the Planning Statement is expanded upon from the previous refusal. The following case for very special circumstances has now been put forward;

a) Farm diversification scheme

- The Basic Payment Scheme for farmers is due to be phased out by 2027. The Government states farmers must adapt and not be reliant on subsidies.
- The applicant farms land in York under strict Conservation grazing principles, including for the MOD and CYC. The applicant farms Strensall Common and Worlds End for the MOD (572ha) and parcels of land in CYC ownership (117.85ha). The subsidy payment for the York conservation grazing came to approximately £138,000 per annum. When faced with the loss of these subsidies, the Applicant needed to diversify and created a self storage business.
- Customers like the security and familiarity of storing their goods and belonging on a working farm.
- Passive and active security.
- High demand locally and the business has been a success.
- After paying rent and business rates the storage business generates £108,000 per annum (replacing the money from lost subsidies).

b) Sustainable form of development

- Reduces the need for local people and businesses to travel to meet their storage needs. The containers are re-purposed, second hand containers

purchased from a local supplier. More sustainable than erecting a building for storage purposes.

c) Farming of Strensall Common and the Strays of York

- The storage business subsidises the environmental stewardship of the Common and Strays financially.
- In operational terms, due to the potential for problematic interaction of members of the public with a military training area and livestock, a farm employee is needed at Lambs Hill 24 hours a day in order to respond to issues such as dogs worrying cattle or sheep, livestock escapes etc. The income created by the storage business pays for this member of staff.

D) Fall – back

- The entire site could be filled with agricultural storage (such as bales of silage, machinery, straw storage etc) without the need to apply for planning permission and that if the containers were filled with agricultural materials, they would be considered permitted development.

5.37 In response, the Local Planning Authority notes the following;

- In relation to very special circumstance A and C, the NPPF sets out that decisions should enable the development and diversification of agricultural business. Paragraph 89 of the NPPF sets out that it will be important to ensure that development is sensitive to its surroundings. Policy EC5 (Rural Economy) of the Draft Local Plan (2018) supports appropriate farm and rural diversification activity subject to.
- Moderate weight is attached to the diversification of the farm business, however it is not considered that the farm diversification outweighs the harm to the Green Belt and the other specified harms set out above. Additionally planning permission lies with the land, rather than the applicant, further raising concerns that the benefits (conservation farming in York) could not be secured in the event this application were to be approved and the application site sold to a third party.
- Employment generation (for a scale of development such as this) would be fairly limited and the economic benefits would arise from any similar development in a different (non-green belt) location and therefore carries limited weight and would not amount to very special circumstances necessary to justify the proposed development.
- In relation to very special circumstance B, the agent advises that the customers are from the local area, although no details were submitted to

confirm this statement. It is accepted that users of storage containers are realistically likely to access the site via vehicle rather than public transport. However similar considerations would apply to many other locations not within the Green Belt and therefore this is considered to have limited weight and does not amount to the very special circumstances necessary to justify the proposed development.

- Limited weight is given to the re-purposing of the storage units, especially given that they could instead be re-purposed in non-green belt locations.
- In response to very special circumstance D, the application is for containers for commercial storage, not agricultural storage and the application is judged on this basis. Officers would question whether the scale of farming activities on the site would require this extent of storage. In addition if the applicant required that level of agricultural storage we would not be assessing an application for the change of use for the majority of the agricultural yard and one of the agricultural buildings to be used for domestic/commercial storage. Officers do not consider that the use of 104 containers for agricultural storage is a realistic fall-back. Therefore this is considered to have limited weight and does not amount to the very special circumstances necessary to justify the proposed development

5.38 To conclude on these matters and in light of the lack of any benefits of the development identified that would either individually or collectively clearly outweigh the harm to the Green Belt by reason of inappropriate development, harm to openness of the Green Belt, harm to two of the purposes of the Green Belt and the harm to visual amenity and character and the lack of drainage information, it is considered that the very special circumstances necessary to justify the proposal do not exist. In this assessment substantial weight is given to the harm to the Green Belt in accordance with paragraph 153 of the NPPF.

PUBLIC SECTOR EQUALITIES DUTY

5.39 Section 149 of the Equality Act 2010 contains the Public Sector Equality Duty (PSED) which requires public authorities, when exercising their functions, to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share relevant protected characteristic and persons who do not share it.

5.40 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to the characteristic;
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.41 The PSED does not specify a particular substantive outcome but ensures that the decision made has been taken with “due regard” to its equality implications.

5.42 Officers have given due regard to the equality implications of the proposals in making this recommendation. There is no indication or evidence (including from consultation on this application) that any equality matters are raised that would outweigh the material planning considerations.

6.0 CONCLUSION

6.1 The application seeks the change of use of agricultural land for the siting of 104 storage containers (use class B8) to be used as a self storage facility at Lambshill on Towthorpe Moor Lane in Strensall. The proposal is retrospective. This is a revised application following a recent refusal for 118 storage containers at this site (refused on green belt grounds, landscape grounds and insufficient drainage information).

6.2 The application site is located within the general extent of the York Green Belt and serves two of the Green Belt purposes set out in the NPPF - protecting the countryside from encroachment and to preserve the setting and special character of the city. As such it falls to be considered under paragraph 152 of the NPPF which states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm are clearly outweighed by other considerations. National planning policy dictates that substantial weight should be given to any harm to the Green Belt.

6.3 In addition to the harm to the Green Belt by reason of inappropriateness, it is considered that the proposal would have a harmful effect on the openness of the

Green Belt when one of the most important attributes of Green Belts are their openness and that the proposal would undermine the Green Belt purposes. Substantial weight is attached to the harm that the proposal would cause to the Green Belt. The harm to the Green Belt is added to by the harm to visual amenity and character of the landscape and the lack of drainage information identified in this report.

6.4 It is not considered that there are benefits arising from the proposal that clearly outweigh these harm so as to amount to very special circumstances necessary to justify an exception to Green Belt policy. Refusal is therefore recommended on three grounds.

7.0 RECOMMENDATION: Refuse

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 and

Policies D1 and D2 of the Draft Local Plan (2018) which similarly expect proposals to respect or enhance the local environment.

3 Insufficient information has been submitted with the application to demonstrate that an acceptable means of surface water drainage can be achieved in this location. As such the proposed development would conflict with paragraph 173 of the NPPF which states that Local Planning Authority should ensure that flood risk is not increased elsewhere. In addition, by virtue of the lack of information the proposal conflicts with Policy ENV5 of the Draft Local Plan (2018), Section 4.1.c of the City of York Council Strategic Flood Risk Assessment (2013), the City of York Council Sustainable Drainage Systems Guidance for Developers (2018), and Section 14 of the NPPF. It is not considered that these matters could reasonably be addressed through the imposition of planning conditions.

8.0 INFORMATIVES:

Contact details:

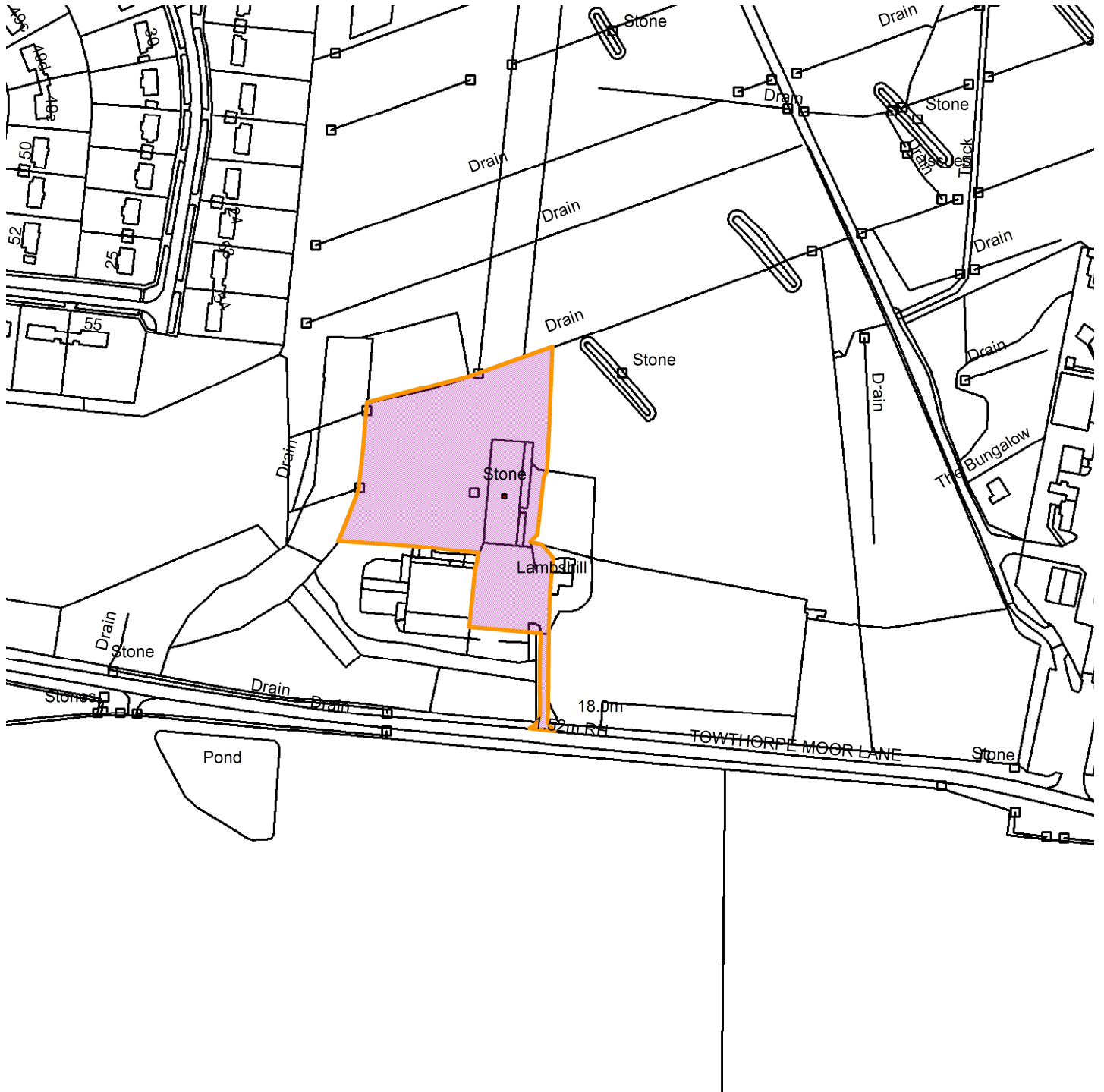
Case Officer: Natalie Ramadhin

Tel No: 01904 555848

This page is intentionally left blank

23/02117/FUL

BHE Self Storage, Lambshill, Towthorpe Moor Lane, Strensall YO32 9SR



Scale : 1:2719

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	29 January 2024
SLA Number	Not Set

This page is intentionally left blank



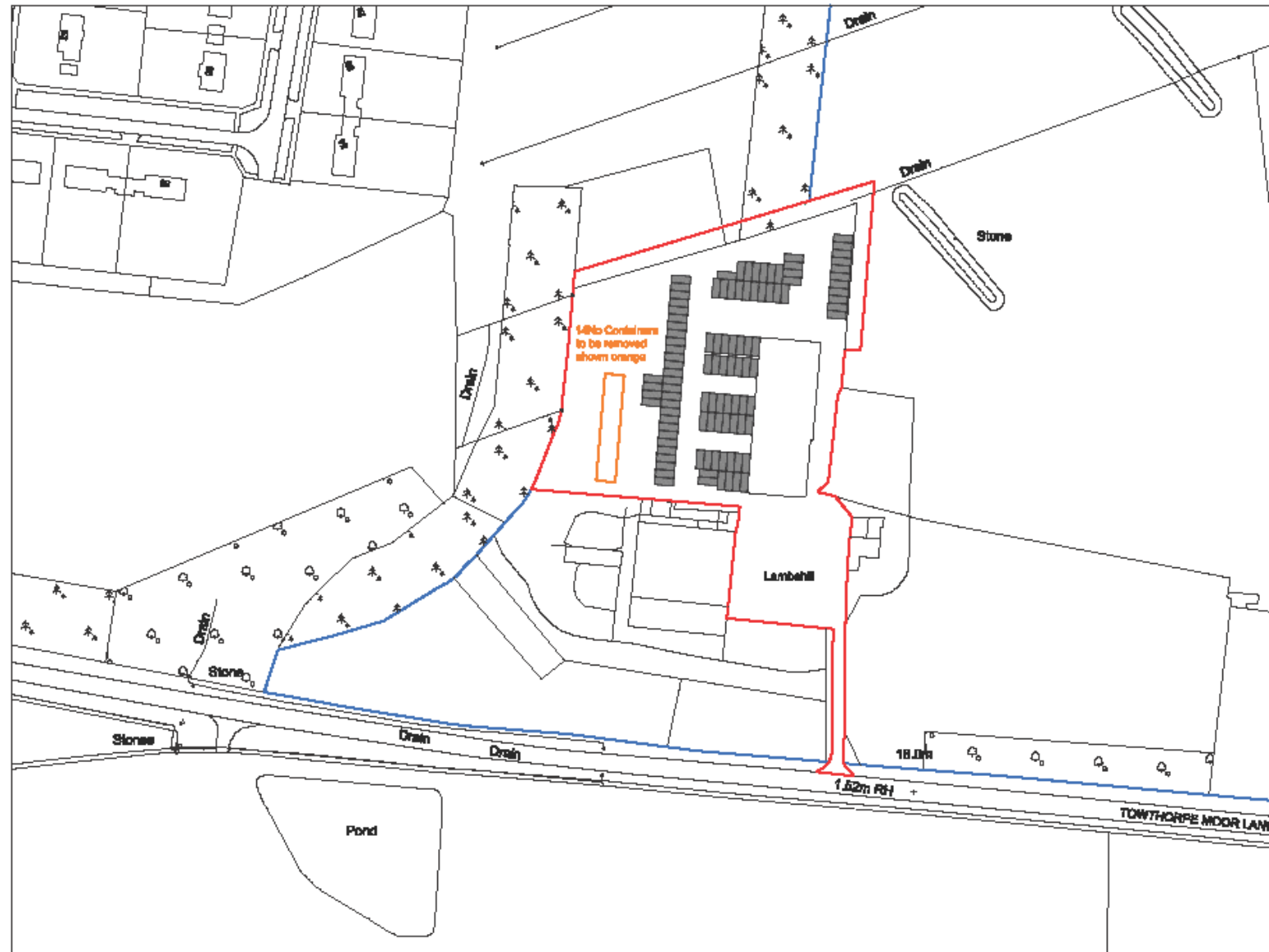
Planning Committee A

To be held on 8th February 2024

23/02117/FUL – BHE Self Storage, Self Storage Facility, Lambshill, Towthorpe Moor Lane, Strensall, York

Change of use of agricultural land to the siting of 104 storage containers (use class B8) - retrospective (resubmission)

Site Location Plan



BHE Self Storage

Retrospective Application for Storage Containers

Lambhill Farm
Towthorpe
Strensall
YO32 8ER

Location Plan

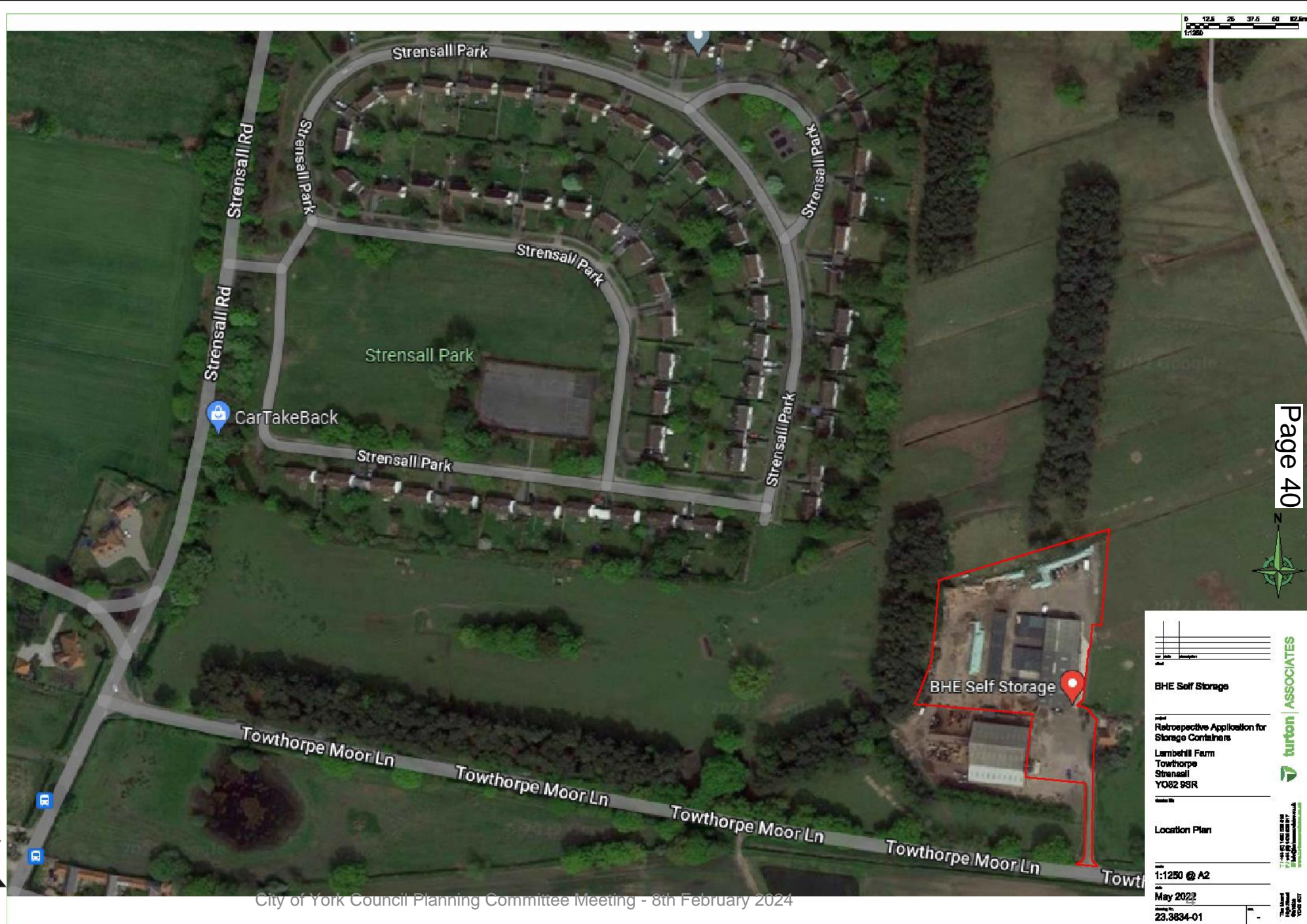
Scale
1:1250 @ A3

Date
October 2023

Reference
23.3834-02



Site Location –
Aerial Image



Site Entrance and approach to buildings





Containers in situ within building



Containers sited externally

Building Housing
Containers



Page 43



Vehicles being stored at site



Page 44

Exterior view of Site
from Towthorpe
Road (South)



Page 45

Exterior View from East



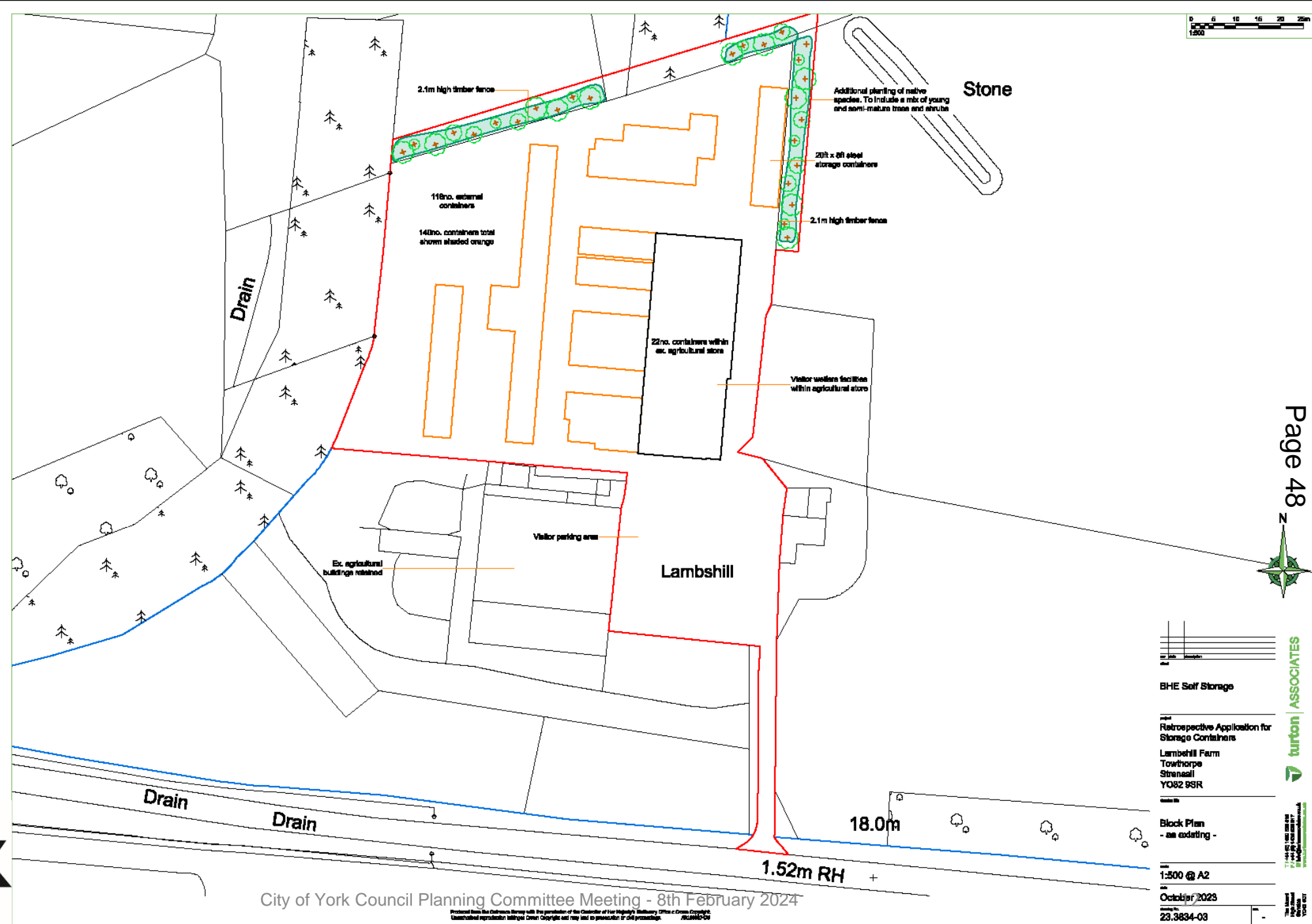
Exterior view from North



Page 47



Existing Block Plan



City of York Council Planning Committee Meeting - 8th February 2024

Revised from the Business Storage with the permission of the Council and the Mayor's Secretary Office © Crown Copyright. Unauthorised reproduction without Crown Copyright and may lead to prosecution if 204 permitted.

BHE Self Storage

Retrospective Application for Storage Containers

Lambshill Farm
Towthorpe
Stranell
YO82 9SR

Block Plan - as existing -

1:500 @ A2

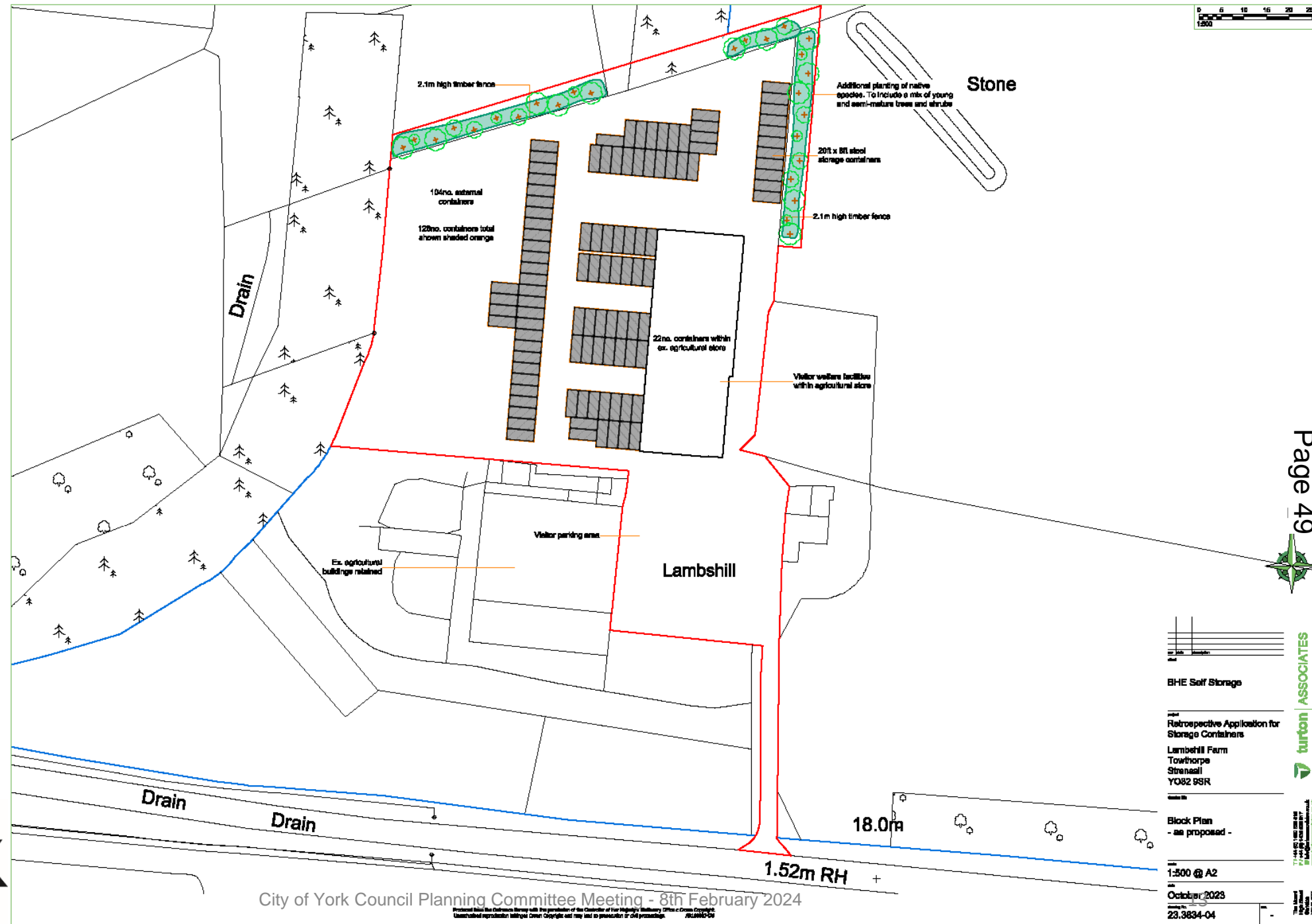
October 2023

23.3834-03

SEAVICISSV | turton

THE SEAVICISSV GROUP IS AN EQUAL OPPORTUNITY EMPLOYER AND PROMOTES DIVERSITY IN THE WORKPLACE. WE WELCOME APPLICATIONS FROM ALL QUALIFIED CANDIDATES REGARDLESS OF AGE, ETHNICITY, GENDER, RELIGION, SEXUAL ORIENTATION, OR DISABILITY.

Proposed Block Plan



BHE Self Storage

Retrospective Application for Storage Containers

Lambshill Farm
Touthorpe
Streaseal
YO82 8SR

Block Plan - as proposed -

1:500 @ A2

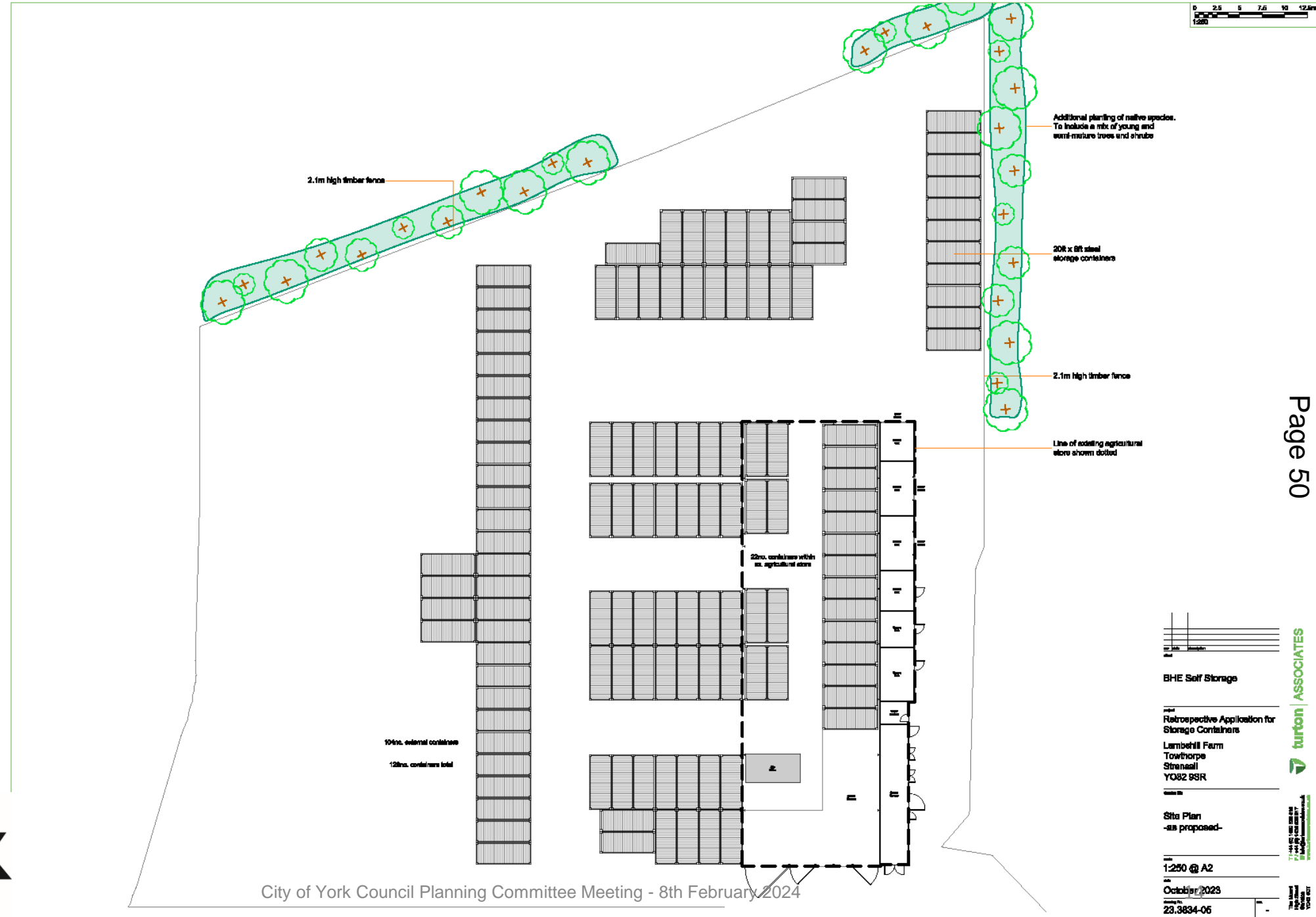
October 2023

23.3834-04

SELVACROSS ASSOCIATES
turton

Prepared for the Customer Service with the permission of the Controller of the Highways, Salisbury Office of Crown Copyright. Unauthorised reproduction without Crown Copyright may lead to prosecution or civil proceedings. JPL/2020/04

Proposed Site Layout Plan



No.	Date	Description

BHE Self Storage

Retrospective Application for Storage Containers
Lambhill Farm
Towhorpe
Stranell
YO82 9SR

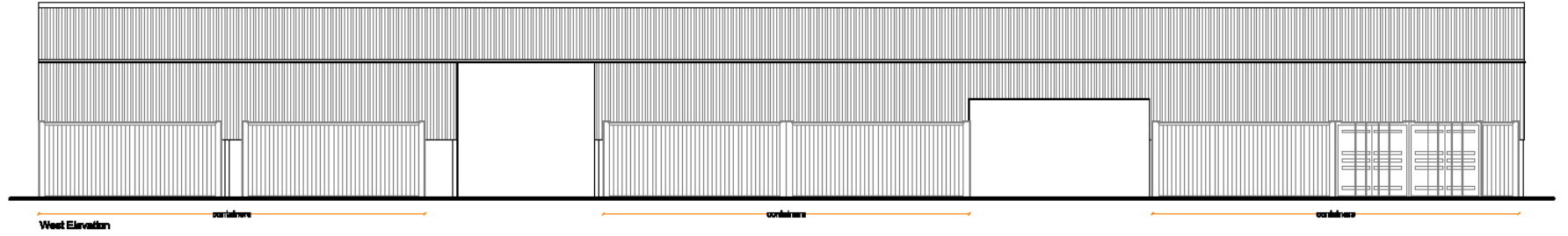
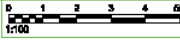
Site Plan
-as proposed-

1:250 @ A2

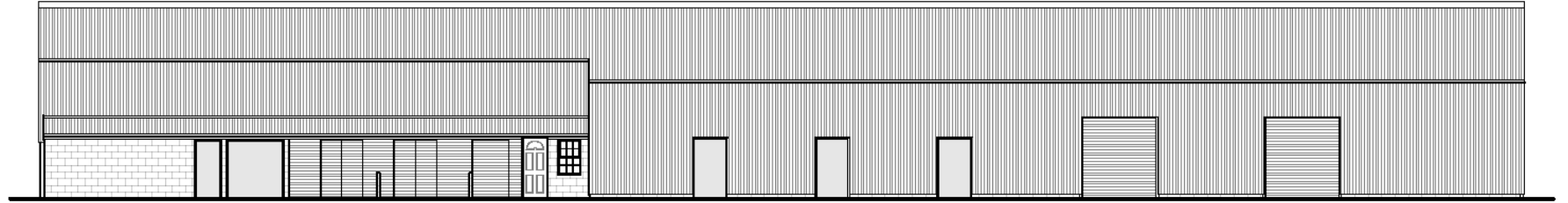
October 2023

23.3834-06

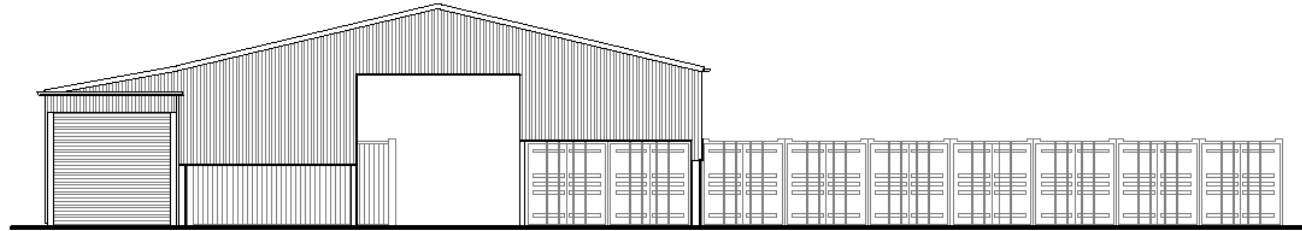
Building Elevations as Built



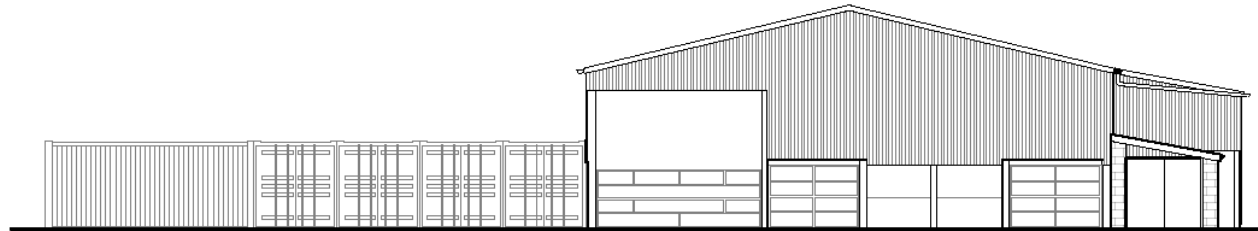
West Elevation



East Elevation



North Elevation



South Elevation



Author	
Check	
Date	

BHE Self Storage

Project
Retrospective Application for
Storage Containers
Lambhill Farm
Towthorpe
Stranalee
YO82 9SR

Drawn by

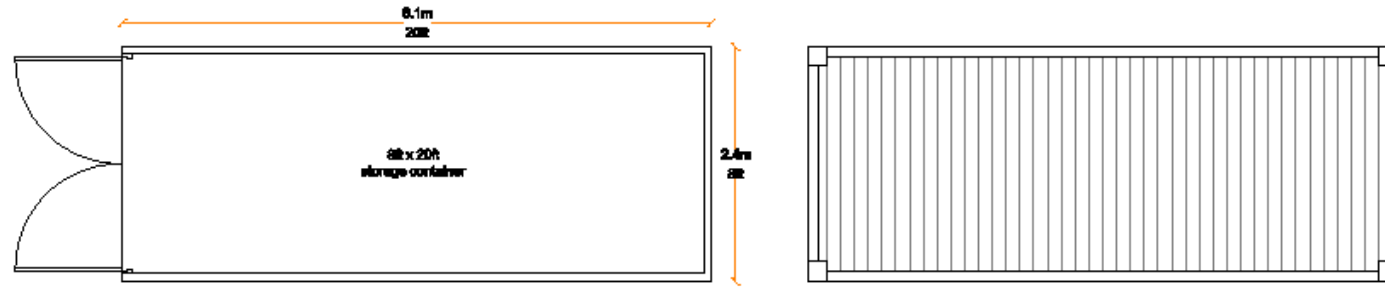
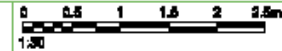
Elevations
-as built-

Scale
1:100 @ A2

Date
October 2023

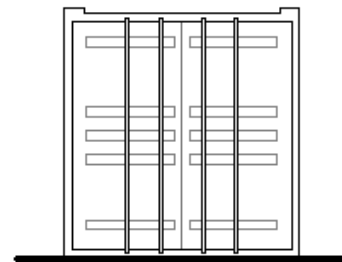
Drawing No.
23.3834-06

General
Arrangement
Drawing – 20ft
Storage
Container

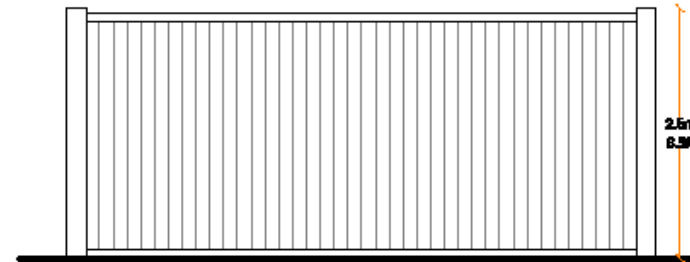


Floor Plan

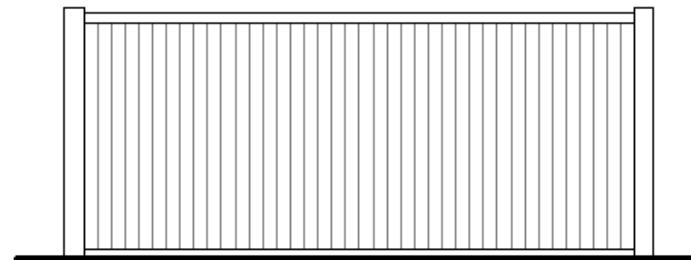
Roof Plan



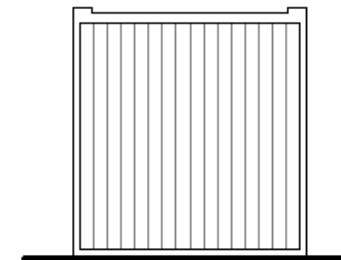
Front Elevation



Side Elevation



Side Elevation



Rear Elevation

No.	Description

BHE Self Storage

paper
Retrospective Application for
Storage Containers
Lambhill Farm
Towthorpe
Strensall
YO32 9SR

General Arrangement
20ft Storage Container

scale
1:50 @ A3

date
October 2023

drawing no.
23.3834-07

COMMITTEE REPORT

Date: 8 February 2024 **Ward:** Rural West York
Team: West Area **Parish:** Hessay Parish Council

Reference: 23/00626/FULM
Application at: Agricultural Land To The South Of Low Moor Lane Hessay York
For: Installation of a solar farm and associated infrastructure, including control station, DNO substation, access tracks, inverters and other auxiliary infrastructure
By: Mr Neil Foxall
Application Type: Major Full Application
Target Date: 13 February 2024
Recommendation: Approve

1.0 PROPOSAL

1.1 Planning permission is sought for erection of a solar farm covering some 61 hectares to the south of Low Moor Lane Hessay lying between the villages of Hessay and Rufforth and adjoining the western boundary of the former waste site at Harewood Whin. The land is presently in a mix of arable cultivation and pasture on a mix of Grade 3b)(medium quality) and Grade 4(low quality) agricultural land with grazing of cattle predominating. The works also include ancillary structures such as fencing, inverters, a substation and a DNO control station, access tracks and a grid connection. Access to the site would be via a new 3.5-metre-wide track from Tinker Lane to the southeast. The site is largely flat in character and divided up into a regular pattern of fields with mature hedges in native species interspersed with individual mature trees with few longer distance views across the site. No landscape or habitat designations would be affected. The site lies within the general extent of the York Green Belt.

1.2 The pv arrays would be fixed to a lightweight frame in rows spaced between 3.2 and 4.8 metres apart with the frame sitting on foundations 1.5 metres into the ground. Two substations set within a small maintenance compound would be provided to the southeast of the site with inverters to convert the electricity into a form to be transported through the grid associated with each bank of pvs. 2.6-metre-high clear mesh deer fencing would be provided around the outer perimeter of the site. Construction would be over a period of eight months to a year with a construction site compound provided at the eastern edge of the site. The farm is envisaged to be in place for a period of 40 years before de-commissioning.

1.3 The application has been amended since submission to address concerns in respect of landscape impact, drainage and also aviation safety, both in respect of glint and glare impacts and emergency landing from Rufforth airfield, which lies close by to the southeast. The development when fully operational is envisaged to generate some 49.99 MW of electricity which would be the equivalent of 13,000 homes on an annual basis. At the same time using calculations based upon the UK Digest of Energy Statistics it is estimated that it would result in a reduction in carbon footprint of 21,600 tonnes per year of operation.

Relevant Planning History

1.4 Nil

2.0 POLICY CONTEXT

2.1 Draft City of York Local Plan (2018) Policies:

- DP2 Sustainable Development
- SS2 The Role of York's Green Belt
- EC5 Rural Economy
- D2 Landscape and Setting
- GI2 Biodiversity and Access to Nature
- GI4 Trees and Hedgerows
- GB1 Development in Green Belt
- CC1 Renewable and Low Carbon Energy Generation and Storage
- ENV2 Managing Environmental Quality
- ENV5 Sustainable Drainage
- T1 Sustainable Access

2.2 Rufforth with Knapton Neighbourhood Plan (2017) Policies:

- RwK 01 Draft Green Belt

3.0 CONSULTATIONS

INTERNAL

Public Protection

3.1 Raise no objection to the proposal subject to any permission be conditioned to secure prior approval of any plant giving rise to noise audible from outside of the site and the remediation of any unexpected land contamination.

Carbon Reduction Team

3.2 Support the proposal as securing the implementation of Policy CC1 of the Draft Local Plan.

Design, Conservation and Sustainable Development (Ecology)

3.3 Raises no objection in principle to the proposal but seeks further clarification as to the lifespan of the project to that potential impact upon ecology through the demobilisation of the plant can be considered. Otherwise, detailed conditions covering a Construction Environmental Management Plan (CEMP) are sought for the period of commissioning and a Landscape Environmental Management Plan (LEMP) for the duration of the development as part of any permission.

Design, Conservation and Sustainable Development (Archaeology)

3.4 Raise no objection to the proposal subject to any permission being conditioned to require the undertaking of a post-determination archaeological evaluation.

Design, Conservation and Sustainable Development (Trees and Landscape)

3.5 Raise concerns in respect of the significant harmful impact the proposal would cause to the open pastoral character of the local landscape particularly in views south from Low Moor Lane although that is not a Public Right of Way for much of its length. It is acknowledged that the proposed deer fencing would be pulled back from the site boundary and that is felt to be an improvement. At the same time, it is felt that the site would benefit from additional landscape planting of native species particularly oak around the wider boundaries of the site and also along the historic field boundaries. That should be undertaken either early in the process before the panels can impact the health of the new planting or as part of de-commissioning. Either way such planting could be conditioned as part of any permission within the context of a revised LEMP. Detailed conditions are also recommended in terms of a

landscape scheme, an arbouricultural method statement and the layout and de-commissioning of the construction site compound.

Public Rights of Way

3.6 Following clarification of any impact upon routes identified upon the “definitive map” no objection is raised to the proposal.

Flood Risk Management

3.7 Raise no objection in principle to the proposal subject to soakaways not being used as the means of securing surface water drainage from the site and a drainage strategy being submitted for prior approval.

Highway Network Management

3.8 Raise concerns in respect of the proposed access arrangements and parking for vehicles during construction and subsequently in respect of service vehicles.

Strategic Planning Policy

3.9 The position in respect of the weight to be afforded the principle relevant policies is as follows:

- DP2 Sustainable Development – No unresolved objections policy can be afforded moderate weight
- SS2 The Role of York’s Green Belt- The policy is consistent with the Framework and may be afforded moderate weight.
- EC5 Rural Economy -No unresolved objections and may be afforded moderate weight.
- D2 Landscape and Setting – The policy is consistent with the Framework and may be afforded moderate weight.
- GI2 Biodiversity and Access to Nature – Minor unresolved objections policy may be afforded moderate weight.
- GI4 Trees and Hedgerows- The policy is consistent with the Framework and may be afforded moderate weight.
- GB1 Development in Green Belt- The policy is consistent with the Framework and may be afforded moderate weight.

- CC1 Renewable and Low Carbon Energy Generation and Storage- Objections partially resolved- The policy may be afforded limited weight.
- ENV2 Managing Environmental Quality – Subject to minor modifications and consistent with the Framework- The policy may be afforded moderate weight.
- ENV5 Sustainable Drainage – The Policy is consistent with the Framework and may be afforded moderate weight.
- T1 Sustainable Access – The Policy is subject to unresolved objections and so may be afforded limited weight.

EXTERNAL

Natural England

3.10 Raise no objection to the proposal.

Environment Agency

3.11 Raise no objection to the proposal.

Ainsty(2008) Internal Drainage Board

3.12 Raise no objection to the proposal as amended subject to a series of conditions in respect of drainage strategy, landscaping and construction of internal access routes being attached to any planning permission.

Rufforth Parish Council

3.13 Object to the proposal on the grounds of loss of productive grade 3b) agricultural land, impact upon the open character of the Green Belt with harm to important views of Rufforth village from the east, absence of detail in respect of provision for construction traffic and potential harm to the open character and purposes of designation of the Green Belt arising from the grid connection to the north.

Hessay Parish Council

3.14 Object to the proposal on the following grounds:

Application Reference Number: 23/00626/FULM

Item No: 4b

- Loss of residential amenity due to noise pollution both during the construction of the development and from the panels and ancillary apparatus subsequently.
- Potential use of Low Moor Lane as an access point to the site notwithstanding that its width and alignment are not suitable for heavy vehicles and there is a weight restriction preventing access by HGVs through Hessay village.
- Harm to the open character of the Green Belt
- Harm to the character of the local landscape
- Harm to aviation safety from Rufforth Airfield
- Lack of benefit to the wider community
- Harm to local businesses including a harness racing track to the north of the proposed site.
- Harm to local wildlife, notably bird life present in the area.
- Harm to the amenity of the area north of the site arising from the installation of the grid connection.

3.15 York Gliding Centre raise no objection to the proposal as amended subject to any permission being conditioned to ensure compliance with the revised glint and glare assessment and emergency landing area.

3.16 North and East Yorkshire CPRE object to the proposal on the grounds that:

- Harm to the Open Character of the Green Belt
- Harm to users of the adjoining (PROW) rights of way network
- Harm to the landscape setting of Rufforth
- Incompatibility with Local and National Planning Policy
- Harm to the character of the soil and to future agricultural husbandry of the site

4.0 REPRESENTATIONS

4.1 The proposal was publicised by Site Notice on 25th April 2023 and by press notice and neighbour notification at the same time. 28 Letters of objection have been received raising the following issues: -

- Objection to the loss of land currently in food production
- Objection to the harm to residential amenity of neighbouring properties due to glint and glare from the panels

- Objection to loss of residential amenity to neighbouring properties from noise from the panels and associated apparatus
- Objection to harm to aviation safety through glint and glare and obstruction of the safe emergency landing area for Rufforth Airfield
- Objection to harm to the openness of the Green Belt
- Objection to harm to local wildlife particularly birdlife
- Objection to landscape harm caused by the proposed deer fencing.
- Concern in respect of the future of the site following de-commissioning of the apparatus.
- Concern in respect of the potential grid capacity to absorb the output from the apparatus.
- Objection to construction and service traffic travelling through Hessay village.
- Lack of consideration of alternative sites
- Objection to the constraining of wildlife caused by the proposed deer fencing.

5.0 APPRAISAL

5.1 KEY ISSUES: -

- Principle and Green Belt
- Impact upon Openness
- Landscape Character
- Biodiversity
- Loss of Agricultural Land
- Residential Amenity
- Access and Transportation
- Aviation Safety
- Surface Water Drainage

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.2 The NPPF sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

DEVELOPMENT PLAN

5.3 The Statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) and the Rufforth with Knapton Neighbour Plan (2017) in part.

LOCAL PLAN

5.4 The Draft City of York Local Plan 2018 was submitted for examination on 25th May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be in 2024. The draft policies can be afforded weight in accordance with paragraph 48 of the NPPF.

PRINCIPLE AND GREEN BELT:

Policy

5.5 The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that, the essential characteristics of the Green Belt are its openness and permanence.

5.6 Paragraph 143 of the NPPF states that the Green Belt serves 5 purposes:

- * To check the unrestricted sprawl of large built-up areas.
- * To prevent neighbouring towns merging into one another.
- * To assist in safeguarding the countryside from encroachment.
- * To preserve the setting and special character of historic towns.
- * And to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.7 In line with the decision of the Court in *Wedgewood v City of York Council* [2020], and in advance of the adoption of a Local Plan, decisions on whether to treat land as falling within the Green Belt for development management purposes may take into account the RSS general extent of the Green Belt, the 2005 DCLP, the 2018 Draft Plan, insofar as can be considered against paragraph 48 of the NPPF

and should have regard to site specific features in deciding whether land should be regarded as Green Belt.

5.8 The site is located within the general extent of the York Green Belt as described in the RSS. In addition to the saved policies YH9(C) and Y1 (C1 and C2) of the Regional Spatial Strategy which relate to York's Green Belt, the site is identified as falling within greenbelt in the proposals maps of the Development Control Local Plan (2005) and Draft Local Plan (2018) It is also partially within the area of the “made” Rufforth with Knapton Neighbourhood Plan (2017) and covered by Policy RwK01 Draft Green Belt.

5.9 The site is identified in the City of York Local Plan - The Approach to the Green Belt Appraisal which the Council produced to aid in the identification of those areas surrounding the City that should be kept permanently open as being of importance in securing the openness of the Green Belt.

5.10 Additionally, when the site is assessed on its merits it is concluded that it serves two Green Belt purposes as set out in paragraphs 143(c) and (d), namely assisting in safeguarding the countryside from encroachment and helping to preserve the setting and special character of York. As such, the site should be treated as lying within the general extent of the York Green Belt and the proposal falls to be considered under the restrictive Green Belt policies set out in the NPPF and within policy GB1 of the Draft Local Plan (2018).

Assessment

5.11 The relevant local policy is GB1 together with Policy RwK 01 of the Rufforth with Knapton Neighbourhood Plan. The relevant paragraphs of the NPPF are 152 and 155. A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt unless it meets one of the exceptions set out in paragraph 154 of the NPPF. The proposal does not meet any exceptions set out in paragraph 154 of the Framework.

5.12 Certain other forms of development are not inappropriate in the Green Belt including engineering operations provided they preserve its openness and do not conflict with the purposes of including land within it as set out in paragraph 155 of the NPPF . The proposal does not meet any exception set out in paragraph 155.

5.13 The development is classed as inappropriate development in the Green Belt, which is by definition harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the

potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether very special circumstances exist is assessed at paragraphs 5.42-5.46 below.

5.14 Turning to the impact on the Green Belt and openness, Planning Policy Guidance refers to a number of matters that the courts have identified can be taken into account in assessing openness, which include: spatial and visual aspects, duration of development and remediability and the degree of activity generate.

5.15 The proposal envisages the erection of a solar farm consisting of ground mounted tilted panels to a maximum height of 2.9 metres sitting within a lightweight frame together with a range of ancillary development including inverters and a sub-station enabling the electricity to be generated to be circulated through the grid. The site is middle grade agricultural land presently predominantly in pasture use for grazing of cattle with some in use for growing root crops. The surrounding landscape is predominantly flat with a mix of small and medium sized fields surrounded by the predominant boundary treatment characteristic of the wider locality comprising mature trees and lengths of hedgerow. In terms of the principle of the development its appropriateness or otherwise in Green Belt terms is fundamental to its acceptability.

IMPACT UPON OPENNESS

5.16 In terms of impact upon openness the proposal would fundamentally alter the character of the surrounding landscape albeit over a period of forty years. From being an area predominantly in informal pasture use; the site would take on a physically regimented, engineered character which would be clear over a wide area. The openness of the Green Belt would therefore clearly be harmed in both visual and spatial senses with the area of the farm largely filling the undeveloped gap between Hessay and Rufforth villages. That is notwithstanding the proposals for reinforcing landscape planting at the proposed boundaries and around historic field boundaries and the retention of grazing involving sheep between the panels. The nature of the deer fencing with its wire bow top would also harm the openness of the Green Belt notwithstanding its re-alignment since the proposal was first submitted. The character of the current traditional informal boundary treatment would be largely lost.

5.17 Paragraph 143 of the Framework identifies five Green Belt purposes which include safeguarding the open countryside from encroachment. Notwithstanding the purpose of the development, it would represent a clear encroachment of engineered

built development into what is presently open countryside both in terms of its physical form and the associated fencing.

LANDSCAPE CHARACTER

5.18 Central Government Planning Policy as outlined in paragraph 180 b) of the NPPF indicates that planning decisions should recognise the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services including the economic and other benefits from best and most versatile agricultural land and of trees and woodland. At the same time Policy D2 of the Draft Local Plan indicates that development proposals will be encouraged and supported where they conserve and enhance landscape quality and character and the public's experience of it and make a positive contribution to York's special qualities.

5.19 The application site does not lie within any special landscape designations and is not readily visible from anywhere in any longer distance views. Concerns have however been expressed in respect of the visual impact of the southern area of the farm which includes a section of the ancillary sub-station and other development on the views of Rufforth village including the Church from the public bridle way skirting the northern edge of the former Harewood Whin Landfill Site to the east of Rufforth village. The view is presently of the pastoral setting of the village with the traditional boundary treatment of short lengths of mature hedge row and individual trees appearing highly prominent. The proposal would transform the presently semi-natural landscape into one much more highly regimented and engineered in appearance which would give rise to some significant harm to landscape character. Since the proposal was submitted the scheme has been amended to make it appear less dense to secure retention of a section of emergency landing area associated with the northern runway of Rufforth Airfield. Some significant harm to local landscape character does however remain.

5.20 Concerns have also been expressed by the Council's Landscape Architect in terms of the landscape harm at the northern edge of the site in views from Low Moor Lane Hessay. The boundary of the site in that location whilst physically flat is more open running parallel to Low Moor Lane, a by-way open to all traffic. Quite important and lengthy middle-distance views of the pastoral landscape exist into the site to the south and southeast of the Lane with some sections of the traditional boundary treatment potentially compromised by the work. The design and location of the proposed deer fencing relative to the boundary is also a concern in view of the degree of erosion it would cause to the traditional landscape character. Since the scheme was submitted it has been amended to relocate and vary the design of the

fencing and the applicant has agreed to supplement the planting within the existing hedgerow field boundaries which would be retained within the site. The design of the fencing can be further mitigated by further detail of its precise appearance and location which may be secured by condition along with any reinforcement planting as part of any permission. Landscape harm from the proposal is still though felt to be significant and needs to be weighed within the planning balance against the positive benefits of the scheme. At the same time a significant degree of mitigation may be achieved, through a linked landscape scheme together with an arbouricultural method statement which may be secured by condition as part of any permission.

BIODIVERSITY

5.21 Central Government Planning Policy as outlined in paragraph 186a) of the NPPF indicates that when determining planning applications local planning authorities should ensure that if significant harm to biodiversity resulting from a development cannot be avoided adequately mitigated or as a last resort compensated for then planning permission should be refused. At the same time Policy GI2 of the Draft Local Plan indicates that any development should ensure the retention, enhancement and appropriate management of features of biological interest.

5.22 The application site does not impact upon any specific protected habitats and the submitted application was supported by a series of detailed surveys contained within an overall ecological impact assessment. The assessment indicates a number of measures to secure the habitat of species making use of the area including designing and locating lighting to minimise harm to foraging bats, designing and locating fencing to allow hedgehogs, voles and other small native mammals to pass freely through the area. Drainage of the access routes and working areas would also be designed to minimise pollution of the surrounding area. The proposed reinforcement planting of the areas of hedge and mature trees would improve conditions for ground nesting birds such as skylark which are known to be present in the area and also for tree roosting bats. The surroundings of the pond present within the site towards its eastern edge would be enhanced with the placement of logs and appropriate planting to encourage use by amphibians. At the same time those areas of the site presently in arable cultivation would be re-seeded with an appropriate native grass and wildflower mix. The removal of arable cultivation would encourage colonisation of the site by badgers and work would be halted and re-configured in the event of any unexpected badger activity being found to take place during the construction process.

5.23 The submitted Ecological Assessment indicates that it is possible for the site to comply with the emerging requirement for Biodiversity Net Gain subject to the standard means of assessment. In order to safeguard habitat and biodiversity within the site during the course of development and to provide for the emerging requirement for Biodiversity Net Gain it is recommended that any permission be conditioned to require the submission and prior approval of a detailed Landscape and Ecological Management Plan which outlines the proposed measures in detail together with providing an appropriate timescale. At the same time the prior approval of a detailed Construction Environmental Management (Biodiversity) to regulate the construction process and mitigate any associated potential harms is also recommended as part of any decision.

5.24 Concern has been expressed in respect of the future of the site after the expiry of the 40-year design life of the proposal and the potential for physical harm to planting and biodiversity which had grown up in the meantime through the decommissioning process together with the possibility that the land could be taken as being “previously developed” or brownfield land and therefore suitable for a more intensive and more urban onward use. The applicant has indicated that it would be returned as far as is practicable to its pre-existing condition and that to secure that a decommissioning management plan to address such issues would be acceptable secured by condition as part of any permission. Subject to the three conditions being in place as part of any permission the proposal is felt to be acceptable in ecological terms.

LOSS OF AGRICULTURAL LAND

5.25 Central Government Planning Policy as outlined in paragraph 180b) of the NPPF indicates that planning decisions should contribute to and enhance the local and natural environment by recognising the intrinsic character of the countryside including the economic benefits of best and most versatile agricultural land. The Agricultural Land Survey indicates the application site to be variable in quality with significant areas of Grade 4 land which is in use for pasture to the north and west. Within the central section there are however some areas classified as Grade 3b) which are in arable cultivation most recently for root crops. Some concern has been expressed by objectors in respect of the loss of the area of arable cultivation with potential impacts upon UK food security.

5.26 Agricultural land classified as being Grade 3b) is not however included anymore as being within the accepted definition of being best and most versatile. It

is instead taken as being more general-purpose agricultural land with arable cultivation more suitable and favoured on the higher grades. Furthermore, the removal of arable cultivation would act to enhance biodiversity by encouraging the re-settlement of the area by small mammals such as badgers currently known to be present within the wider area. The layout of the solar farm has also been designed to enable grazing of the area between the panels by sheep throughout the design life of the development and so agricultural activity would not cease. The CPRE has suggested using planning advice current in Wales that the proposed development may lead to harm to the character of the soil and inhibit future husbandry activities at the site. The site is however not high grade agricultural land most suitable for growing crops in any case although it has in part done so previously. The proposal would also not inhibit the use of appropriate methods to return the site to cultivation when it is decommissioned. Any potential harm is not therefore felt to be material.

RESIDENTIAL AMENITY

5.27 Central Government Planning Policy as outlined in paragraph 135f) of the NPPF indicates that planning decisions should create places with a high standard of amenity for all existing and future users. At the same time Policy ENV2 of the Draft Local Plan indicates that development proposal for uses that are likely to have an environmental impact upon the amenity of the surrounding area including residential amenity, open countryside, local character and distinctiveness must be accompanied by evidence that the impacts have been evaluated and that the proposal would not result in any loss of character or amenity.

5.28 There are no residential properties in the direct vicinity of the application site other than Mullingar Farm on Low Moor Lane which directly backs on to a section of the deer proof fencing although there is a further five metre distance from the nearest row of panels themselves and the boundary of the site is heavily landscaped with a mature hedge with a curtilage in excess of 10 metres in width. There are two other properties also on Low Moor Lane a little further away, Moor Villa Farm to the northwest and Oakview directly to the northeast which is associated with a sand track harness racing with horses. Concern has been expressed by the occupier of Oakview in respect of the potential for disturbance for the horse training activities from the operation of the plant. The landscaped buffer surrounding the site is however at its broadest at that point being in excess of 10 metres with the panels directed to the southeast away from the boundary. The panels are also fixed not giving rise to any noise from movement or other activity associated with their operation. The submitted noise survey has identified the possibility of a slightly elevated noise level from the sub-stations in respect of Mullingar Farm particularly at

night when levels of background noise are otherwise lower. It is recommended that this be addressed by condition in respect of the prior approval of audible plant in respect of any permission.

5.29 Concerns have also been expressed by objectors living further to the north on Shirbutt Lane in respect of noise from the panels together with the potential for infra (very low frequency) noise nuisance from their operation. The panels are however of a fixed design which does not pivot with the direction of the sun. The operation of the panels themselves also does not give rise to a risk of infra-noise with the inverters and sub-station which carry a small, localised risk located towards the centre of the site a significant distance away from neighbouring properties. At the same time if the proposal is successful the grid connection would be undertaken underground to the northeast of the site without any risk from noise to adjoining properties. Impact of the proposal upon the amenity of neighbouring properties is therefore felt to be acceptable.

ACCESS AND TRANSPORTATION

5.30 Central Government planning policy as outlined in paragraph 115 of the NPPF indicates that development should only be prevented or refused on highway grounds if there would be an unacceptable impact upon highway safety or the residual cumulative impact upon the road network would be severe. At the same time Policy T1 of the Draft Local Plan indicates that development will be supported where it minimises the need to travel and provides safe, suitable and convenient access for all transport users to and within it. Development proposals will be required to demonstrate that there is safe and appropriate access to the adjacent adopted highway.

5.31 It is proposed that access for construction of the solar farm together with subsequent maintenance visits would be via a crushed stone track leading from Tinker Lane, a private road linking the access to Harewood Whin with the premises of the York Gun Club. No access other than in the event of an emergency would be via the northern edge of the site and Low Moor Lane. Hessay village itself carries a 7.5 Tonne weight limit due to poor tracking and visibility at a junction in the centre of the village.

5.32 A series of narrow tracks would be created to enable maintenance access through the site with space for informal parking for maintenance vehicles to the southeast of the grid substation. During the construction process a temporary construction site compound is envisaged at the southeastern edge of the site which

will enable the plant to be assembled and distributed through the site. Concern has been expressed in respect of the layout of the compound and its relationship to the proposed access from Tinker Lane. Volumes of traffic on Tinker Lane are minimal with the only other premises accessed being the York Gun Club. It gives on to the access to the Harewood Whin landfill site to the southwest which has been designed to accommodate HGVs of similar configuration to those accessing the site during construction. The applicant has confirmed that once on the adopted highway delivery, construction and staff vehicles would access the wider network via the B1224 Wetherby Road and the City outer ring road and wouldn't travel via Rufforth village. Impact upon the safety and convenience of highway users arising from traffic accessing the site during construction and subsequent operation would be minimal and can be conditioned by a requirement for a Construction Traffic Management Plan as part of any permission.

5.33 Low Moor Lane to the north of the site has a status of by way open to all traffic with restrictions on use by heavier vehicle. Extremely poor visibility at the junction in the centre of Hessay village also precludes use by heavy vehicles. The applicant has confirmed that access into the site from the north would be solely by smaller maintenance vehicles in the event of an emergency occurring in the vicinity or if the southern access came to be out of use. This is felt to be acceptable.

5.34 Some concern has been expressed by Highway Network Management in respect of impact from glare from the panels on road users on the adjoining highway. However, the degree of distance with intervening landscaping combined with the location and orientation of the panels ensures that this would not propose a material risk.

AVIATION SAFETY

5.35 The application site lies a short distance to the northwest from the northern runway supporting both microlight and glider aviation at the nearby Rufforth Airfield. Objection was initially raised by the operator of the airfield York Gliding Club in respect of the impact of glint and glare arising from the panels on aircraft ascending from and descending towards the airfield. At the same time a section of the southeastern quadrant of the proposal sits within the emergency landing area for the northern runway where aircraft and associated gliders can safely land in the event of mechanical failure or a failure of the associated tow ropes.

5.36 Detailed negotiations between the applicant and the Gliding Club have resulted in the submission of a revised glint and glare assessment with the re-alignment of

the panels to minimise impact upon over flying aircraft. The southeastern section of the development has also been partially re-designed to allow for an area to continue to be used for emergency landing. The revised measures may be secured by planning condition as part of any permission.

SURFACE WATER DRAINAGE

5.37 Central Government Planning Policy as outlined in paragraph 173 of the NPPF indicates that when determining planning applications Local Planning Authorities should ensure that flood risk is not increased elsewhere. The application site lies within Flood Zone 1 and is therefore felt to be at the lowest risk of flooding from riparian sources. It currently contains several feeder drains and other water courses feeding into the IDB maintained Oak Nursery Dyke. The Rufforth North and Smatwith Dykes also cross the site but would not receive direct flows. All are known to take high flows in the event of heavy rainfall events.

5.38 It is envisaged that all hard surfaced areas would be formed from a Type 3 permeable hard core covering the tracks to access the panels, the base for the inverter stations and the substations. The area of the substations would cover some 529 square metres in area with an attenuated drainage system giving a discharge rate of 1 litre per second. In terms of the impact of the panels themselves on the surface water drainage detailed research suggests that it would be as little as 0.35%. Subject to the standard 9 metre offset being provided clear of physical structures and planting to the water courses across the site to allow for maintenance then the proposal is felt to be acceptable in terms of surface water drainage and flood risk.

OTHER ISSUES:

5.39 Objection has been made to the design of the deer fencing on the basis that it would obstruct historic hunting rights across the northern section of the site. That is however a landownership issue and not a material planning consideration in respect of the current application.

5.40 Concern has been expressed in terms of the lack of grid connection capacity together with the amenity implications of the grid connection if successful. The access of the development to the power grid is undertaken through a separate consent process involving the grid operator and the developer has indicated that in the event of success it would be via connection to an underground cable off site with minimal impact upon amenity. Details of the proposed grid connection which would

largely follow the existing highway network have been submitted although it may vary in terms of its detailed route and is not a material consideration in respect of the current planning application.

5.41 Objection has been made to a lack of consideration of alternative sites for the proposal. In the context of a critical need for renewable energy and the lack of any specific landscape or amenity designation or overriding amenity harm the suitability of the site needs to be assessed on its own merits.

PLANNING BALANCE AND CASE FOR VERY SPECIAL CIRCUMSTANCES

5.42 The proposed development is inappropriate in the Green Belt by virtue of harm to its openness both in the visual and spatial senses. Paragraphs 152 and 153 of the Framework indicate that inappropriate development is by definition harmful to the Green Belt and should only be approved in very special circumstances. Very special circumstances will only apply where the potential harm by reason of inappropriateness and any other harm would be outweighed by other considerations.

5.43 The Framework indicates that substantial weight should be afforded harm to the openness of the Green Belt in the planning balance. In terms of other harms, the proposal would as outlined above give rise to significant landscape harm during its lifetime particularly in terms of views across what is presently a traditional pasture landscape when viewed from the north across Low Moor Lane and in terms of its impact upon the setting of Rufforth village from the east and southeast with the notable views of the Church. That should also be afforded substantial weight.

5.44 Central Government Planning Policy as outlined in paragraph 163b) of the NPPF indicates that when determining applications for renewable and low carbon development local planning authorities should approve the application if its impacts are or could be made acceptable. At the same time Policy CC1 of the Draft Local Plan in its modified form indicates that the Council will work with developers to ensure that suitable sites are identified, and projects delivered. Proposals for renewable and low carbon energy development will be supported where impacts upon the following considerations can be demonstrated to be acceptable:

- Local Communities and residential amenity resulting from the development construction and operation
- The location in terms of scale of the proposal and associated grid connection lines

- Nature Conservation sites and features
- The road network, capacity and highway safety
- agriculture and other land-based industries.

5.45 Paragraph 156 of the Framework acknowledges that when located in the Green Belt elements of many renewable energy projects will comprise inappropriate development. In such cases the required case for very special circumstances may include the environmental benefits of the production of energy from renewable sources. The City declared a Climate Emergency in 2019 with the overall goal of being carbon neutral by 2030. An important element of the aspiration contained within the Draft Climate Change Strategy 2022-2032 has been the adoption of electricity as the preferred source of energy as that can be produced without resort to sources which release carbon emissions. Solar forms a very important element of the mix of potential renewable sources with large scale wind being less appropriate due to the potential impact upon the Historic City skyline. Suitable sites for solar need to be brought forward which have a lesser impact upon food production, highway and access conditions and local amenity.

5.46 Notwithstanding the landscape harm caused by the current proposal in two specific areas it is felt that it is otherwise acceptable in planning terms and that substantial weight should therefore be afforded the contribution it would give to the decarbonisation of the City's energy supply. It is felt that the provision of "clean" electricity to power in the region of 13,000 homes per annum when fully operational would fulfil the test of "very special circumstances" whilst securing compliance with Policy CC1 of the Draft Local Plan as well as paragraph 163b) of the NPPF

6.0 CONCLUSION

6.1 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 and approval is recommended.

7.0 RECOMMENDATION: Approve

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

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

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

Drawing Refs:	105-029A-231218	LOCATION PLAN
	105-030A-231220	INDICATIVE COMPOUND LAYOUT
	105-004A-230213	INVERTER STATION ELEVATIONS
	105-005A-230214	CABLE TRENCH CROSS SECTION
	105-006A-230214	CUSTOMER SUBSTATION ELEVATIONS
	105-007A-230214	ROAD CROSS SECTION
	105-008A-230214	METEO STATION DETAILS
	105-009B-230214	FENCE & GATE DETAILS
	105-010A-230214	CCTV POLE DETAILS
	105-013F-230323	PROPOSED SITE LAYOUT PLAN
	105-020A-230323	DNO SUBSTATION ELEVATIONS
	105-230214-011A	SPARE PARTS BUILDING DETAILS
	105-230216-012A	PANEL ELEVATIONS

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

3 Precise details of the deer and security fencing to be used within the development including design, finish and location shall be submitted to and approved in writing by the Local Planning Authority before the construction of the development commences beyond site clearance and shall be provided in accordance with the approved details before the development is occupied.

Reason: In the interests of the visual amenities of the area and the amenities of neighbouring properties.

4 Prior to the site being first brought into use the substations, storage buildings and other ancillary structures associated with the development shall be painted in dark colour previously agreed in writing by the Local Planning Authority.

Reason: To safeguard the character of the local landscape and to secure compliance with paragraph 180b) of the NPPF.

5 Prior to the development being first brought into use all tracks, roads and other hard surfaced areas shall be surfaced in a Type 3 permeable aggregate to the satisfaction of the Local Planning Authority.

Reason: To ensure that the site drains satisfactorily and to secure compliance with paragraph 173 of the NPPF

6 No development shall take place until details of the proposed means of surface water drainage from the proposed, the compound and access roads, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. The information shall include site specific details of:

- i) cross sectional detail of the inverter stations, and access roads,
- ii) the means by which the surface water discharge rate (from the compound area) shall be restricted to a maximum rate of 1.0 (one point zero) litres per second,
- iii) the means by which the surface water attenuation (from the compound area) up to the 1 in 100-year event with a 30% climate change allowance shall be achieved,
- iv) a topographical survey showing the existing and proposed surface water drainage invert and cover levels, ground and finished floor levels to ordnance datum for the compound area and. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties, and
- v) the future management and maintenance of the proposed drainage scheme.

Reason: So that the Local Planning Authority may be satisfied

7 A strip of land 9 metres wide adjacent to the top of the embankment of any watercourse which is maintained by Ainsty (2008) Internal Drainage Board under the Land Drainage Act 1991 shall be kept clear of all new buildings, structures, walls,

fencing, hard paving and planting unless agreed otherwise in writing with the Drainage Board on the basis:

- i) Ground levels must also remain the same within this area, and
- ii) Access arrangements should also be agreed with Ainsty (2008) Internal Drainage Board.

Reason: to ensure adequate space is available to maintain the watercourse at all times

8 A programme of post-determination archaeological evaluation (trial trenching 3%) and recording of ridge and furrow (field 7) is required on this site. The archaeological scheme comprises 3-5 stages of work. Each stage shall be completed and agreed by the Local Planning Authority (LPA) before it can be approved.

A) No archaeological evaluation or development shall take place until a written scheme of investigation (WSI) for evaluation by trial trenching and recording of ridge and furrow in field 7 has been submitted to and approved by the local planning authority in writing. The WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

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

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

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

E) No development shall take place until:

- details in D have been approved and implemented on site
- provision has been made for analysis, dissemination of results and archive deposition has been secured
- a copy of a report on the archaeological works detailed in Part D should be deposited with City of York Historic Environment Record within 3 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

This condition is imposed in accordance with Section 16 of NPPF.

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

9 LC4 Land contamination - unexpected contam

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

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

11 Notwithstanding the submitted application documents, no development shall take place (including enabling works, ground works and vegetation removal) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP shall include (but not be limited to) the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) Details of how the site will be remediated and built without affecting surrounding habitats.

- e) Use of directional/sensitive lighting during construction, to limit light spill on to wildlife corridors.
- f) The location and timing of sensitive works to avoid harm to biodiversity features.
- g) Programme of pre-commencement checking surveys, including nesting birds, Badgers, etc.
- h) Measures to protect common amphibians, reptiles, and nesting birds. Measures should also include protection for badgers and hedgehogs who may access the site for foraging and commuting purposes including and not limited to, precautionary working methods to prevent accidental harm or injury to badgers, removal of tree or shrub cuttings from the site and the covering of trenches and capping of any open pipes.
- i) Details of pollution prevention measures required to reduce sediment and other pollutants impacting associated water courses.
- j) Responsible persons and lines of communication.
- k) The roles and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- l) Use of protective fences, exclusion barriers and warning signs.

Reason: To facilitate the protection of notable/sensitive ecological features and habitats on the application site and within the local area

12 The construction process for the development hereby authorised shall be undertaken in strict accordance with the requirements of the details to be submitted in respect of the discharge of condition 11 together with the provisions of the Outline Construction Environmental Management Plan (CEMP) Dated 27th March 2023.

Reason: To safeguard the residential amenity of neighbouring properties and to secure compliance with paragraph 135f) of the NPPF

13 Notwithstanding the submitted application documents, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed, including all newly created habitat.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions, including reinstatement/enhancement of work areas, haulage/access roads and site compounds.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward for a minimum of a 30-year period).

- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.
- i) Establish BNG monitoring and reporting programme - to be submitted to the LPA. As a minimum, the monitoring programme should include:
- j) Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to the target units.
- k) Where target conditions for habitats/units are not yet met provide an assessment of time to target condition for each habitat and any changes to management that are required.
- l) Detail of additional landscape planting including native species and locations with a programme of implementation

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

Reason: To ensure wildlife mitigation, compensation and enhancement measures are managed and maintained appropriately. To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 174 d) of the NPPF (2021) to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

14 Before the development hereby authorised is first brought into use a detailed decommissioning management plan shall be submitted to and agreed in writing with the Local Planning Authority. Such plan shall include:

- i) Details of phasing
- ii) Landscape planting and habitat protection measures
- iii) Details of the point of access to be used
- iv) Details of aftercare for the site and the manner in which it would be restored to agricultural use.

The development shall thenceforth be undertaken in accordance with the details thereby approved at the point of decommissioning.

Reason: To safeguard the biodiversity value of the site and to secure compliance with paragraph 180b) of the NPPF.

15 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscape scheme which shall include the species, stock size, density (spacing), and position of trees, shrubs and other plants; and seeding mix and sowing rate where applicable. It will also include details of tree pits and ground preparation. This scheme shall be implemented within a period of six months of the start of on-site development operations. Any trees or plants which within the lifetime of development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing. This also applies to any existing trees that are shown to be retained within the approved landscape scheme.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability, and disposition of species across the site, since the landscape scheme is integral to landscape character and visual mitigation associated with the development.

16 A Construction Traffic Management Plan identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The statement shall include at least the following information:

- measures to prevent the egress of mud and other detritus onto the adjacent public highway.
- the routing for construction traffic that will be promoted.
- a scheme for signing the promoted construction traffic routing.
- where contractors will park; and
- where materials will be stored within the site.

Reason: To safeguard the amenity of neighbouring properties, to secure the safety and convenience of highway users and to secure compliance with the 2018 City of York Draft Local Plan

17 Other than in the event of an emergency access for all traffic to the development hereby authorised shall be via Tinker Lane Rufforth and no other point of access shall be used.

Reason: To secure the safety and convenience of road users and to secure compliance with Policy T1 of the 2018 Draft City of York Local Plan and paragraph 115 of the NPPF.

18 No development shall commence on site until details of windsock and emergency landing provision and maintenance have been submitted to and approved in writing by the Planning Authority. Emergency landing areas must be retained and maintained for the lifetime of the proposed development in the agreed dimensions and conditions with suitable centre line markings and windsocks provided.

Reason: To secure the safety of aviation crossing the development area.

19 Before the commencement of development, a scheme for the protection of the retained trees shall be submitted to and approved in writing by the Local Planning Authority. This shall include any recommendations for tree surgery, and the appropriate working methods in accordance with paragraphs 5.5 (tree protection plan) and chapter 6 (arboricultural method statement) of British Standard BS 5837: 'Trees in relation to design, demolition and construction – Recommendations'. The scheme for the protection of the retained trees shall be carried out as approved. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: To ensure every effort and reasonable duty of care is exercised during the development process in the interests of protecting the existing trees shown to be retained which are considered to make a significant contribution to the quality of the landscape character and landscape resource, and the amenity and setting of the development.

20 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority the construction details and methodology for the following:

- preparation and erection of the site compound and its removal,
- the reinstatement of the grassland to an equal or better standard across the areas allocated for the site compound.

Amongst other details, the methodology shall include types of machinery to be used, permitting weather and ground conditions, depth to which soil will be stripped, height of top soil bund, method of de-compacting the ground, reinstatement of soil and grass sward of a quality at least equivalent to the quality of the pasture land before the construction compound was erected. The grassland shall be reinstated within the first full planting season following removal of the construction compound.

Reason: To ensure the site is restored to the original landscape character and is reinstated to a condition that is fit for purpose.

**8.0 INFORMATIVES:
Notes to Applicant**

1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- i) Sought submission of a revised aviation impact assessment/glint and glare study
- ii) Sought submission of a revised landscape assessment including relocated deer fencing
- iii) Sought clarification in terms of the point of access for construction and service vehicles

2. DRAINAGE INFORMATIVE

The applicant should be advised that the York Consortium of Drainage Board's prior consent is required (outside and as well as planning permission) for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in or make a discharge (either directly or indirectly) to the watercourse will also require the Board's prior consent.

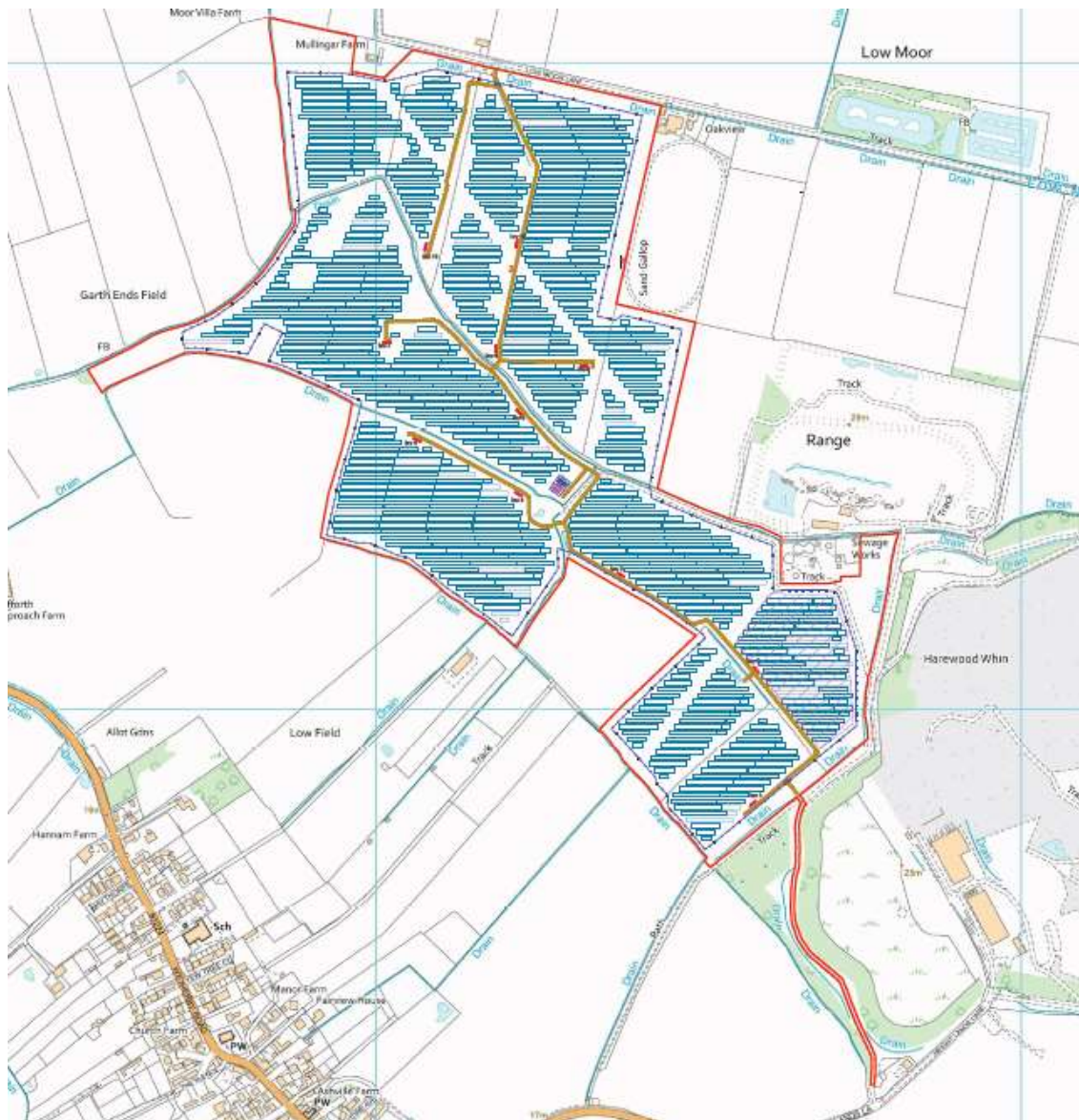
Contact details:

Case Officer: Erik Matthews

Tel No: 01904 551416

23/00626/FULM

Agricultural Land South Of Low Moor Lane, Hessay, York



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	30 January 2024
SLA Number	Not Set

This page is intentionally left blank



Planning Committee A

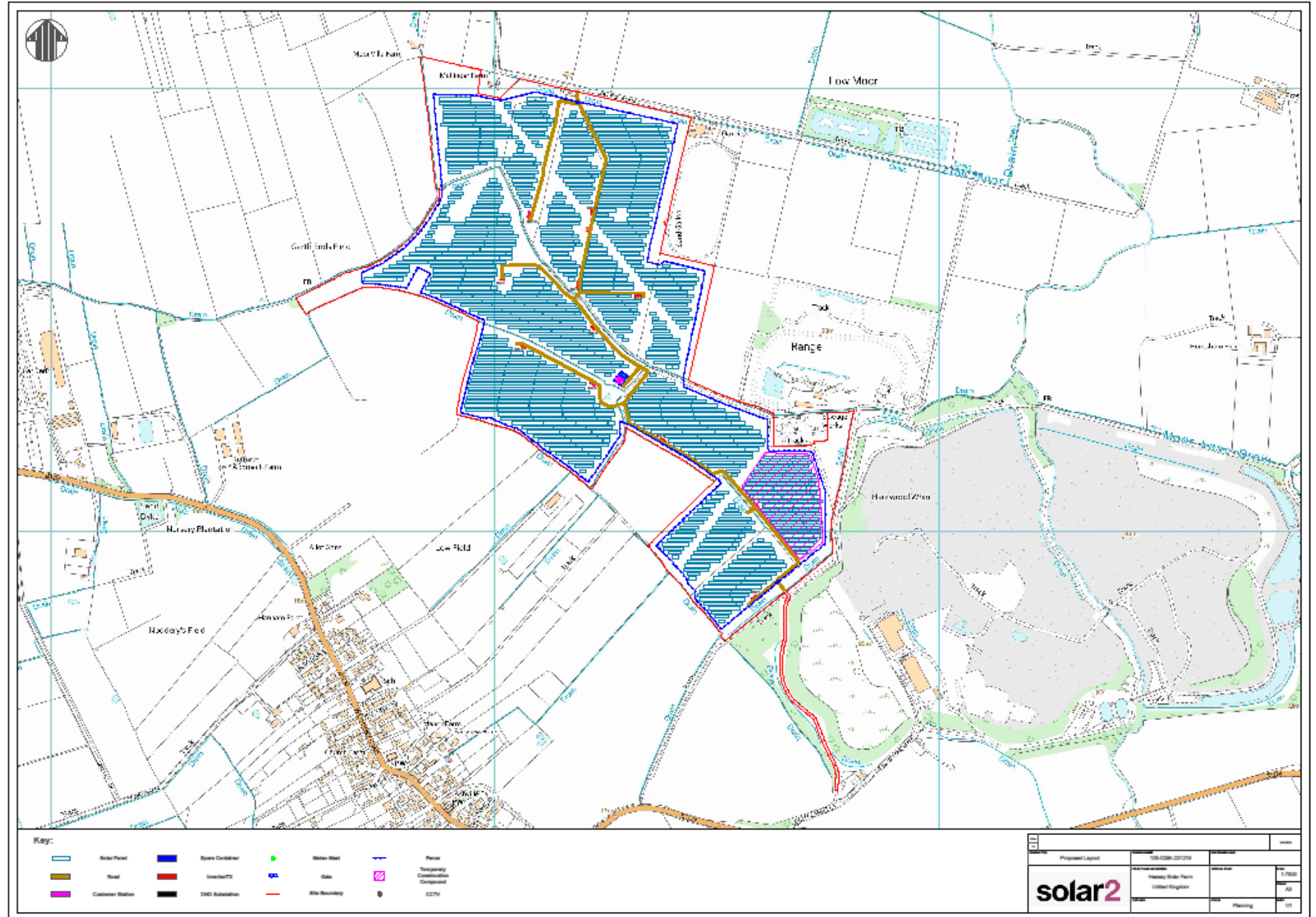
To be held on 8th February 2024

23/00626/FULM - Agricultural Land To The South Of, Low Moor Lane, Hessay, York

Installation of a solar farm and associated infrastructure, including control station, DNO substation, access tracks, inverters and other auxiliary infrastructure

Page 84

Site Location Plan



Eastern Boundary



Site from North



Page 87



Site from North (2)



Page 88



Site From North West



Page 89

Site From Tinker Lane



Site from Harewood Whin



Page 91

Proposed Site Layout Plan

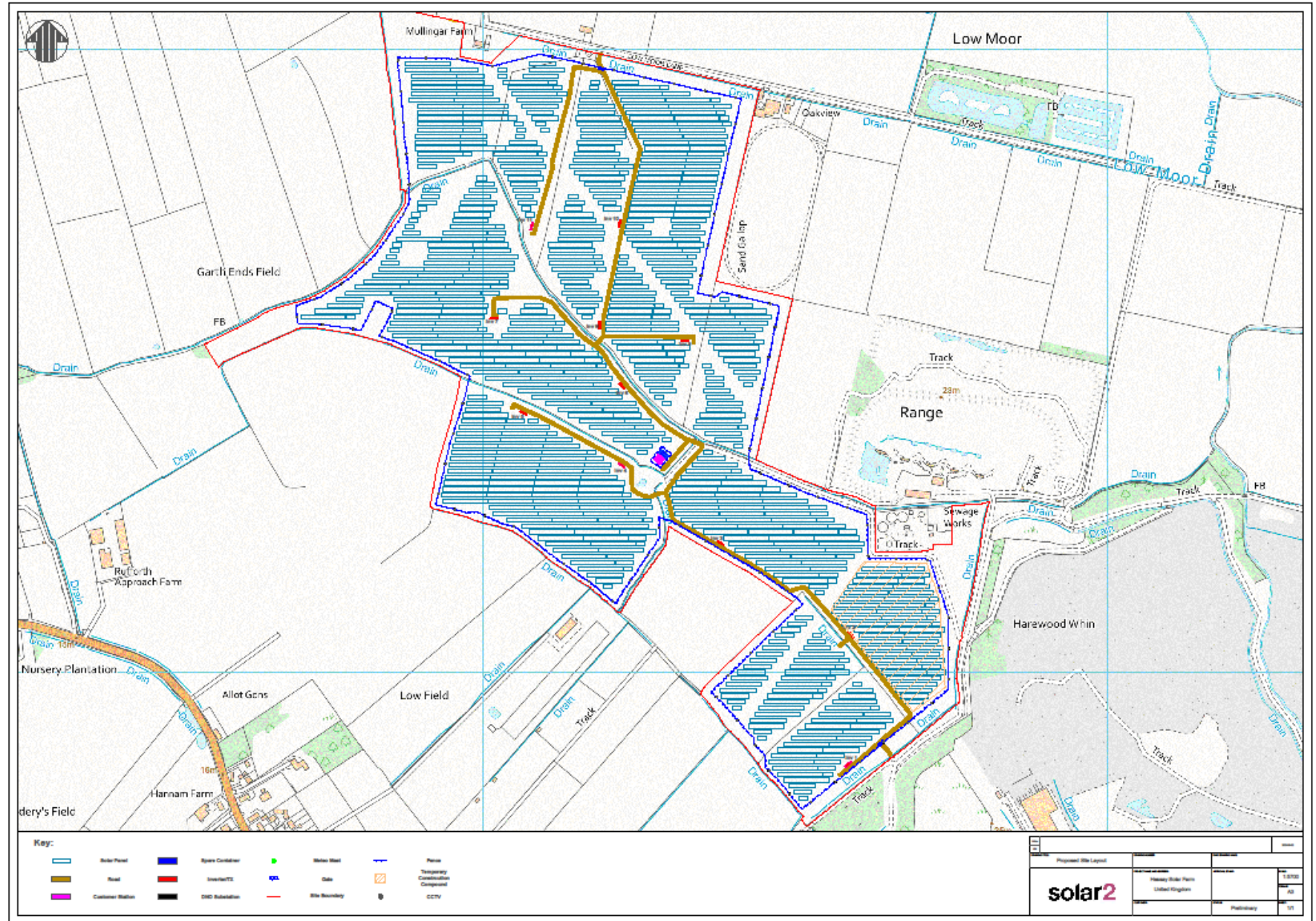





Figure 10
Landscape and Ecological Management Plan

Key

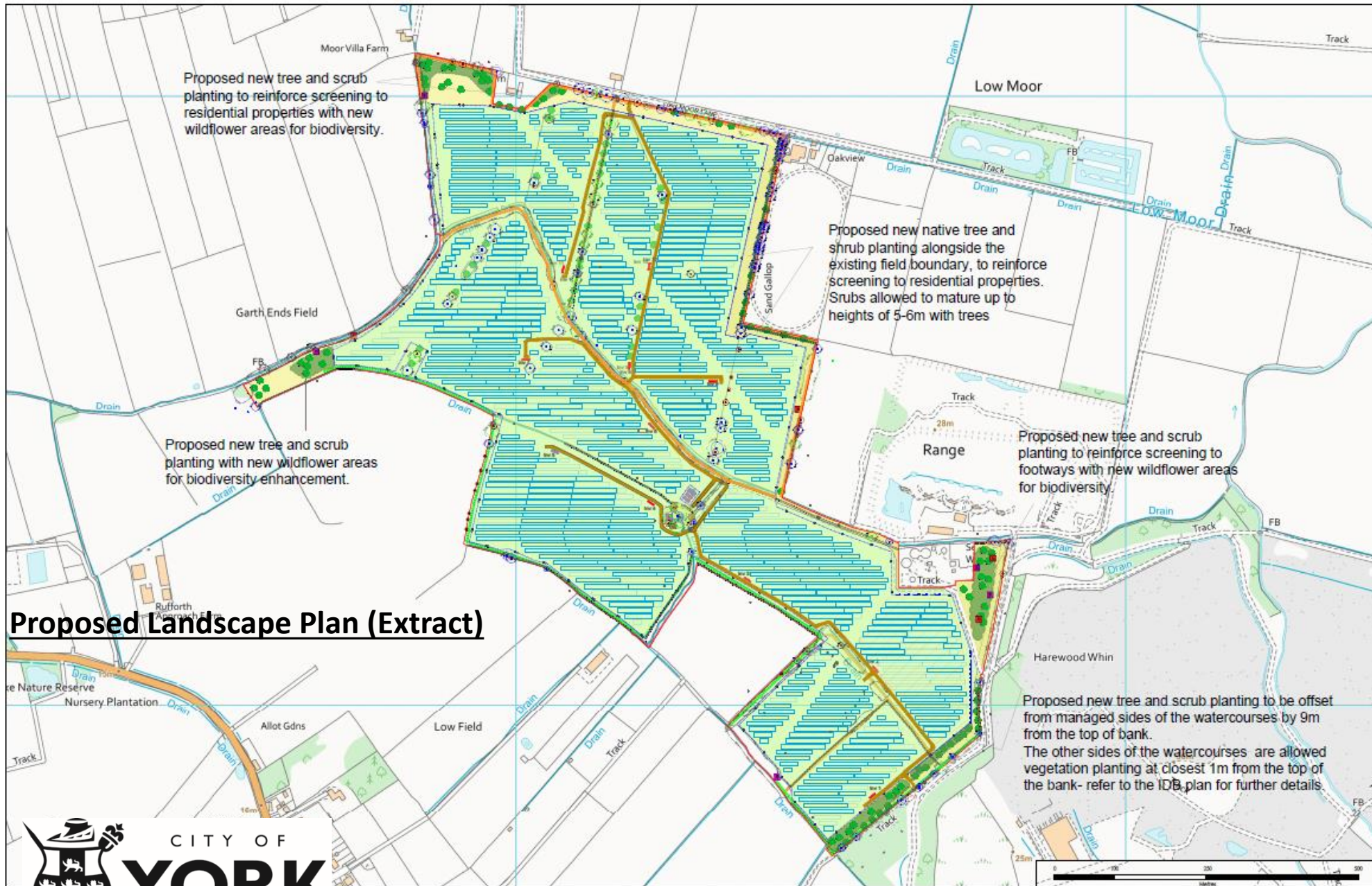
Landscaping Measures

-  Existing Trees and Tree groups with RPA*
 -  Proposed Trees / Hedgerow Trees
 -  Hedgerows gapped up / infilled - up to 6m
 -  Hedgerows gapped up / infilled - up to 3m
 -  Proposed Native Species Hedgerow
 -  Proposed Native Scrub Planting
 -  Proposed Species Rich Grassland Mix
 -  Proposed Wildflower Mix
 -  Existing Pond
- * Refer to the Arboricultural Assesment for further details

Ecological Measures

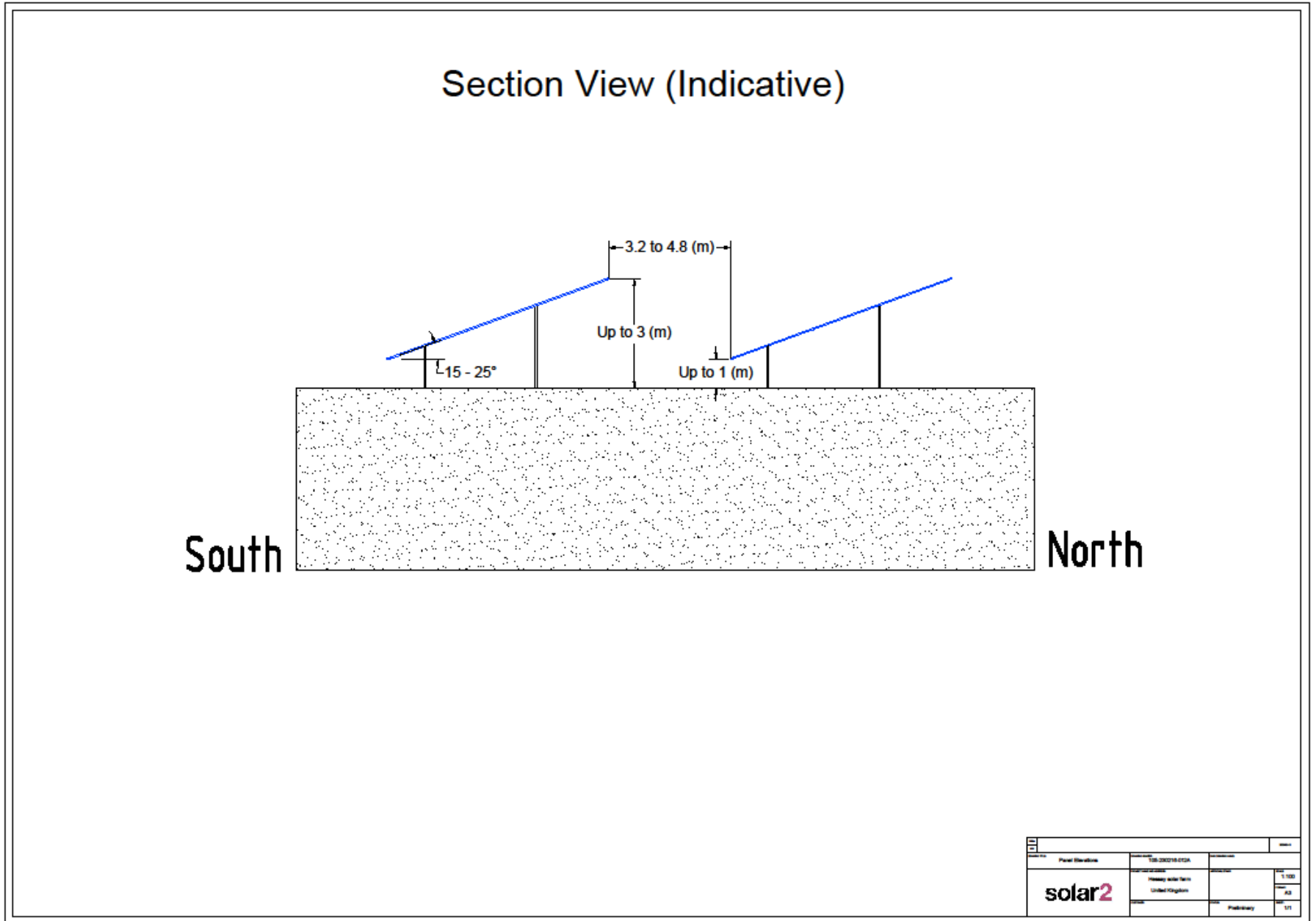
-  Herptile Hibernacula (2 no.)
-  Bird Boxes (6 no.)
-  Bat Boxes (6 no.)

Note: the specification and location of the bat and bird boxes would be agreed with an ecologist and their installation supervised on site

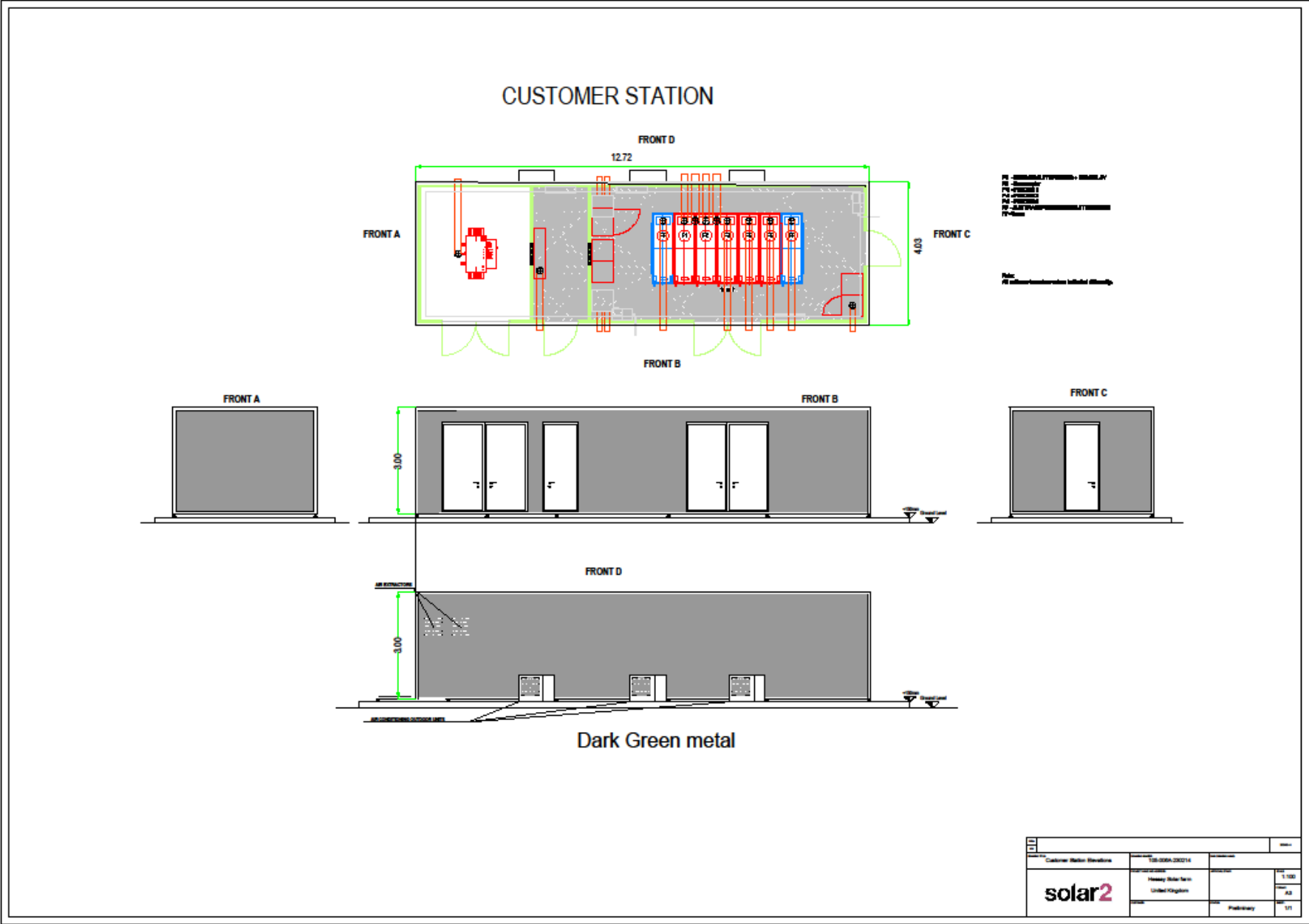


Proposed Landscape Plan (Extract)

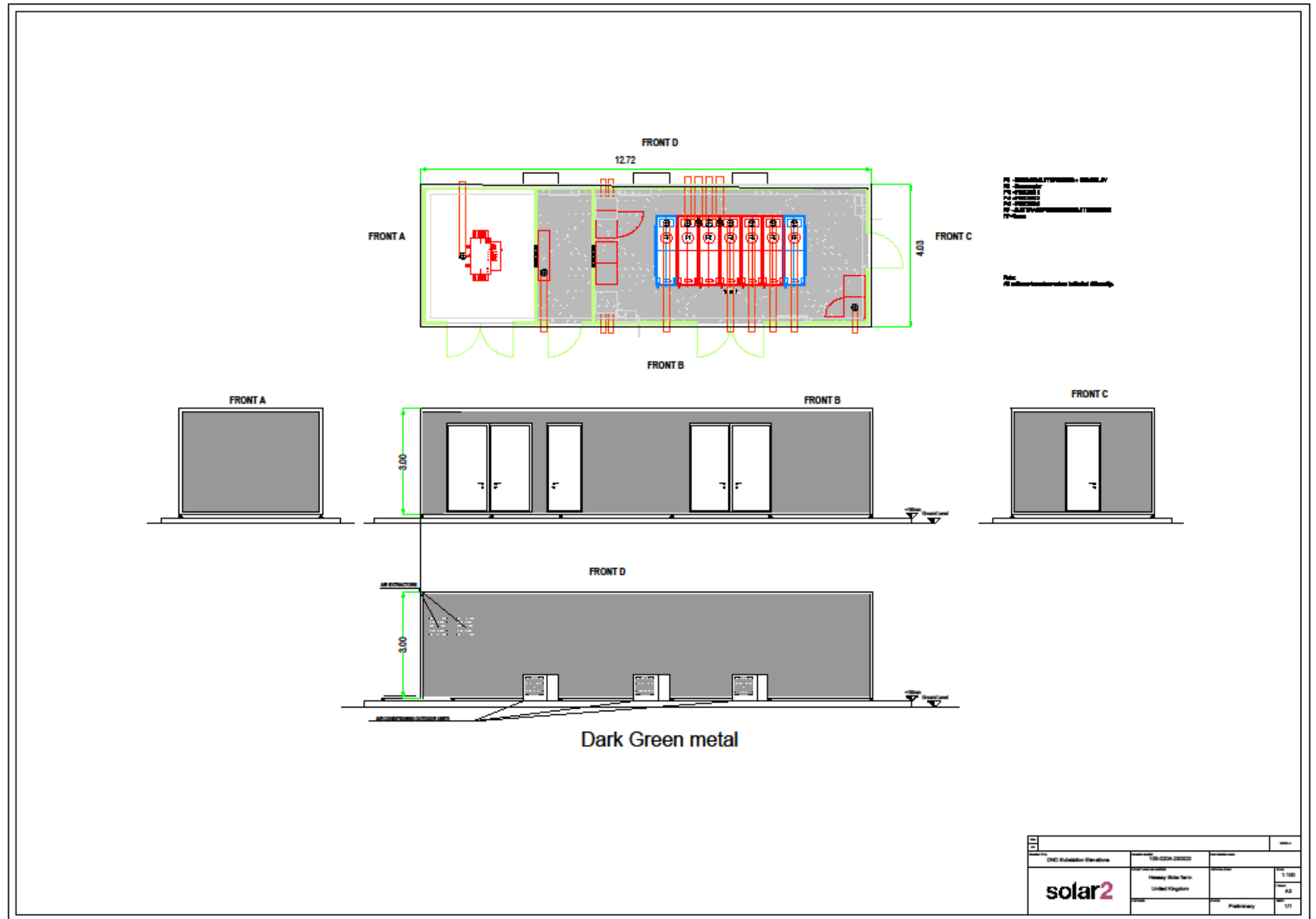
Section View of Solar Panels



Proposed Customer Sub Station Details

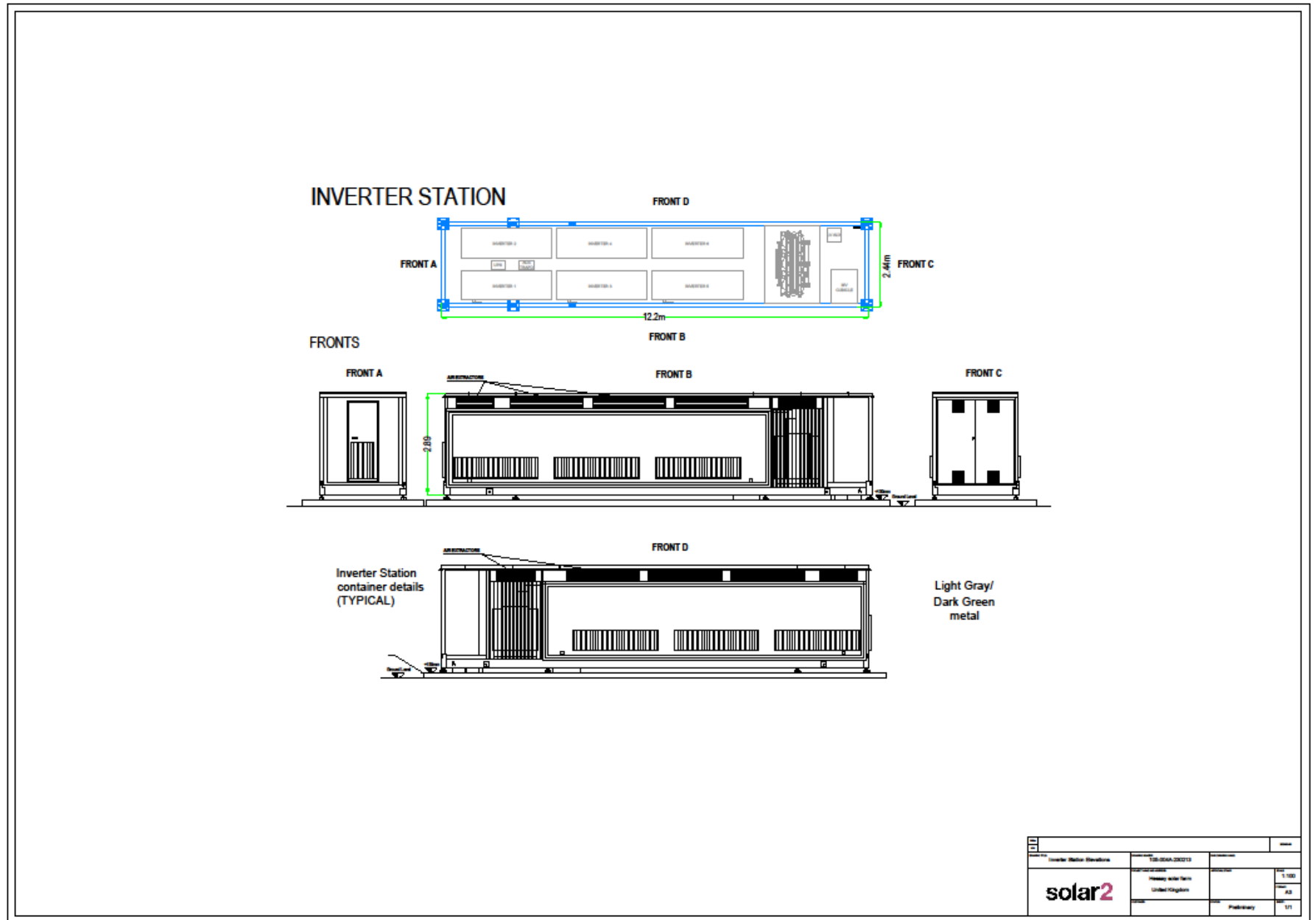


Proposed DNO Details

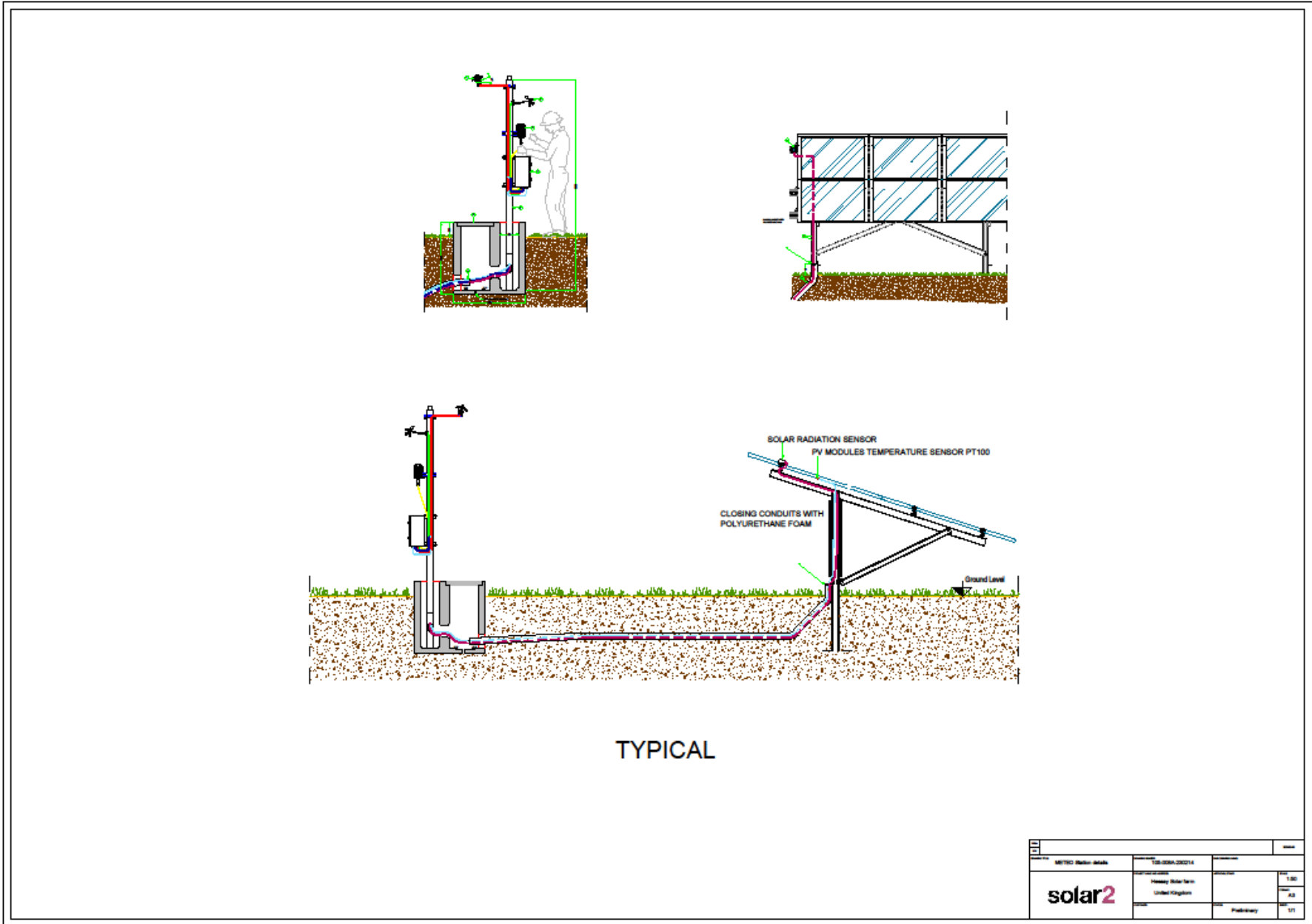


DNO Substation Details		100-0000-00000		1/1/2024	
solar2		Henry Solar Farm		A2	
		United Kingdom		1/1	
		Publicway		1/1	

Inverter Station Proposed Details

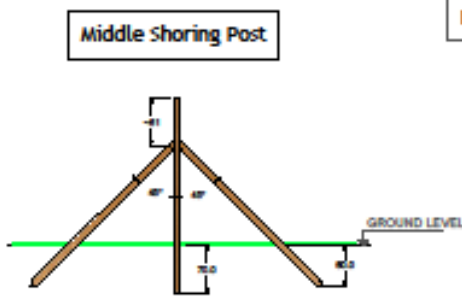
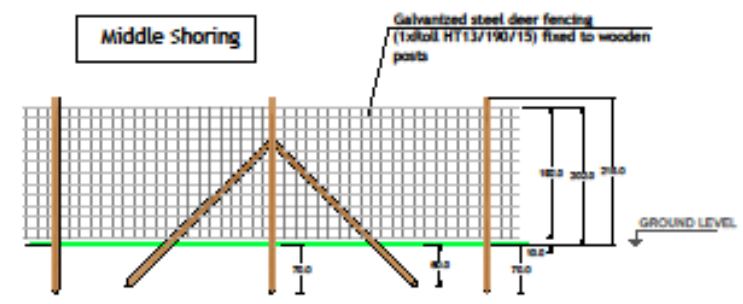
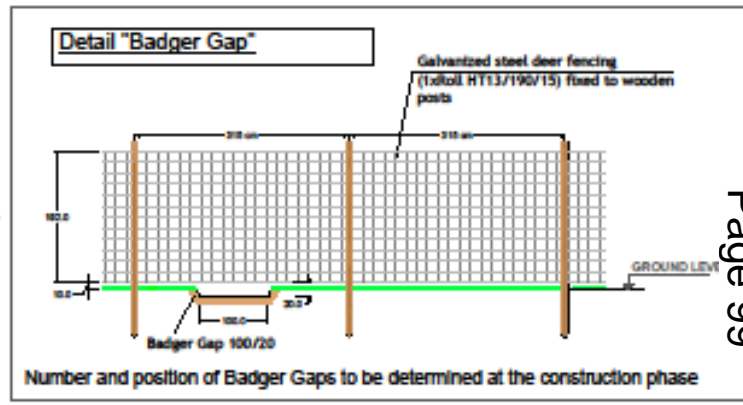
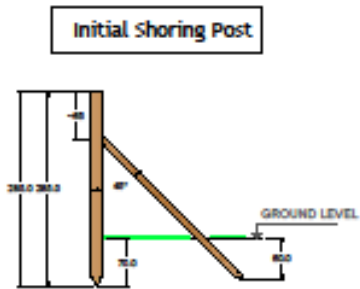
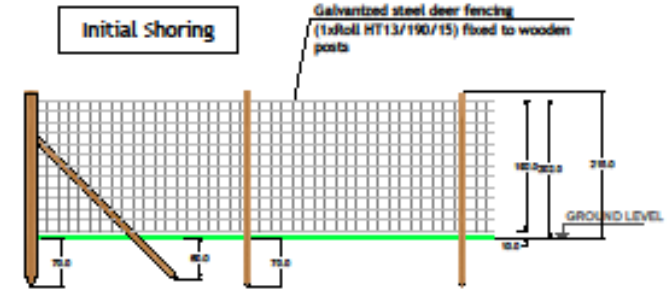
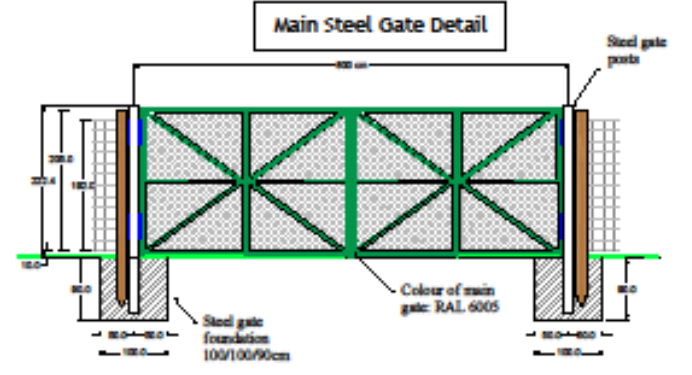
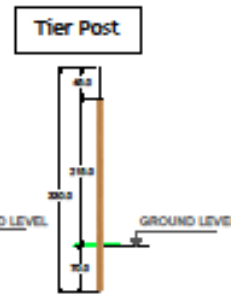
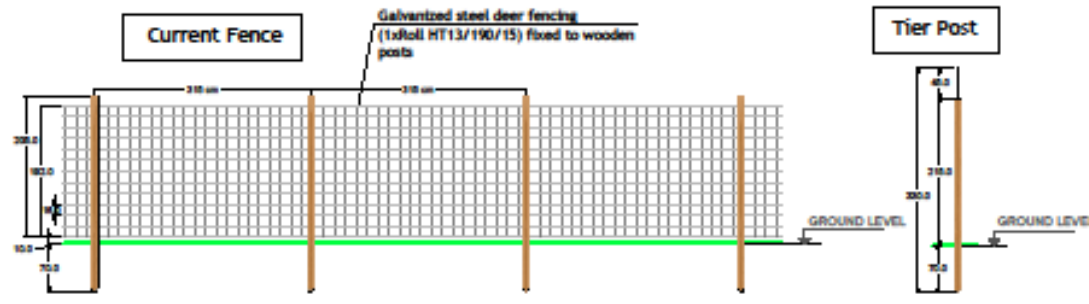


Meteo Station Details



METEO Station Details		T05-000A-202214	1:50
Primary Role: Tech		United Kingdom	A3
solar2		February	1/1

Typical Fencing Details



*Middle Shoring Detail should be applied every 50m and also at all corner points

TYPICAL

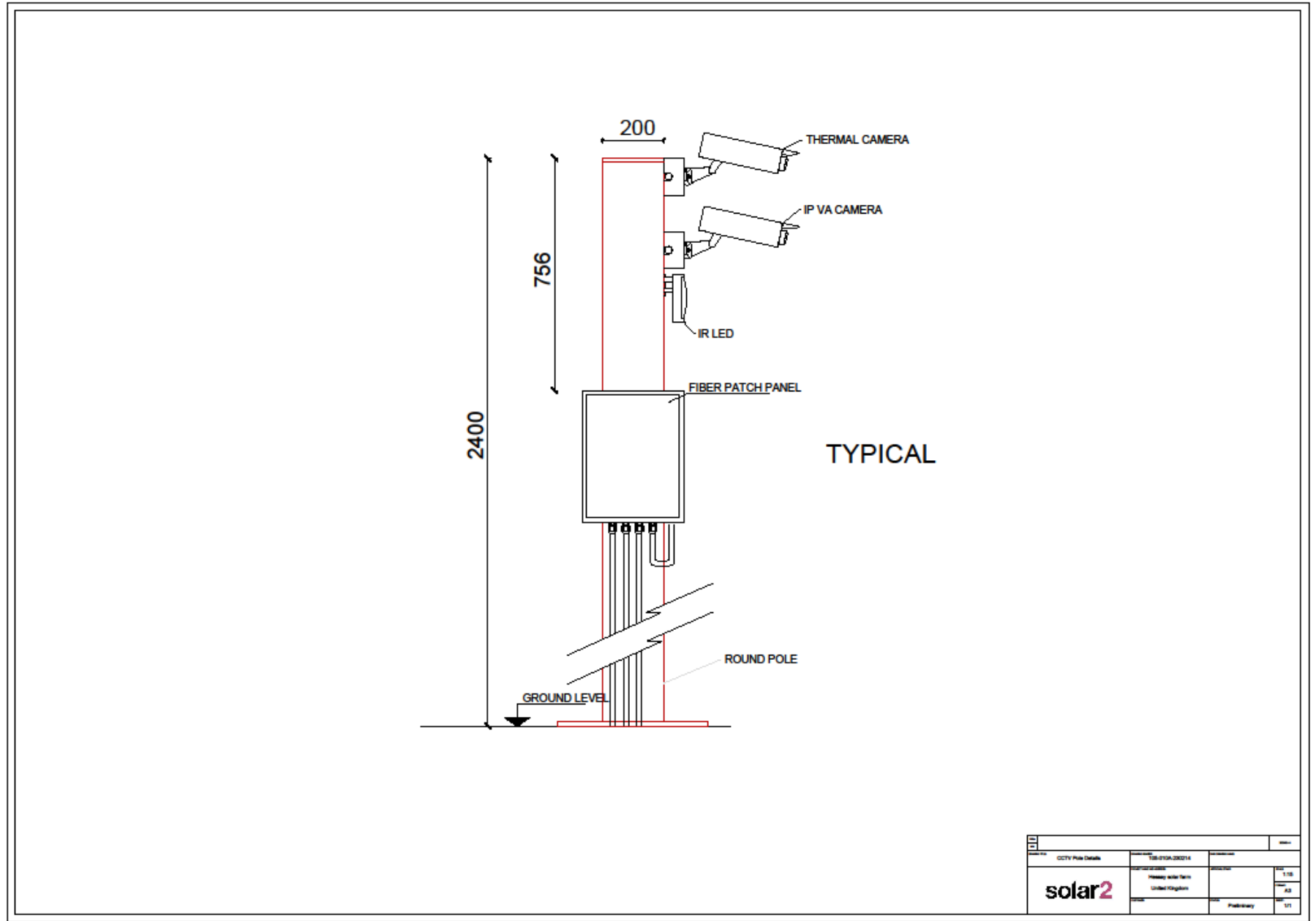
*All anchoring depths of posts are indicative
Subcontractor to check and confirm the required anchoring depth, considering the soil conditions for the project

All dimensions are in cm



NO.	REV.	DATE	BY	CHKD.	DESCRIPTION								
1	0				ISSUED FOR TENDER								
<table border="1"> <tr> <td> </td> <td> Name of Contractor CANADASOLAR </td> <td> Name of Subcontractor CANADASOLAR </td> <td> Name of Supplier CANADASOLAR </td> </tr> <tr> <td colspan="2"> Address of Contractor 10000 15th Avenue SE, Calgary, Alberta T2C 1L9 </td> <td> Address of Subcontractor 10000 15th Avenue SE, Calgary, Alberta T2C 1L9 </td> <td> Address of Supplier 10000 15th Avenue SE, Calgary, Alberta T2C 1L9 </td> </tr> </table>							Name of Contractor CANADASOLAR	Name of Subcontractor CANADASOLAR	Name of Supplier CANADASOLAR	Address of Contractor 10000 15th Avenue SE, Calgary, Alberta T2C 1L9		Address of Subcontractor 10000 15th Avenue SE, Calgary, Alberta T2C 1L9	Address of Supplier 10000 15th Avenue SE, Calgary, Alberta T2C 1L9
	Name of Contractor CANADASOLAR	Name of Subcontractor CANADASOLAR	Name of Supplier CANADASOLAR										
Address of Contractor 10000 15th Avenue SE, Calgary, Alberta T2C 1L9		Address of Subcontractor 10000 15th Avenue SE, Calgary, Alberta T2C 1L9	Address of Supplier 10000 15th Avenue SE, Calgary, Alberta T2C 1L9										

Proposed CCTV Pole – Typical Arrangement



COMMITTEE REPORT

Date: 8 February 2024 **Ward:** Rawcliffe And Clifton Without

Team: West Area **Parish:** Clifton Without Parish Council

Reference: 23/01217/FULM

Application at: Limetrees 31 Shipton Road Clifton York YO30 5RE

For: Erection of 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

By: Mr Garton, Ms Stubbs And Mr Elliot

Application Type: Major Full Application

Target Date: 12 February 2024

Recommendation: Approve following Sec of State Decision

1.0 PROPOSAL

1.1 Planning permission is sought in respect of a 60-bed care home (Use Class C2) and associated development including parking, landscaping and boundary treatment works, following the demolition of the existing buildings. Additionally, land to the north west (equating to 0.56ha) will be gifted to the York Sports Club to provide new sports pitches.

1.2 The care home, over three floors will provide 60 bedrooms each with an en-suite. 40 of the 60 bedrooms on the first and second floors will provide dementia care, with 20 rooms on the ground floor being used for residential care. Within the building there will communal areas, lounges and dining spaces, kitchens, staff areas, laundry room and assisted bathrooms. In addition, there will be an on-site hairdressers and cinema room.

1.3 The care home will employ 75 (approx.) staff at full capacity and staffed at all times on a shift basis, with around 22 staff per shift.

1.4 The care home will be arranged thus:

Ground floor	– 20 bedrooms with majority having garden access
First floor	– 23 bedrooms. 2no. balconies will be accessed from the lounge
Second floor	– 17 bedrooms with 5 bedrooms benefit from balconies. 1no. balcony will be accessed from the lounge

1.5 Externally, the car park will provide 28no. parking spaces two of which will be accessible/disabled paces along with the provision of 2 electric vehicles charging points and a dedicated cycle store. The landscaping scheme proposes the planting of 41no. trees, with 5no. existing trees to be removed and 1no. tree to be replanted.

1.6 The landscaping area for the care home will include areas of paving and hard landscaping and a garden area with a pond and dry basin for drainage purposes.

1.7 An area of land is proposed to be gifted to York Sports Club for the creation of planning pitches (for Rugby Union) to relieve existing pressures on the main sports (rugby and cricket) pitches. York Sports Club are not seeking to significantly increase participation beyond the levels they currently operate. This area will accommodate adults and juniors/minis and will be flexibly laid on a week-by-week and season-by-season basis. The area of land will be able to accommodate up to 6 junior rugby pitches. There is a hatched area on the site plan which will be used only by under 7 – under 10s to exclude ball striking/kicking within this area. The area will be turfed to provide an appropriate playing surface. The application details that no new lighting will be required, with lighting from the existing pitches relied upon.

1.8 The application has been revised to address impacts upon protected trees, drainage, car parking and access. The revised application also provided a Construction Environmental Management Plan, a Written Scheme of Investigation (WSI), Ball Strike Report and a report considering the drainage of the proposed playing pitches.

The Site

1.9 The site is located off Shipton Road (A19) to the north west of York city centre. The site is surrounded to the south and west by playing fields associated with the York Sports Club, whose main built facilities and clubhouse are located to the south of the site. Clifton Park lies beyond the site to the north.

1.10 The site extends to 1.6Ha, with the southern part of the site occupying buildings car parking and access and the northern part providing open space and landscaping. The building on the site comprises of an interconnected two storey building that was previously occupied by two services; one being Leeds York Partnership FT providing Regional Deaf Child and Adolescent mental health services (CAMHS) who have relocated to Orca House, in the Link Business Park at Osbaldwick and the second tenant being the Tees, Esk and Wear Valleys NHS Foundation Trust who have relocated to the purpose-built mental health unit at Foss Park hospital. The site is currently in the ownership of NHS Property Services and have been vacant since the end of January 2022.

1.11 York Sports Club is home to York Rugby Union Football Club (York RUFC), York Cricket Club (York CC), York Tennis Club and York Squash Club. The Club

currently offers four full sized rugby union pitches and two dedicated cricket pitches. However, two of the rugby pitches overlap the outfield of the two cricket pitches and there is a demand for pitches from both sports during the April/May and September times as well as the same matchday window of Saturday afternoons. The nature of play and impact of both sports means that this often leaves areas unplayable for cricket. Additionally, the rugby club requires areas for warming up and training with cricket training and warmups taking place at dedicated nets and artificial wickets elsewhere.

1.12 There are many prominent mature and semi mature trees across the site and it is subject to a blanket TPO (Ref: 173/1991-A1) as well as individual trees with Tree Preservation Orders within the southern part of the site. In addition, there are 15 trees positioned along the north eastern boundary adjacent to Shipton Road that are classified as highway trees.

1.13 The site abuts but is located outside the boundary of the Clifton (Malton Way/Shipton Road) Conservation Area. The site is predominantly within Flood Zone 2 where there is a medium risk of flooding.

1.14 The area of the application site is considered to lie within the general extent of the Green Belt. The area proposed to be gifted to the York Sport Club for rugby union pitches is allocated as existing open space in the DLP (2018) Policies Map.

Planning History

1.15 There is extensive planning history relating to extensions to the building for medical purposes, however these do not have any direct relevance to this application.

1.16 There is substantial history relating to works to trees covered by Tree Preservation Orders.

2.0 POLICY & LEGISLATIVE CONTEXT

2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that an application is made in accordance with the development plan unless material considerations indicate otherwise. The development plan for this part of York is the saved policies of the revoked Yorkshire and Humberside Regional Spatial Strategy ("RSS") setting out the general extent of the York Green Belt. Along with the above, the other primary policy framework is the National Planning Policy Framework (NPPF).

2.2 The site is not located within the boundary of but is located adjacent to a designated conservation area (Clifton (Malton Way/Shipton Road) Conservation Area, designated 1975). The Council has a statutory duty (under section 72 of the

Planning (Listed Buildings and Conservation Areas) Act 1990) to consider the desirability of preserving or enhancing the character and appearance of designated conservation areas.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

2.3 The NPPF sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

2.4 The sections of the NPPF that are considered to be of relevance to this planning application include: 5. Delivering a sufficient supply of homes; 6. Building a strong, competitive economy; 8. Promoting healthy and safe communities; 9. Promoting Sustainable Transport; 12. Achieving Well-Designed Places; 13. Protecting Green Belt land; 14. Meeting the climate change, flooding and coastal change and 15. Conserving and enhancing the historic environment.

DRAFT LOCAL PLANS

Development Control Local Plan (2005)

2.5 The Development Control Local Plan (DCLP) was approved for development management purposes in April 2005. Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations and can be afforded very little weight in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

2.6 The DCLP policies that are considered to be of most relevant to this application include:

GP1	Design
GP6	Contaminated Land
GP15a	Development and Flood Risk
HE10	Archaeology
GB1	Development in the Green Belt

Draft Local Plan (2018)

2.7 The City of York Draft Local Plan (DLP) was submitted for examination on 25 May 2018 with four rounds of hearings undertaken to date. In accordance with

paragraph 48 of the NPPF (as revised), the relevant 2018 emerging plan policies are capable of being a material consideration in the determination of planning applications. Policies from the emerging plan which are considered relevant and can be attached moderate weight due to their compliance with the NPPF and lack of unresolved objections include:

DP2	Sustainable Development
DP3	Sustainable Communities
H2	Density of Residential Development
H3	Balancing the Housing Market
H9	Older Persons Specialist Housing
HW2	New Community Facilities
HW5	Healthcare Services
D1	Placemaking
D2	Landscape and Setting
D6	Archaeology
D7	Non designated heritage assets
GI4	Trees and Hedgerows
GI5	Protection of open space and playing fields
GB1	Development in the Green Belt
ENV2	Managing Environmental Quality
ENV3	Land Contamination
ENV4	Flood Risk
ENV5	Sustainable Drainage
T1	Sustainable Access

2.8 There are a number of policies within the emerging plan that are subject to changes within the submitted plan, referred to as Main Modifications. As these changes have not been through the four rounds of hearings, in accordance with paragraph 48 of the NPPF, these policies can only be applied with limited weight.

SS2	The Role of York's Green Belt
CC2	Sustainable Design and Construction of New Development

Emerging local plan evidence base

2.9 The evidence base that underpins the emerging policies is a material consideration and can be afforded weight when determining planning applications. The evidence base that is considered to be of relevance to this application includes:

- Topic Paper 1 Approach to Defining York's Green Belt (May 2018) (TP1)
- Approach to the Green Belt Appraisal and Maps (2003) (SD107A)
- City of York Historic Character and Setting Technical Paper (Jan 2011)
- Topic Paper 1: Approach to defining York's Green Belt Addendum and Annexes (2021) (EX/CYC/59)

- Topic Paper 1 Approach to defining Green Belt Addendum – Annex 1 Evidence Base (EX/CYC/59a)
- Topic Paper 1 Approach to defining Green Belt Addendum – Annex 3 Inner Boundary Part 1 Sections 1 to 4 (EX/CYC/59c)
- Topic Paper 1 Approach to defining Green Belt Addendum – Annex 6 Proposed modifications (EX/CYC/59h)
- City of York Local Housing Needs Assessment by Icenl (July 2022) (EX/CYC/92)
- City of York Council Strategic Housing Market Assessment Update (2017)
- City of York Council Strategic Housing Market Assessment (2016)
- City of York Council Strategic Housing Market Assessment Addendum (2016)
- Active York Playing Pitch Strategy (2014) (SD083)
- Open Space and Green Infrastructure Update Sept 2017 (SD085)
- Open Space and Green infrastructure Main Report (2014) (SD086A)
- Technical Paper – Green Corridors (2011) (SD088)

Other guidance

- City of York Council Dementia strategy 2020-2027 ‘Dementia Together’
- Historic England Advice Note 7 (Second Edition) Local Heritage Listing: Identifying and Conserving Local Heritage

3.0 CONSULTATIONS

INTERNAL

City Development

3.1 In line with the decision of the Court in *Wedgewood v City of York Council* [2020] EWHC 780 (Admin), and in advance of the adoption of the emerging Local Plan, decisions on whether to treat land as falling within the Green Belt for development management purposes should take into account the Yorkshire and Humber Regional Spatial Strategy ("RSS") and may have regard to the emerging Local Plan (2018), insofar as can be considered against paragraph 48 of the NPPF (2021). Site specific features must also be considered.

3.2 Topic Paper 1 Green Belt Addendum January 2021 Annex 3: Inner Boundaries Part 1 Sections 1-4 (EX/CYC/59c) considers whether land in the vicinity of Rawcliffe Meadows/Clifton Ings serves Green Belt purposes concluding that, while land east of Shipton Road is built-up, exhibits a low degree of openness and does not contribute to the openness of the Green Belt, land to the west serves a number of Green Belt purposes. The application site contributes to purposes A (checking unrestricted sprawl), C (safeguarding the countryside from encroachment) and D (preserving the setting and special character of historic towns).

3.3 A number of modifications to the policy map are proposed as a result of the Local Plan's ongoing Examination. Modification PMM29 relates to the adjacent boundary with York Sports Club (excluding the sports club buildings from Green Belt) but makes no change to proposed Green Belt boundary at the former Lime Trees site. We advise that land is considered as Green Belt for the purpose of determining this application.

3.4 The Applicant does not consider the site to serve Green Belt purposes, however for the purpose of completeness have submitted their case that a) the care home development would fall within NPPF para 154 (g) and b) in any case, very special circumstances exist which clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal. The provision of sports pitches (without lighting) for the use of York Sports club may fall within the definition of 'not inappropriate' uses set out in NPPF para 155 (e), provided that the development maintains the openness of the Green Belt and does not conflict with the purposes of including land within it.

3.5 In relation to para 154(g), the essential character of the Green Belt is its openness, upon which development will have both visual and spatial impacts. NPPF para 154 (g) part 1 requires consideration to be given to whether there is a "greater impact on the openness of the Green Belt than the existing development". If the development is not considered to fall within the scope of para 154(g), very special circumstances should be demonstrated (para 153).

3.6 There are a number of heritage assets within the vicinity of the development site, including the Clifton (Malton Way/Shipton Road) Conservation Area. The submitted heritage statement considers the significance of the unlisted 1928 house at the Lime Trees unit, appropriately using the criteria set out in policy D7. Colleagues in Conservation and Design should advise whether the proposed development affects the setting of the conservation area and the Applicant's conclusion that the house does not meet the criteria to be identified as a non-designated heritage asset.

3.7 Part of the site is designated open space (Land to south Clifton Park Avenue), defined in the 2017 Open Space study as natural/semi-natural open space. While Rawcliffe ward is well provided in terms of levels of natural open space, its loss to formal playing pitches should be considered in the context of Policy GI5, with reference to the Active York Playing Pitch Strategy.

Design, Conservation and Sustainable Development (DCSD) (Archaeology)

3.8 The site is situated between two Roman Roads (Road 5 and 7) and evidence of Roman activity including burials is well documented in the Clifton Area.

3.9 There is a well-preserved medieval ridge and furrow present across some of the site. The proposed landscaping and sports pitches are located in the areas of medieval ridge and furrow and it would be preferable if some of the ridge and furrow could be retained as a landscape feature. If the scheme is approved, the ridge and furrow will need to be topographically surveyed ahead of destruction.

3.10 This proposal has the potential to disturb archaeological layers, particularly in relation to the Roman period through proposed re-development, landscaping and provision of sport pitches. The site has seen little in the way of disturbance through development meaning that Romano-British and potentially prehistoric archaeology may survive at shallow depths beneath the medieval agricultural features or outside of the extant building footprints.

3.11 The Application has submitted a Written Scheme of Investigation (WSI); its details have been verbally agreed along with the start of an archaeological evaluation.

Design, Conservation and Sustainable Development (DCSD) (Ecology)

3.12 No objections. The application site has been the subject to an appropriate level of ecological survey work and based on the findings of this survey work, required protection measures for key ecological features have been clearly and concisely detailed within the Construction Environmental Management Plan and Ecological Enhancement Management Plan. This document provides a detailed programme of ecological enhancement measures.

Design, Conservation and Sustainable Development (DCSD) (Landscape Architect)

3.13 The vast majority of the trees across the site are subject to an area TPO (ref: TPO 173/1991). Some individual trees within the site boundary are subject to TPO 46/47 and TPO 1982/48. The presumption is to retain all of the trees on site that are category A and B and/or subject to a TPO except those that are required for removal on arboricultural grounds due to ill health and poor condition.

3.14 The initial proposals raised a number of areas of concern across the development, including the widening of the access drive and additional pavement, extension of car parking areas, the position of the building in the south western corner of the site, which added up to a significant risk of harm to the existing mature tree cover that is subject to a tree preservation order and desirable for retention.

3.15 The proposals have been the subject to a number of discussions and amendments. The revised proposal now demonstrate that the proposed building has been pulled back from the Oak T303 an adequate distance. Similarly, it should be feasible to construct the reduced car park extension without significant risk of harm to Beech T296 and Pine T291 (provided there is sufficient room to demolish

the existing building and construct the proposed one without entering the recommended root protection area).

3.16 A coordinated CEMP and Arboricultural Method Statement (AMS) should be provided in order to illustrate that it is feasible and practicable to accommodate suitable site compound that to the recommended root protection areas (RPA). For example, confirmation required that Lime T315 (height approx. 16m) will not be in the way of the crane jib for the northern end of the proposed building?

3.17 The proposed landscaping strategy is of high quality. This includes a high number of new trees, using advanced nursery stock, which provides some mitigation for the losses.

3.18 Proposed garden fencing - Having had another look on site, the fence type alongside the footpath may look better in timber in this sylvan location. It would be helpful to know if the fencing has to be 1.8m high, or whether it could be lower, since it does not appear to secure the site. Thus, another option to consider might be a 1.5m high hit-and-miss timber fence; or, as suggested before, an instant hedge.

Design, Conservation and Sustainable Development (DCSD) (Conservation Officer)

3.19 Verbal discussions undertaken at an internal conservation surgery and in summary the following matters were raised:

- The playing pitches will change the nature of the site from wild area/meadow to a site that becomes manicured; further comments may be forthcoming from the landscape architect in this regards
- There will be a greater impact of the site along the frontage with Shipton Road (as a result of the widened access) and the photo in the D&A statement (Section 5) will emphasis that with the railings. Perhaps the demarcation of the boundary edge could be via gateposts/hedging to lessen the impact?
- Boundary treatment – there is concern that the boundary treatment comprising of the high estate fencing is more of a suburban treatment of the boundary definition, and this is inappropriate. If it is to separate the footpath then some definition comprising of soft landscape would be more appropriate. In addition, this doesn't extend up to the Sports club playing fields area? It is noted the comments of the Public Rights of Way team in that it is sensible to accommodate this path within the proposals, which includes the playing pitches area.
- Building design: we request the glass balustrade be replaced with steel/wrought iron railings to match others. Additionally, is the height 1.8m necessary? This further emphasises the inappropriateness of the materials.
- Materials – the area is characterised by its attractive landscape and Victorian villas, and the design/detailing of the building echo's references these; however the quality of the materials should reflect this. The site faces the conservation area and therefore there would be an impact on its setting. Its

detailing and materials would help to mitigate and justify the scale and impact of the proposed development. It is suggested that the building uses red brick, reference to the existing building and those in the immediate locality, and whether any of these bricks could be re-used? Additionally, the windows should be constructed using timber sash and the tiles should be either natural slate or natural plain clay tiles.

Flood Risk Management Team (FRMT)

3.20 With regards to foul and surface water disposal, the submitted flood risk and drainage assessment shows foul water being connected to the 225mm diameter public foul water sewer recorded within Shipton Road to the east of the development and surface water being connected to the 300mm diameter public surface water sewer located within Shipton Road to the east of the development at a restricted rate of 3.5 (three point five) litres per second with appropriate attenuation up to and including the 1 in 100 year event with 30% climate change event is generally acceptable in principle. A condition and drainage informative should be attached in order to protect the local aquatic environment and public sewer network.

3.21 Providing that the redevelopment of the grassed/scrub areas to informal sports pitches do not have any formal drainage and connection to the proposed care home surface water drainage system, we have no objections. As noted during the application these grassed/scrub areas are in Environment Agency Flood Zone 2 and therefore there must be no raising of existing ground levels. The report confirms there will be no raising existing ground levels, only limited cut and fill to level out the area of scrub land to ensure a smooth/safe playing surfacing.

Highways Network Management

3.22 Matters of consideration that have been subsequently addressed, including:

3.23 Widening of the access road- as a minimum a footway on one side of the access road is required and it makes sense to have this on the south side of the entrance as this is close to the pedestrian crossing on Shipton Road.

3.24 Car Parking – we can accept some reduction in car parking provision on site but would need to be cautious. The Travel Plan estimates that a maximum of 22 staff would be on site during the day. The travel plan also shows that the maximum number of staff on site at shift change time would be 27 (18 arriving in the morning and 9 leaving from the night shift). Based on current travel to work data (WU03EW - Location of usual residence and place of work by method of travel to work - MSOA level), 58% of staff working in this area would drive a car to work so that would give us at least 16 cars from staff (probably a bit more as night shift staff will be more likely to use a car). I don't think we can argue that more parking would be required as the previous use used to have people attending appointments throughout the day

so this new use wouldn't be worse. there is ample on street parking available on Shipton Road. The main impacts on side streets would be on Malton Way and Galtres Grove. Malton Way has double yellow lines already where required for safety reasons.

3.25 The parking arrangement is not ideal as drivers will have to reverse from a number of spaces without visibility of oncoming cars, but It is acknowledged that this is a private car park and will be managed internally.

3.26 Cycle parking - we require staff and visitor cycle to be provided in line with LTN1/20 and should be designed to accommodate all space/internal requirements and be accessible.

3.27 Travel Plan – requested a commitment in the travel plan (secured by condition) to a reasonable amount to fund the travel plan (this includes the work of a travel plan coordinator, regular surveys and travel plan measures for a 5 year period). It is up to the developers to estimate the amount of funding required but we need to understand how this will be delivered.

Public Rights of Way (PRoW)

3.28 There is a recorded public footpath running adjacent to the site boundary known as Clifton Without 18 (27/18/10). There is also a route running northwest parallel to Shipton Road from near the current entrance to Limetrees along the north eastern site boundary to Clifton Park Avenue. At present this route is not a recorded public right of way but is likely to carry public rights; PRoW have been made aware of up to 150years public use of this route by Clifton Without Parish Council. We are pleased to see that this footpath has now been shown on the revised site plans and it is indicated to be retained.

Public Protection (PPU)

3.29 Construction noise and dust - The Applicant has submitted a Construction Emission Management Plan and Construction Method Statement, along with a Demolition Statement, which have been updated to confirm there will be no piling on site due to there being strip foundations and the working hours updated. These satisfy the requirements of the Public Protection team, subject to all other dust and noise mitigation measures as started in these reports being implemented.

3.30 Air Quality - A condition is requested requiring a strategy for the provision of electric vehicle (EV) charging.

3.31 Land Contamination – A Phase 1 (desk top study) and 2 (site investigation) has been submitted and accepted; the conclusions outline that the site is suitable for

the proposed use. A condition relating to unexpected contamination is recommended.

3.32 Noise- Road noise from the A19 is likely to be the dominant noise source within this area. A condition is recommended to ensure that the structure of the building is designed to achieve the recommended internal noise levels. The building is also designed with a plant room within the second floor, and a condition is recommended to ensure that the amenity of prospective occupiers will be protected. Additionally, it is recommended that a condition restricts the times delivery vehicles and waste removal vehicles are able to access the development.

3.33 Odour- The development will provide a commercial kitchen and a condition is requested to ensure that the development provides adequate facilities for the treatment and extraction of cooking odours.

Housing

3.34 As this is a Class C2 care home only and there are no dwellings/apartments that would be used as domestic residences, there would be no affordable housing requirement.

3.35 The Local Housing Needs Assessment covering the period between 2021 and 2033, there is a total shortfall of 417 residential care bedspaces plus 367 nursing care bed space.

Lifelong Learning and Leisure (LLL)

3.36 Any response will be verbally reported.

Community Sports Development Manager

3.37 I am pleased to see that the development of the site by Yorkare will see York Sports Club (Rugby Union Section) receive a net gain of 6 No. 20x12m pitches, these are suitable for U7's matches and I believe that the new pitches will be used by different age groups for training purposes and relieve the overplay on the existing match pitches to improve their quality and longevity.

3.38 There are number of trees and shrubs in the centre of the proposed sports pitch area. I would ask that consideration is given to move or remove the two areas of trees and shrubs to the Shipton Road boundary to allow for a larger more useable space where multiple larger pitch configurations could be considered to support the growth of the club.

3.39 The pitches are required to be drained and meet Sport England's Natural Turf for Sport design guidance standards for Rugby Union, so that the pitches are

useable year-round. I have contacted the developer and they have confirmed that they propose to provide a local land drainage solution that does not discharge to the public sewer and that will suit the local site conditions. The developers ground team, at their cost will undertake this as part of the works. I note that the land will be gifted to the York Sports Club and would ask that this will be in perpetuity.

EXTERNAL

Clifton (Without) Parish Council

3.40 No objection to the principle of developing the site to provide a dementia care home, however concerns are raised in respect to certain aspects of the scheme, including:

- the importance of the site as part of York's Green Infrastructure Corridors and the Green Belt; it is important to retain much of the wild character of the existing space which is particularly important for key species (such as owls and bats)
- the existing undertakings to replace trees with TPOs that were removed in late 2022 / early 2023 have not yet been fulfilled
- gifting the area to the sports club will lead to the long-term loss of biodiversity as wild land will be replaced by monoculture grasses. A smaller number of mini-pitches may enable the land to be better managed to retain and encourage biodiversity. Request that conditions are attached requiring management of that area to maintain existing biodiversity
- seek controls to prohibit lighting being installed in the sports pitch area and to limit floodlighting within the site generally
- seek condition for the retention and management of the hedge that runs alongside the footpath on the North East side of the site. This hedge may qualify as an 'important hedge' under the 1997 hedgerow regulations because: it runs alongside a footpath, it has less than 10% gaps, it has at least 1 standard tree per 50metres and it has a parallel hedge within 15m
- object to the limited offers in relation to the recycling and re-use of the existing structures and building materials. We request that conditions are imposed to ensure the maximum possible re-use/recycling of the existing buildings and building materials.
- the impact of a substantially larger total built footprint, and a substantial increase in the average height of the building (taking the current highest point and building everything up to that line). We must avoid such a development establishing a precedent for future developments in the York Green Belt within the emerging local plan.

Clifton Planning Panel

3.41 No objections in principle. It is welcomed that the building will be sited away from the road together with the proposed landscaping and gifting part of the site for

sports practice facilities for York Sports Club. We are encouraged that the massing and appearance was consistent with the local vernacular of housing across Shipton Road and Malton Way.

3.42 We strongly support the comments from local residents objecting about parking arrangements and the replacement of trees. The points made are valid and would help embed the proposal, especially the boundary fencing and landscaping to enhance the privacy of the residents of the care home and local residents using the public pathways.

3.43 We are dismayed that up to 4 mature trees would be removed with no specific commitment made to replace these like for like. We are not convinced about the amount of car parking and would have liked to see proposals for expanding the parking facilities as well as provision for additional EV charging points for the future.

Yorkshire Water

3.44 No objections, subject to condition requiring works to be carried out in accordance with the submitted flood risk and drainage assessment.

Environment Agency

3.45 No objection subject to a planning condition requiring the development to be carried out in accordance with the submitted flood risk assessment and the mitigation measures in terms of the finished floor levels being implemented.

Sport England

3.46 The Applicant has undertaken a ball strike assessment, which considers ball trajectory modelling from the existing rugby pitches and cricket. It concludes that a ball stop fence will assist in preventing ball strike. The low risk arising from rugby ball strike can be mitigated by the inclusion of an 8m run of 1m fencing and a 17m run of 2.5m fencing. We withdraw our objection subject to the requirement of ball stop mitigation being secured through a planning condition.

3.47 However, it does not appear that the ball strike assessment has concerned any ball strike issue in relation to the new area of playing field. Further clarity is required, and Sport England maintain its objection as a non-statutory consultee. Further information has been provided by the Applicant in this regard, and any response will be reported at the meeting.

North Yorkshire Police

3.48 The overall design is appropriate and does not raise any significant concerns in relation to Designing out Crime. There are some aspects that could be improved

to enhance the security of the scheme and include: boundary treatments, cycle parking and lighting.

Vale of York Clinical Commissioning Group

3.49 Any response to be reported at the meeting.

4.0 REPRESENTATIONS

4.1 The application has been advertised by site notice and neighbour notification. In total 12 letters of representation have been received. 4 letters of objection have been received citing the following concerns:

- replacement of trees (undermining the squash courts) following felling of three mature trees have not been undertaken
- during community consultation event advice was provided that no more than 2 trees would be felled to enable the development and request assurances required that this remains the case
- protection of existing saplings and bushes along the green lane parallel to the A19
- seek boundary fence for first length of green garden to allow interaction between care home residents and local residents
- unclear where visitors will park if 34 spaces are sufficient for employees
- issue of parking for users of York Sports Club must be addressed; it is already inadequate- events can create carnage in the surrounding neighbourhood (nose to tail parking on Malton Way, cars parked across drives and illegally on grass verges) – there is a disregard for local residents and the measures taken by YSC are woefully inadequate. Residents on Malton Way rely on on-street parking
- where will the contractor vans, lorries and cars park when construction begins
- ensure adequate parking for staff and visitors - Malton Way is used as the overflow car park for Lime Trees. The additional pitches will attract more users who will most likely drive to the site
- police have attended multiple incidents on Shipton Road outside the Sports Club where parking made entering and exiting the Club difficult
- residents have provided these comments to the developers but they have not been addressed
- The hedgerow that runs along the north west site boundary qualifies as important under the 1997 Hedgerow regulations and request the LPA apply a hedgerow retention order to this hedge.

4.2 7 letters of support have been received including 3 from representatives of York Sports Club (one as Trustee) and one on behalf of York RUFC and cite the following:

- reuse of brownfield land
- well located

- care home use will provide essential care facilities for the community
- design is in keeping/sympathetic to the surrounding area
- building in need of development before it becomes completely derelict
- retention of trees maintains a green corridor along this section of Shipton Road and around the Clifton Park, which other uses might not retain
- York Sport Club and its constituent clubs are in dire need of more playing surfaces
- will provide improved training and facilities for junior and senior sport in the area
- will be of benefit York and the wider community, encouraging more people to be active/taking part in sport
- currently the abandoned tennis courts are in a poor state of repair and attract antisocial behaviour
- regeneration of this site will address issue of safety, security and visual perspectives

5.0 APPRAISAL

5.1 Key Issues:

- Green Belt considerations
 - whether the site is within the Green Belt
 - principle of development in the Green Belt – Residential Care Home
 - harm to openness and purposes of the Green Belt – Residential Care Home
 - Principle of development and harm to the openness and purposes of the Green Belt – Playing pitches for use by York Sport Club
- Loss of healthcare services
- Provision of care home facilities
- Provision of additional playing pitches for use by York Sports Club/loss of open space
- Heritage impacts
 - non designated heritage assets
 - impact on setting of adjacent conservation area
- Archaeology
- Design
- Landscaping & Protected Trees
- Ecology
- Highways and parking
- Amenity Impacts
- Flooding and Drainage
- Sustainability
- Environmental Impacts
 - lighting
 - noise
 - odour
 - land contamination
 - construction impacts
- Green Belt – Consideration of Very Special Circumstances

ASSESSMENT

Green Belt Considerations

Whether the site is within the Green Belt

5.2 The site that is the subject of this application is shown to fall within the Green Belt under Policy SP2 of the DCLP 2005, although the weight that can be attached to this policy is very limited. Further, the site is to be retained within the proposed Green Belt under Policy SS2 in the DLP (2018), although due to unresolved objections the policy requirements of policy SS2 can only be applied with limited weight.

5.3 In line with the decision of the Court in *Wedgewood v City of York Council* [2020] EWHC 780 (Admin), and in advance of the adoption of the DLP, decisions on whether to treat land as falling within the Green Belt for development management purposes should take into account the Yorkshire and Humber RSS and may have regard to the DLP (2018), insofar as can be considered against paragraph 48 of the NPPF (2021). Site specific features must also be considered.

5.4 The Applicant contends that the site should not fall within the Green Belt, citing that the site is already developed and is contiguous with urban development to the north of the city centre. The Applicant further notes that following the Council's proposal to remove the York Sports Club buildings from the Green Belt, the retention of the Lime Trees site as falling within the Green Belt has no clear justification and the creation of a Green Belt boundary between two buildings, with open space beyond is not consistent or logical.

5.5 The Council's strategic approach to the Green Belt within York has been set out at a high level through Topic Paper 1 'Approach to Defining York's Green Belt' (May 2018). A revised addendum Topic Paper 1 'Approach to Defining York's Green Belt Addendum' (Jan 2021) clarified the methodology and revised the text to properly represent the methodology developed and applied for the setting of York's Green Belt boundaries.

5.6 In addition, the Council has undertaken further work in respect to the methodology that has been followed in the setting of inner and outer Green Belt boundaries, forming part of the emerging plan's evidence base. Relevant to this application site is Annex 3: Inner Boundaries Part 1 Sections 1- 4, which outlined that there were no proposed changes to the inner Green Belt boundary which continues along Shipton Road.

5.7 Following the Local Plan Examination Phase 4 hearings, the Council agreed to modify the boundary to the adjacent York Sports Club by excluding the sports club

buildings from the Green Belt. This was in response to the Inspector's concerns regarding the approach to Green Belt boundaries where sports fields are part of a wider complex where the boundary has been drawn tight around buildings, rather than the overall complex itself.

5.8 This proposed modification to the York Sports Club makes no change to the proposed Green Belt boundary at this application site. Therefore, officers consider that the application site is regarded as falling within the general extent of the Green Belt.

Principle of development in the Green Belt – Residential Care home

5.9 As outlined in NPPF paragraph 142, the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open and that, the essential characteristics of the Green Belt are its openness and permanence.

5.10 The NPPF (paragraph 152) goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

5.11 Paragraph 154 of the NPPF states that LPAs should regard the construction of new buildings in the Green Belt as inappropriate unless they fall within certain specified exceptions.

5.12 The site comprises an area of land connected with the provision of medical services; the southern part of the site is occupied by buildings, car parking and access and the northern part providing open space and landscaping. The site is considered to constitute previously developed land as detailed by NPPF (NPPF Annex 2: Glossary, p71) "Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure". The definition also sets out that it should not be assumed that the whole of the curtilage should be developed, and it is acknowledged that built development is proposed in a similar location to the existing building.

5.13 Paragraph 154 (g) of the NPPF allows for the partial or complete redevelopment of previously developed land within the Green Belt, which would not have a greater impact on openness of the Green Belt than the existing development. It is within this exception that the proposed development would fall to be considered.

Harm to openness and purposes of the Green Belt – residential care home

5.14 Paragraph 143 of the NPPF states that the Green Belt serves 5 purposes:
a) to check the unrestricted sprawl of large built-up areas

- b) to prevent neighbouring towns merging into one another
- c) to assist in safeguarding the countryside from encroachment
- d) to preserve the setting and special character of historic towns
- e) and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.15 The site is located in area identified in Figure 3.1 Historic Character and Setting of York of the Publication Draft Local Plan (2018) as a 'Green Wedge'. Green Wedges as outlined in the City of York Council Local Plan – The Approach to the Green Belt Appraisal (2003), which was produced to aid the identification of those areas surrounding the City that should be kept open, are broad areas of undeveloped land usually bounded on three sides by urban development part of which may comprise of the historic strays and 'ings' and river floodplains. They are important for the following reasons;

- i) undeveloped open space with a rural feel reaching close to the centre of the city.
- ii) allow an open aspect and views towards important city landmarks including the Minster.
- iii) physical separation between urban form of a different character.
- iv) open areas which build upon the presence of the strays and form a more pronounced separation between areas of different urban form, character and history.

5.16 Specifically, the site is identified to fall within the area C6: Extension to Rawcliffe Meadows and Clifton Ings, is open agricultural and semi-improved grass land that provides an open setting to the city and affords views of the Minster. There are distinctly different characters to the Shipton road area; to the north east it is a dense urban development of the continuous urban area of York stretching out to the ring road which is in contrast to the general peaceful ambiance of that to the south west of Shipton Road.

5.17 It is further evidenced through the Green Belt methodologies, in Topic Paper 1 Green Belt Addendum (January 2021) that the land to the west of Shipton Road, serves a number of Green Belt purposes. The application site contributes to purposes 1 (checking unrestricted sprawl), 3 (safeguarding the countryside from encroachment) and 5 (preserving the setting and special character of historic towns).

5.18 The NPPF states (para. 142) that the fundamental purpose of Green Belt policy is keep land permanently open. The concept of 'openness' in this context means the state of being free from development, the absence of buildings, and relates to the quantum and extent of development and its physical effect on the site.

5.19 The replacement building is broadly in the same location as the existing main building. The cluster of existing buildings that make up the current Lime Trees building are a mis-match of new and old, and are separate structures albeit close

together. The mis-match helps to break up the mass of the built development. The existing buildings are predominantly single storey with a flat roof, with the proposed building being 2.5 storey in a single mass. The proposed building is longer and higher than the existing buildings on site. It is therefore concluded that the volume of the proposed development on site is significantly more than the existing development and the proposal would have a greater extent of solid massing resulting in the proposed building to have a significant impact on openness. In addition, the larger single building would have an increased visual impact.

5.20 The replacement building therefore would result in harm to the openness and permanence of the Green Belt and is considered to be inappropriate development in the Green Belt. As the site is identified as a 'Green Wedge', the proposal is considered to harm three of the five purposes (a, c and d) of the Green Belt outlined in paragraph 143 of the NPPF. The replacement building therefore gives rise to harm of the Green Belt by reason of inappropriateness, and in line with the NPPF should not be approved except in very special circumstances.

Principle of development and harm to the openness and purposes of the Green Belt – Playing pitches for use by York Sport Club

5.21 The north western part of the site provides recreational open space and landscaping. A proportion of this land is proposed to be gifted to the York Sports Club to provide new rugby pitches. The rugby pitches will be used primarily for junior training and matches. There will be no additional facilities required for the use of the land in this manner, such as lighting and changing facilities, which are already provided by the Sports Club.

5.22 There are certain forms of other development, outlined in paragraph 155 of the NPPF that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. One of those exemptions includes sub section e) "material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds".

5.23 There would be no greater effect upon the spatial and visual aspects arising from the change of use. As assessed above, the application site contributes to the purposes of designation of 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).

5.24 The proposal, specifically the residential care home, gives rise to harm to the Green Belt by reason of inappropriateness which should not be approved except in very special circumstances.

Loss of healthcare services

5.25 Policy HW5 (Healthcare Services) of the DLP (2018) seeks to ensure that any development proposals which include existing primary or secondary care services, must re-provide the service as part of the proposal or demonstrate the facilities are no longer required or that relocating facilities would better meet the community's needs.

5.26 The site has been vacant since the end of January 2022 and prior to that date two services occupied the premises; one being Leeds York Partnership FT providing Regional Deaf Child and Adolescent mental health services (CAMHS) who have relocated to Orca House, in the Link Business Park at Osbaldwick. The second tenant was the Tees, Esk and Wear Valleys NHS Foundation Trust who have relocated to the purpose-built mental health unit at Foss Park hospital. It has been confirmed by the NHS (NHS England and NHE Improvement (NHSE/I)) in October 2021 that there are no on-going healthcare requirements for the premises.

5.27 In respect to the relocation of the CAMHS to Orca House, the NHS Foundation Trust advise on their website that that Lime Trees site no longer met their needs with Orca House being more accessible and is able to provide increased, high-quality space for clinical activity, group work and onsite training. It is considered that the facilities provided in Orca House better meet the community's needs.

5.28 The relocation of the services already taken place from the Lime Trees site demonstrates that the facilities are no longer required and the new facilities at Orca House and Foss Park hospital better meet the community's needs in respect to these specific services.

Provision of care home facilities

5.29 NPPF paragraph 63 sets out that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies and includes (but not limited to) older people. The Council's commitment to meeting the specific housing needs of the aging population and people with disabilities or additional mobility requirements are supported by draft policy H9 (Older persons specialist housing) of the DLP (2018). The policy states that developments that are specifically designed to meet the accommodation needs of older people will be supported where they:

- i. contribute to meeting an identified need;
- ii. are well designed to meet the particular requirements of residents with social, physical mental and/or health care needs; and
- iii. are in an accessible location by public transport or within walking distance to a range of community facilities including shops, medical services and public open spaces or they are provided on-site.

5.30 The explanation to the above DLP policy advises that whilst the majority of older people will live in mainstream housing there will be a need for new specialist accommodation provision such as sheltered housing and extra care provision.

5.31 The Council's Local Housing Needs Assessment (LHNA) by Icení (July 2022) provides an overview on housing need and mix covering the 2021 to 2033 period. In respect to the older person population, the report (para 1.33) states that the older person population has some distinct characteristics, including a high representation in the owner-occupied sector. An ageing population means that the number of people with disabilities is likely to increase substantially. The key findings for the 2021-2033 period include-

- a 21% increase in the population aged 65+ (potentially accounting for 63% of total population growth)
- a 29% increase in the number of people aged 65+ with dementia and a 26% increase in those ages 65+ with mobility problems
- a need for around 610-670 additional housing units with care – all in the market sector

5.32 The LHNA (Table 6.7) sets out that there is a current shortfall of 219 residential care bedspaces along with a shortfall of 144 nursing care bedspaces and this shortfall is expected to increase to 417 residential care bedspaces and 367 nursing care bedspaces by 2033. The proposed care home will provide 40 bedrooms for dementia care, with the remaining 20 spaces for residential care. As such, the provision of 60 bedrooms in total would help in meeting this identified need outlined in the LHNA, in addition to providing specialist accommodation for dementia patients.

5.33 The NPPF (section 11) promotes an effective use of land in meeting the need for homes and other uses. Paragraph 124(c) sets out that substantial weight should be given to the value of using brownfield land within settlements for homes as well as (d) promoting and supporting the development of under-utilised land and buildings which would help to meet identified need for housing where supply is constrained, and available sites could be used more effectively.

5.34 Lime Trees is located off Shipton Road and is a sustainable location with access to local services, facilities and public transport. The site is within walking distance to 'Clifton Park' bus stops on Shipton Road.

Provision of additional playing pitches for use by York Sports Club/loss of open space

5.35 Section 8 (Promoting healthy and safe communities) and specifically paragraph 96 of the NPPF sets out that planning decisions should aim to achieve

healthy, inclusive and safe places which (c) enables and support healthy lifestyles, for example through the provision of sports facilities.

5.36 Local plan policy HW2 supports applications for new or expanded communities when an existing deficit or future need has been identified. This policy states that they should be designed to be adaptable and multi-purpose, enabling a wide range of community uses. Any new or expanded facilities must be accessible and well-served by public transport, footpaths and cycle routes.

5.37 The southern part of the site that is occupied by buildings and car parking is identified as 'outdoor sport facility' within the CYC evidence base; Open Space and Green Infrastructure update 2017, with the northern part of the site designated as natural/semi-natural open space. Draft Local Plan policy GI5 seeks to protect the character of, and loss of open space of recreational importance, unless the open space uses can be satisfactorily replaced in the area of benefit and in terms of quality, quantity and access with equal or better standard that which is proposed to be lost. Continuing in the justification to policy GI5 (para. 9.16) which states that there may be circumstances where development proposals can enhance the character, use and visual amenity of open space, and provide ancillary recreational facilities or materiality improve the recreational or biodiversity of the site. Such proposals will be determined on a case-by-case basis on their merits and how they conform to sustainable development. The Active York Playing Pitch Strategy (2014) should be used to assess and guide the need for new provision and improvement of pitches across York.

5.38 The Open Space and Green Infrastructure update (2017) sets out that overall, in the Rawcliffe ward there is surplus provision of natural and semi-natural open space. It is identified that there is also a surplus of outdoor sports facility within the ward. The York Active Playing Pitch Strategy (2014) outlines that there is a total of 21 rugby union (RU) pitches across all sites which have or have the potential to have community access. Many of these pitches are on education sites including private schools with some community access. The analysis indicates that there is a shortage of 4 junior pitches and surplus of 15 senior pitches. Using population projections, the analysis indicates that by 2023 the deficiency of junior pitches will have increased to 8 pitches and the surplus of senior pitches reduced to 10. This indicates that the total overall provision of pitches for RU is likely to be adequate, but the pitch mix may need to be shifted to meet the needs of the junior game.

5.39 The Applicant sets out that at York Sports Club there is a conflict between the use of the existing rugby and cricket pitches. Across the Club's estate, they can offer four full sized Rugby Union pitches in addition to two dedicated cricket pitches. However, two of the rugby pitches overlap the outfield of the two cricket pitches and whilst this is workable most of the time, there is demand for pitches from both sports during April/May and September and during the same matchday window of Saturday afternoons. The gifting of 0.56Ha of land can accommodate up to 6 junior rugby

pitches. The Applicant indicates that these pitches will be used by the Rugby Club for training, warm up and matches with the focus on juniors, however, the Sport's Club intend that other community teams (women's, mixed ability etc) will use this area as they do not benefit from sufficient training or match play due to limited available pitches across the existing Sports Club estate. The pitches will not be marked ('white lined') to allow the club flexibility to suit the Club's schedules. The Applicant has set out that the gifting of the land for playing pitches is to relieve existing pressures on the main sports pitches and they are not seeking to significantly increase participation beyond the levels they currently operate.

5.40 There is an area adjacent to the proposed care home shown hatched on the proposed site plan which will be reserved for under 7s – under 10s only as the type of play does not allow kicking and therefore would not result in the potential for ball strike from the proposed new playing pitches.

5.41 The provision of sports pitches will provide playing pitches that are not connected to education sites, benefiting existing community teams. With up to 6 junior playing pitches being provided this will assist in meeting the anticipated deficit/need as outlined in the Active York Playing Pitch Strategy. Whilst the Open Space and Green Infrastructure update highlights a deficiency in children's play areas and young persons facility, these types of facilities are not considered to be compatible with the proposed use of the site as a care home, providing residential and dementia care. Whilst there is a surplus of outdoor sports facility/amenity green space within the ward, the proposal to provide playing pitches will assist in addressing current issues of conflict between cricket and rugby union already provided at the existing sports facility.

5.42 The northern part of the site is generally devoid of structures; in the intervening period it has been left to overgrow. There is no public access to the site, other than along the footpaths, and it has not been maintained. The site is currently enclosed from the Sports Club through fencing and the proposals will see this area opening up, although access will only be from within the Sports Club. Along with there being no structures within the northern part of the site, the character of the land will not change; it will remain generally open with a recreational function, although the nature of the recreational use will change.

5.43 It has already been outlined that the site is within a sustainable location with access to public transport.

5.44 The Applicant has accommodated the existing footpath that runs northwest parallel to Shipton Road along the northeastern site boundary to Clifton Park Avenue. Whilst this is not a recorded public right of way it is likely to carry public rights. Given its position within the site, and the potential for an enclosure to separate this path, it is not considered that users of the footpath would conflict with the prospective occupiers of the proposed care home or the playing pitches.

Heritage Impacts

Non-designated heritage asset

5.45 The Planning Practice Guidance explains that non-designated heritage assets are buildings, monument, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets. A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets (Paragraph: 039 Reference IDL 18a-039-20190723 Revision Date: 23 07 2019).

5.46 In respect of considering potential impacts in determining an application on non-designated heritage assets, the NPPF (para. 209) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.47 Draft Local Plan policy D7 sets out that there are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes, conservation area appraisals and review and as part of the decision-making process on planning applications. Historic England's Local Heritage Listing Advice Note 7 sets out the commonly applied selection criteria for assessing the suitability of assets for inclusion in a local heritage list and includes: asset type, age, rarity, architectural and artistic interest, group value, archaeological interest, historic interest and landmark status. Applying this criteria to the application site and building:

Asset type: building – records indicate that it was originally built as the medical superintendent's house for the north Riding Mental Hospital (later Clifton Hospital). This use ceased in 1960s when it was converted to an adolescent psychology unit.

Age: built between 1907 and 1929.

Rarity: The architect was J.R White, architect at County Hall, Northallerton. The hospital was a local authority institution before being taken over by the NHS in 1948. Works of J.R White are unknown although they are likely to have been involved in other local authority projects.

Architectural and Artistic Interest: it is a plain example of the 'arts and crafts' influenced houses that were common in this period. It has an unbalanced appearance due to the inclusion of an extra bay on the north eastern site.

Elaborations include substantial chimneys, protruding brick quoins and a flat roof loggia at the front entrance (although it is noted that this appears somewhat clumsily executed by comparison with the rest of the house and could be a later addition). Most rainwater goods have been converted from cast iron to plastic and windows are modern uPVC with the possible exception of a stained glass stairwell/first floor landing window on the rear elevation. Subject to extensions in 1989 and latterly additional modern buildings erected.

Group value: No group value.

Archaeological Interest: well-preserved medieval ridge and furrow present across some of the site. The Council's archaeologist considers that the site of 31 Shipton Road to be an area of archaeological interest. The archaeological interest of the site is considered to be non-designated heritage assets and are covered under the 'archaeology' section below.

Historic Interest: it is one of few surviving buildings associated with Clifton hospital, although its late date, original non-clinical association and lack of architectural interest result in a minimal historic interest.

5.48 The building at Lime Trees is not a designated heritage asset. Nor is it recorded in the York Historic Environment Record or locally valued by being on the York Open Planning Forum, a locally created register of buildings and structures that are of importance and interest to local communities because of their architectural or historic interest.

5.49 Using Historic England's criteria in order to assess the suitability for inclusion in a local list, the LPA agree with the Applicant's assertion that the existing building lacks sufficient significance to constitute a non-designated heritage asset. As such, there is no requirement to take into account the requirements of NPPF para. 209. No objection is made to its demolition.

Impact on setting of adjacent conservation area

5.50 The site sits adjacent to the Clifton (Malton Way/Shipton Road) Conservation Area, which was designated in 1975. It is a designated heritage asset. Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Continuing in paragraph 212, LPAs should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals

that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

5.51 Policy D4 of the DLP (2018) relates to development within or affecting the setting of conservation areas, stating that developments that are designed to preserve or enhance those elements which contribute to the character or appearance of the Conservation Area will be supported.

5.52 The main elements that contribute to the character and appearance of the Clifton Conservation Area include: the interesting and varied design of the houses themselves, by a significant architect (Barry Parker, known for the design of the village of New Earswick); the design of the estate as a whole 'epitomising the qualities of the garden suburb of that period', the estate's 'leafy landscaped setting' created by wide grass verges on Malton Way and Shipton Road frontages, the generous grass verges on the two minor cul-de-sacs, the mature large gardens and the garden hedges.

5.53 It is acknowledged that the largely undeveloped nature of the site may make a contribution to the ability to appreciate the historical development of the conservation area, retaining the character of the parkland of Clifton Hospital that was present when the estate was designed. There is little connection between the Lime Trees site and the conservation area; the house constructed in 1928 pre-dates the construction of most of the houses in the conservation area, it was not designed by Barry Parker, not built as a private dwelling, and has no architectural similarity with the houses on the estate.

5.54 In terms of the proposed development, the new building is of traditional design, with styling cues taken from the dwellings within the conservation area. In addition, the quality of materials is important, to further reference the conservation area and other surrounding development and to assist in mitigating and justifying the scale and impact of the proposed development. The Council's conservation officer recommends the use of red brick, and windows to be constructed using timber sash and tiles either natural slate or natural plain clay tiles.

5.55 As such, the proposed development, including the demolition and replacement of the existing building, will preserve the character and appearance of the Clifton (Malton Way/Shipton Road) conservation area. There would be no harm to the designated heritage asset and therefore there is no requirement to weigh this harm against the public benefits of the proposal, in line with paragraphs 206-208 of the NPPF.

Archaeology

5.56 The application site lies outside of the Central Area of Archaeological Importance (AAI) although the Clifton area has well documented evidence of Roman

activity, including burials. The site is considered to be an area of archaeological interest; it is situated between two Roman roads running from the North West (Road 5 and Road 7). Road 5 runs to the south of the site and was preceded by Road 7 to the north. Cemeteries and individual burials are often located by the site of Roman roads. There is a well-preserved medieval ridge and furrow present across some of the site. The Council's archaeologist considers that the site at Lime Trees to be an area of archaeological interest.

5.57 As such, any of the archaeological features and deposits on the application site are non-designated heritage assets. Paragraph 209 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining an application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.58 The proposed landscaping and sports pitches are located in the areas of medieval ridge and furrow and whilst it would be preferable to retain these as a landscape feature, this would not be possible given the proposed uses of this space (amenity area for prospective residents and playing pitches). However, it is recommended to topographically survey the ridge and furrow ahead of destruction and any harm would be mitigated through a suitable worded condition.

5.59 The proposed building works, particularly arising from excavation of foundation for the new building and new services, landscaping and the formation of the sport pitches have the potential to disturb archaeological layers, particularly relating to the Roman period. The Council's Archaeologist notes that the site has seen little in the way of disturbance through development meaning that Romano-British and potentially prehistoric archaeology may survive at shallow depths beneath the medieval agricultural features or outside of the extant building footprints.

5.60 The Council's Archaeologist recommends that an evaluation including the sports pitches area and any available space around the extant building and other intrusions (e.g., pond and attenuation tank areas) would be a suitable measure to ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ. Any harm to non-designated heritage assets (archaeological features and deposits) would be mitigated through the condition and the application is considered to comply with paragraph 209 of the NPPF.

Design

5.61 Section 12 of the NPPF advises that good design is a key aspect of sustainable development, creating better places in which to live and work and helps to make development acceptable to communities (para. 131).

5.62 Continuing, paragraph 135 of the NPPF sets out six design expectations for proposed developments and include;

- a) it will function well and add to the overall quality of the area;
- b) visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history;
- d) establish or maintain a strong sense of place;
- e) accommodate and sustain an appropriate amount and mix of development; and
- f) create places that are safe, inclusive and accessible, which promote health and well-being, with a high standard of amenity for existing and future users.

5.63 As detailed above, the proposed building has been sensitively designed, taking cues and architectural detailing including window design, stonework and barge boards, from the surrounding built development, notably the dwellings located within the Clifton conservation area and the Victorian villas along Shipton Road.

5.64 The replacement building will remain generally in a similar location to the existing building; it is set back from the road although with a widened access and the increase in height and massing of the replacement building, there will be a greater impact from the building in this location. The area is characterised by its attractive landscape, and it is envisaged that by retaining the majority of the trees and enhancing the landscape, its setting would be maintained. Further, to assist in mitigating the scale and impact of the new building, the quality of materials is deemed to be of importance to enhance and echo the references to the architectural details of surrounding built development such as the Victorian villas, and its setting within the landscape.

5.65 There remains the use of 2no. glass balustrades on the western facing elevation at a height of 1.8m serving terraces, with other terraces detailed in wrought iron railings. Discussions have been undertaken with the Applicant in respect to this detailing, as officers seek a consistent approach across the building and consider that the glass balustrade contrasts with the design approach of the building. It is agreed that the details of the balconies (railings/balustrade) can be negotiated through conditions so that the Applicant can explore options further and review Care Quality Commission guidance.

5.66 The detailed materials, including bricks, windows and tiles to be used in the construction of the development can be developed through planning condition to ensure that the whole design concept can be developed. Representations have been made from the Council's Conservation Officer and Clifton (Without) Parish Council relating to the potential for the re-use of bricks; the Applicant has set out that the existing buildings/extensions making up the Lime Trees site were not matched, and varying brick types have been used. The proposed care home will be constructed using one uniform brick and requires a larger number of bricks than the existing buildings can provide.

5.67 The boundary treatment has been the subject to negotiation, in order to avoid high estate fencing that is considered to be more of a suburban treatment and given the landscape setting, emphasis should be made to defining soft landscaping features to provide adequate demarcation. One of the main areas of concern has been in respect to the footpath route running northwest parallel to Shipton Road from near the current entrance to Lime Trees along the northeastern site boundary to Clifton Park Avenue. Whilst this is not a recorded public right of way it is likely to carry public rights. This has been accommodated within the proposals and whilst a 1.8m high close boarded fence is proposed, this will be positioned within the site and be set back from the site's frontage, which has established hedgerow and tree canopy. The effect of such a suburban treatment is balanced against protecting the privacy and security of prospective residents. The Applicant has considered alternative treatments including mesh fencing and it is considered that a suitable treatment as well as re-considering whether a smaller height would suffice, as recommended by the Landscape Architect, can be developed through a suitably worded planning condition.

5.68 To the other remaining site boundaries, the Applicant proposes a 1.2m high estate fencing, which will maintain a generally open aspect with the Sports Club and preserve the open landscape character. There will be low level wrought iron railings around the building demarking the private gardens from the wider communal areas, which again will provide an open aspect.

5.69 Overall, given the location of the site outside the conservation area and in a landscaped and generally open setting, the development is sensitively designed, and quality of the proposed development will be appropriate. Subject to certain aspects being developed through planning condition, the overall development will be visually attractive and sympathetic to local character complying with para. 135 of the NPPF.

Landscaping & Protected Trees

5.70 Section 12 of the NPPF focuses upon achieving well-designed and beautiful places, with the creation of high quality, beautiful and sustainable buildings fundamental to what the planning and development process should achieve. Paragraph 135 b) seeks to ensure that development are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Further, in paragraph 136 of the NPPF, it states that trees make an important contribution to the character and quality of urban environments. Planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in the development and that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

5.71 The vast majority of trees across the site are covered by a blanket Tree Preservation Order (TPO) (ref: TPO 173/1991). Some individual trees within the site boundary are subject to individual tree preservations (ref: TPO 46/47 and TPO 1982/48). The proposals involve the removal of 4no. existing trees to be removed, with one tree to be re-planted.

5.72 The existing driveway approach to the existing building is loosely lined with trees including four mature Limes (T285 – category A and T286, T311 and T312 – all category B and a semi- mature Ash T287– category C). The trees make up a valuable landscape feature of the site as well as play a part in the namesake of the property.

5.73 The proposed plans show the removal of the Ash and two of the Limes (T287 and T286, T312 respectively). The remaining two Limes will be retained. Concerns were raised by the Council's Landscape Architect in respect to the potential risk of harm to the remaining Lime trees on the northern side of the driveway by way of new parking and enclosures (to accommodate plant, cycle parking and bin stores) within the recommended Root Protection Areas (RPAs). The Applicant has rearranged the parking and required enclosures in this location. Furthermore, evidence has been presented that demonstrates that the proposals would not lead to any increased areas of hardstanding adjacent to the retained Limes T311 and T285 as there is currently hardstanding in this location and this area has been used for car parking in the past. The Landscape Architect is content that having assessed the conditions to the north side of the driveway it would be possible to retain the two lime trees as proposed.

5.74 Due to the reorganisation of parking and relocation of the enclosures, as well as the building being pulled back from the Oak (T303), the proposals will further result in the loss of a category C Cherry (T314), however this is noted to be of lower value than the Oak.

5.75 The three trees to be removed currently sited on the southern side of the driveway (Ref: T287, T286 and T312) are required in order to facilitate the improvements to the access, including the widening of the driveway; allowing for a refuse vehicle to turn within the site and to enter and exit in a forward manner and providing a new footway to the southern carriageway as this is close to the pedestrian crossing on Shipton Road. It is also this location as to where the semi-mature willow (T313) will be re-planted.

5.76 The proposed plans show car parking to be provided underneath the low canopy and within the RPA of Beach T296, which is an attractive, mature category A tree. Spaces identified as 3-10 are a result of an existing arrangement, following historical, surfaced, shallow excavation within the RPA that has now grown over.

5.77 There has been an overall reduction in car parking spaces from the initial scheme, with the spaces underneath the tree canopy and to the east of the Beach T296 removed and further re-arrangement of spaces 21-28 as shown on the proposed plans. These will be constructed using a cellweb matting system. Along with the Beach T296, the Pine T291 is identified of being particular merit and susceptible to decline if any damage is incurred to their roots or the rooting environment. The revised car park areas avoid the RPA of the Pine T291 and subject to there being sufficient room to demolish the existing building and construct the proposed one without entering the recommended root protection area.

5.78 The Landscape Architect has outlined the car park extension would likely result in the decline of the Sycamore closest to the entrance given its proximity of the proposed construction. However, as this group of trees are a lower quality (category c) they could be replaced, although this would result in a temporary gap in the tree cover. It is acknowledged that the scheme increases the presence of cars and is harmful to the landscape character.

5.79 The proposals initially sought for the building's footprint to be closer to the south western boundary of the site than the existing footprint, resulting in the building being uncomfortably close to the mature Oak (T303 – category A). The revised plans demonstrate that the building has been pulled back along with removal of patio areas and revision of a patio door to a window, reducing the amount of hard landscaping and construction works in this area.

5.80 In terms of the proposed landscaping plan, the Landscape Architect advises that the landscape masterplan and planting plans are of a high quality and respond positively to the setting. The landscaping scheme indicate replacement tree planting along the driveway with 'Fagus sylvatica 'Dawyck', which is a narrow form of Beech and is a suitable replacement. Other new native tree planting within the landscaped grounds would make a positive supplement to the tree cover as viewed from Shipton Road and small ornamental trees would provide highlights adjacent to the garden path and features. Overall the landscaping plan includes a high number of new trees (41no. in total), using advanced nurse stock, which provides some mitigation for the losses.

5.81 Officers recognise that there are concerns about the level of loss of protected trees, and further potential risk of harm from construction impacts, while recognising that the proposed landscaping scheme provides a high level of replacement planting. These concerns are weighed against the improvements to the access within the site for pedestrians and vehicles, the provision of an appropriate level of car parking and provision of other facilities to support the operation of the care home and measures to encourage sustainable travel (bin stores, plant, and cycle parking), are on balance, considered to be essential and proportionate to support the delivery of the proposed residential care home.

Ecology

5.82 Chapter 15 of the NPPF outlines that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

5.83 The Application is supported by an Ecological Appraisal (Dec 2022) and is an appropriate level of ecological work. Survey work outlines that no bat roosts or evidence of bats were detected on site and some of the buildings on site have features that could support roosting bats although they have a low suitability of bat interest. The report indicates that all trees with bat roosting suitability will remain in situ. Additionally, the report highlighted that the site is suitable for nesting birds with various designations and the Applicant is made aware of works being undertaken outside of bird nesting season. There are no ecological constraints in respect to invasive non-native species, badgers, great crested newts or reptiles.

5.84 The Council's Ecologist outlines that the required protection measures for key ecological features have been clearly and concisely detailed within the Construction Environmental Management Plan and Ecological Enhancement Management Plan. The Ecological Appraisal includes ecological enhancement measures including a recommendation of at least 6no. bat boxes to be installed on building or trees within the site. A condition shall ensure that these ecological enhancements are implemented.

Highways and parking

5.85 The NPPF (para. 109) advises that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Draft policy T1 (Sustainable Access) supports development where it minimises the need to travel and maximises the use of more sustainable modes of transport.

5.86 The site is accessed via an existing junction with Shipton Road and is subject to a 40mph speed limit within the vicinity of the existing junction. Footways are provided on both sides of Shipton Road. There is an existing pedestrian refuge island approximately 15m to the south of the existing site access.

5.87 The 'Clifton Park' bus stops are positioned close to the application site on Shipton Road, the northwest bound stop approximately 120m away, and the southeastern bound stop approximately 50m away. Shipton Road is a high frequency bus corridor, served by the Park and Ride service No. 2 between Rawcliffe Park and Ride and the city centre. In addition, bus services 29/29A (York – Linton-on-Ouse – Easingwold), 30 (York – Alne – Easingwold) and 31/31X (York – Easingwold – Kirbymoorside) also route along Shipton Road.

5.88 The application is supported by a Transport Statement and Travel Plan. The Transport Statement sets out that the traffic generation from the proposed development will not have a significant impact on the operation of the local highway network. The site is in an accessible location, with Shipton Road being a high frequency public transport corridor.

5.89 The proposed care home is expected to have 75 staff based at the care home, working across shift patterns (07:00 – 19:00 and 08:30 – 17:00 both typically 11 staff, with 19:00 – 07:00 typically 6 staff). The shift patterns will result in a maximum of 22 staff being on site at any given time.

5.90 The developer shall encourage staff travel to and from the site via sustainable transport modes, such as walking, cycling and public transport as well as the potential to promote car sharing. A draft Travel Plan has been provided, which sets out a number of measures and initiatives to encourage staff to travel to and from the site by sustainable transport modes and will be developed further through conditions.

5.91 The existing access into the site will continue to be utilised. A footway will be provided on the south side of the entrance, which is close to the pedestrian island on Shipton Road. Tactile paving will be provided at internal crossing points.

- Car Parking

5.92 There are existing parking areas within the site that are in locations which would normally be avoided, such as within the Root Protection Area (RPA) of several protected trees. These are proposed to be continued to be utilised.

5.93 There is an additional area of parking adjacent to the site's frontage with Shipton Road. The arrangement of the car parking spaces has been raised in terms of reversing with limited visibility, particularly in respect to No's. 27-28 at the head of the parking area and the Applicant has indicated that these spaces would be allocated as staff parking, with the parking closest to the building retained as visitor spaces. This will be managed in-house.

5.94 There has been a reduction in the level of parking spaces (total staff and visitor spaces) by 6, from 34 to 28 spaces. This has been to address issues in respect to their position within RPAs of protected and other valuable trees. Within the 28 spaces, 2 spaces will be accessible spaces and 2 spaces will provide electric vehicle recharging points.

5.95 The Council's Highways Officer is content that the level of car parking is sufficient to accommodate the parking demand generated by the proposed development, in line with the Transport Statement and with the measures outlined to be implemented as part of the Travel Plan.

5.96 Objections have been received setting out that the development should ensure that there is adequate parking for staff and visitors, to the proposed care home. The matter of where contractor vans/lorries and other vehicles will park during construction have also been queried. Furthermore, objectors consider that the additional pitches will attract more users to the York Sports Club, who will most likely drive to the site. Local residents suggest that there have been multiple incidents on Shipton Road outside the Sports Club where parking has made access/egress into the Club difficult and that there is a disregard for local residents, particularly those on Malton Way that rely on on-street parking, by users of the Sports Club, and any measures implemented have been woefully inadequate.

5.97 The application has set out, and agreed by the Council's Highway's Officer that the level of parking within the site will accommodate the parking demand generated from the proposed development and the Travel Plan will further provide measures to encourage staff to travel to and from the site by sustainable transport modes. The level of parking within the site is balanced against the potential infringement into recommended RPAs of several protected trees and other valuable trees.

5.98 The gift of the area for playing pitches for use by the York Sports Club is primarily to address existing issues of pitch capacity, schedules and playing conditions and will provide (mostly) junior and community teams dedicated areas to train and play matches. It is therefore not expected that the additional pitches will significantly increase users over and above the existing membership. There is ample car parking within the Sports Club site, as well as Shipton Road being unrestricted. The Sports Club hosts other meetings and events, and it would be difficult to ascertain any parking issues as a direct consequence of the gifted area of land to provide additional sports pitches. Malton Way already has double yellow lines for safety reasons, which assists in managing overspill to surrounding streets.

- Cycle Parking

5.99 The proposals indicate a covered and lockable staff cycle store behind the parking on the northern side. This will provide 6 Sheffield hoops equating to 12 cycle spaces. A condition is recommended for details (visual appearance, materials and internal arrangement) of the cycle store to be submitted in order to ensure that it is appropriate in this location and will provide adequate spacing and manoeuvrability and parking for the requisite numbers of cycles within the store. For visitors, two Sheffield cycle stands will be positioned close to the front entrance of the building. They will be overlooked by the Manager's office.

Amenity Impacts

5.100 Paragraph 135 (f) of the NPPF sets out a design criterion for new developments seeking to create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users. Policy D1 of the DLP (2018) Placemaking supports this under consideration v. Character and Design Standards, that developments should ensure that design considers residential amenity so that residents living nearby are not unduly affected by noise disturbance, overlooking or overshadowing.

5.101 The site occupies large grounds, with its nearest neighbours being the Yorks Sports Club grounds including playing pitches. The siting of the building is unlikely to give rise to most amenity considerations. The privacy matters from the retention of the footpath running northwest parallel to Shipton Road have already been discussed above and it is considered that suitable boundary treatment to be agreed through the conditions process would maintain the privacy of the prospective occupiers of the care home and users of the sports pitches.

- Noise

5.102 The site is located close to the A19 which is the dominant noise source in the area. There will be an external plant enclosure to the east of the proposed care home building within the parking areas. The proposed care home building will also be in close proximity to the existing York Sports Club with the main rugby pitch situated to the west of the existing building, about 15m away and separated by an internal access road. The main pitch has a stand, over 60m (approx.) from the proposed care home. Matches usually take place over the weekends, with some occasional mid-week matches played. Furthermore, consideration is given to the area within the site to the north that will be gifted to the Sports Club, which is approximately 36m away from the rear façade of the building. There will be intermittent noise from participants of the sports and any spectators.

5.103 The Council's Public Protection officer has recommended a condition requiring a scheme of noise insulation measures for protecting the prospective occupiers of the care home from externally generated noise.

5.104 Within the proposed building, there is a plant room located at second floor level and a condition will require details of plant/machinery and/or equipment and any noise mitigation measures to ensure that any noise generated from this location will not cause any adverse impact to prospective residents.

- Ball strike from existing cricket and rugby pitches

5.105 Sport England had outlined that the proposed care home could be at risk of ball strike from users of the adjacent rugby pitch and could prejudice the sporting use of the adjacent playing fields. The Applicant has undertaken a ball strike risk assessment which has identified that there is no need for any mitigation to protect

against cricket balls. In respect to the risks posed by rugby, the assessment recommends appropriate mitigation in the form of ball stop fencing to be erected along the south western boundary of the site. Two ball stop fencing would be required at varying heights and lengths; 8m long at 1m high and 17m at 2.5m high. The position of the ball stop fencing would be adjacent to communal areas (dining areas) within the care home, and thus would not give rise to any amenity impacts. Their position has been outlined on the proposed site plan, and a condition shall require further details of the ball stop fencing.

Flooding and Drainage

5.106 The site lies predominately in Flood Zone 2 with a small area in Flood Zone 3. NPPF para. 165 sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

5.107 The proposed use of the site as residential care home falls within the 'More Vulnerable' classification (Annex 3 to the NPPF: Flood vulnerability classification). Table 2: Flood vulnerability and flood zone 'incompatibility' outlines that the proposed residential care home use is appropriate in flood zone 2. The submitted Flood Risk and Drainage Assessment (JAG/AD/JR/48217-Rp001-Rev F) recommends that the ground floor of the building is constructed at a minimum level of 12.20m OD(N) to address risk from overland surface water flooding.

5.108 The area of land to be gifted to York Sports Club for use for playing pitches is mostly in flood zone 2, however there is a small area in flood zone 3. Outdoor sports are a 'water compatible development' as outlined by Annex 3 and is an appropriate use in both flood zones 2 and 3.

5.109 In terms of the disposal of foul and surface water in respect to the proposed residential care home, foul water will be connected to the public foul sewer recorded within Shipton Road. Surface water shall be connected to the public surface water sewer located within Shipton Road with a restricted rate of 3.5 litres per second. These are acceptable in principle.

5.110 Information has been presented that sets out that the playing pitches will not have any formal drainage and will not connect to the surface water drainage system of the proposed care home. The report also confirms that there will be no raising of existing ground levels, only limited cut and fill to level out to ensure a smooth/safe playing surface. The Applicant has also further advised that the playing pitches will primarily be used for training and matches for juniors and other community teams (such as women's, mixed ability) and the main pitches will be used for first team matches. Therefore, it is not considered that the playing pitches will need to meet Sport England's Natural Turf for Sport design guidance standards for Rugby Union.

The report also sets out that the York Sports Club accept that the playing pitches, in times of sustained rainfall would be unavailable for use, but the ability to reduce the pressure on the existing playing pitches remains of great benefit to the York Sports Club.

Sustainability

5.111 It is set out in section 14 of the NPPF, that the planning system should support the transition to a low carbon future in a changing climate. This includes encouraging the re-use of existing resources, including the conversion of existing buildings and support renewable and low carbon energy and associated infrastructure (para. 157 of the NPPF).

5.112 Policy CC2 of the DLP (2018) seeks to encourage high standards of sustainable design and construction. Developments are expected to demonstrate energy and carbon dioxide savings in accordance with the energy hierarchy and water efficiency.

5.113 The Applicant has submitted a 'Sustainable Design Alternative' report that outlines the general approach of the development to sustainable design. The report sets out that there are several factors that have rendered the reuse of the existing building, including the existing floor to ceiling heights are greater than required and are not suited to a care home scheme, internal columns in the centre of the building do not allow for an efficient bedroom layout. Additionally, there would be a requirement for strip out and demolition of parts of the building and where any masonry would be retained this would require thermal insulation to bring it up to a required standard. Whilst the reuse and renovation is usually considered to be one of the most sustainable development options, given the information presented in the application, and the current layout and size of the existing buildings, the retention and extension of the building is not considered to be the most sustainable long-term option.

5.114 Other sustainability measures include the installation of photovoltaics mounted to an area of roof, air source heat pumps and low energy lighting will all help to minimise energy consumption and carbon emissions. The submitted sustainable design alternative report sets out that an initial assessment indicates that a reduction of 70.6% reduction in CO2 emissions when compared to Building Regulations Part L 2021 can be achieved at this stage.

Environmental Impacts

- Air Quality

5.115 The site is located outside any Air Quality Management Area (AQMA) however in order to support improvements in air quality to help protect human

health, the Council's draft Low Emission Strategy (LES) sets out measures to reduce emission and to encourage the take up of low emission vehicles. NPPF paragraph 116 e) sets out that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles.

5.116 In line with Building Regulations, electric vehicle charge point provision applies to new residential buildings where parking is provided. The proposals indicate that a minimum of two of the 28 car spaces will be provided with electric vehicle charging points. This provision shall be secured via condition, as well the condition securing a management plan for the electric vehicle recharging points.

- Lighting

5.117 The Applicant has set out that there is no requirement for the proposed playing pitches to require any additional external lighting; with lighting from the existing pitches at the York Sports Club considered to be adequate.

- Odour

5.118 The proposed development includes the installation of a commercial kitchen and in order to ensure that there are adequate facilities for the treatment and extraction of cooking odours, details of plant, machinery and any filtration system shall be secured via condition.

- Land Contamination

5.119 NPPF paragraph 189 sets out that planning decisions should take into account ground conditions and risks arising from land instability and contamination with the responsibility for securing a safe development rest with the developer and/or landowner (para. 190).

5.120 The application is supported by a Humberside Materials Laboratory Ltd Phase 1 desk top study (dated January 2023) and a Phase 2 site investigation (dated February 2023) which confirm that the site is suitable for the proposed use.

- Construction Impacts

5.121 The development involves demolition as well as construction, which can be impactful to the surrounding area. The Applicant has submitted a Construction Environmental Management Plan (CEMP) (dated 06.08.2023) with an addendum advising that there will be no piling on site due to there being strip foundations. The Public Protection officer raises no objections to the development in terms of construction noise and dust, subject to the noise and dust mitigations set out in the CEMP are secured. With the implementation of these measures, the construction impacts (noise, vibration and dust) during demolition, site preparation and

construction phases of the development will be minimised. The construction measures have not yet been coordinated with the AMS to determine whether it is feasible and practicable to accommodate suitable site compound that adheres to the recommended RPAs. A pre-commencement condition requiring a CEMP coordinated with an approved AMS shall be secured.

Green Belt – Consideration of Very Special Circumstances

5.122 The site is within the general extent of the Green Belt. The development proposed is inappropriate development in the Green Belt. The NPPF establishes that inappropriate development should not be permitted unless very special circumstances exist. Very special circumstances will not exist unless the harm to Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

5.123 The Applicant sets out that there is a clear unmet need for both care home facilities and sports pitches across the City. A total provision of 60 bedrooms will be provided, with 40 bedrooms for dementia care and the remaining 20 bedrooms for residential care. The LHNA sets out that there is a current shortfall of 219 residential care bedspaces along with 144 nursing care bedspaces and this shortfall is expected to increase to 417 residential care bedspaces and 367 nursing care bedspaces by 2033. The delivery of a residential care home will help meet this identified need, as well as providing specialist accommodation for dementia patients.

5.124 The provision of playing pitches for rugby union will provide community access to playing pitches, with many existing pitches being on education sites. There is a deficiency of junior pitches across the city, outlined in the York Active Playing Pitch Strategy (2014).

5.125 The site constitutes previously developed land, which is in a sustainable location with access to local services, facilities and public transport.

5.126 It is considered collectively, the provision of a care home facility and provision of playing pitches in this sustainable location carry sufficient weight to demonstrate very special circumstances. It is considered that, even when substantial weight is attached to the harm to the Green Belt, cumulatively there are very special circumstances which would clearly outweigh the harm to the Green belt and any other harm as a result of the development which is within the general extent of the Green Belt.

6.0 CONCLUSION

6.1 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 154 g. 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.

6.2 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.

6.3 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.

6.4 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.

6.5 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.

7.0 RECOMMENDATION: Approve following Sec of State Decision

1 TIME2 Development start within three years

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

- DP(9)904 Rev N Proposed Site Plan RPA
- DP(0)001 Rev B Proposed GF Plan
- DP(0)002 Rev B Proposed FF Plan
- DP(0)003 Rev B Proposed SF Plan
- DP(0)050 Rev E Proposed Elevations
- Construction Emissions Management Plan & Construction Method Statement Prepared by L.Garton Yorkare Homes Dated 6th August 2023 (Submitted 13.12.2023)
- Demolition Method Statement YRK-43-10 Dated 30.04.2023 by UDCS Demolition ltd
- Tree Protection Plan - Undated/Un-numbered
- Site Logistics & Fire Plan Rev 1 Dated: Dec 23
- Flood Risk and Drainage Assessment JAG/AD/JR/48217-Rp001-Rev F September 2023 by Alan Wood & Partners
- Written Scheme of Investigation - Archaeological Evaluation by Trial Trenching & Topographical Survey Ref: 05.02.23 by MAP Archaeological Practice
- Phase 1 (Desk study) Report 1238/5952/P/P1 January 2023 by Humberside Materials Laboratory Ltd
- Phase 2 (Ground Investigation) report 1238/5952/P/P2 February 2023 by Humberside Materials Laboratory Ltd
- Ecological Appraisal December 2022 by Wold Ecology Ltd
- Construction Ecological Management Plan and Ecological Enhancement Management Plan (April 2023) by Wold Ecology Ltd
- Arboricultural Method Statement Ref: LTY01-22 MS (Dated 22 December 2022)
- Travel Plan October 2023 Rev B by Local Transport Projects
- Sustainable Design Alternatives Revision: Issue 1 Dated 8 November 2022 by Martin Design Associates Ltd
- Cricket and Rugby Ball Strike Assessment LSUK.23-0616_CBA Version 1.0 Dated 11.09.2023 by Labosport
- The provision of additional informal playing field area by Sports Field Design Ltd

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

3

Unless otherwise approved in writing by the Local Planning Authority, at all times during the demolition, site preparation and construction phases of the development, the works shall be undertaken in accordance with the following submitted plans and information:

- Construction Emissions Management Plan & Construction Method Statement Prepared by L.Garton Yorkare Homes Dated 6th August 2023 (Submitted 22.01.2024)
- Demolition Method Statement YRK-43-10 Dated 30.04.2023 by UDSC Demolition Ltd
- Arboricultural Method Statement Ref: LTY-01-22 MS Rev V (Revision dated 19 January 2024) (Submitted 22.01.2024)
- Arboricultural Survey and Impact Assessment Ref: LTY01-22 Revision V1 (Revision dated 19th January 2024 (Submitted 22.01.2024)
- Tree Protection Plan - Undated/Un-numbered
- Site Logistics & Fire Plan Rev 1 Dated: Dec 23

Reason: To ensure that construction methods will safeguard the amenities of neighbouring properties and protected trees that are integral to the amenity of the development and immediate are in accordance with paragraph 136 and 191 of the National Planning Policy Framework and Policy ENV2 of the City of York Draft Local Plan (2018).

4 HWAY40 Dilapidation survey

5 Notwithstanding the submitted Travel Plan (Oct 2023 Revision B by Local Transport Projects), the development hereby approved shall not be occupied until a full Travel Plan has been submitted and approved in writing by the LPA. The Travel Plan should be developed and implemented in line with local and national guidelines and the submitted Travel Plan. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

Within 12 months of occupation of the site a first year travel survey shall have been submitted to and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with

parking on site for these users and to comply with paragraph 114 of the National Planning Policy Framework.

6 Prior to the construction of the care home above foundation level, a detailed scheme of noise insulation measures for protecting the approved residential care home from externally generated noise shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. No part of the proposed care home shall be occupied until a noise report demonstrating compliance with the approved noise insulation scheme has been submitted to and approved in writing by the Local Planning Authority.

INFORMATIVE: The building envelope of all residential accommodation shall be constructed so as to achieve internal noise levels in habitable rooms of no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and 30 dB LAeq (8 hour) and LAFMax level during the night (23:00-07:00 hours) should not exceed 45dB(A) on more than 10 occasions in any night time period in bedrooms and should not regularly exceed 55dB(A). These noise levels shall be observed with all windows open in the habitable rooms or if necessary windows closed and other means of ventilation provided.

Reason: To safeguard the residential amenity of prospective occupiers of the residential care home from externally generated noise and in accordance with paragraph 191 of the National Planning Policy Framework and policy ENV 2 of the City of York Council DLP (2018).

7 Details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the occupation of the residential care home hereby permitted and shall be appropriately maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

Reason: To safeguard the residential amenity of nearby properties and the environmental qualities of the area in accordance with paragraph 191 of the National Planning Policy Framework and policy ENV 2 of the City of York Council DLP

(2018).

8 There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Note: It is recommended that the applicant refers to the updated Guidance produced by EMAQ in September 2018 titled "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018)" for further advice on how to comply with this condition. The applicant shall provide information on the location and level of the proposed extraction discharge, the proximity of receptors, size of kitchen or number of covers, and the types of food proposed. A risk assessment in accordance with APPENDIX 3 of the EMAQ guidance shall then be undertaken to determine the level of odour control required. Details should then be provided on the location and size/capacity of any proposed methods of odour control, such as filters, electrostatic precipitation, carbon filters, ultraviolet light/ozone treatment, or odour neutraliser, and include details on the predicted air flow rates in m³/s throughout the extraction system.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area in accordance with policy ENV2 of the 2018 Draft Plan and the National Planning Policy Framework.

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

This is to include manufacturers reference, and to be submitted together where appropriate (i.e. where built adjacent to each other) so they can be judged together.

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

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location and to comply with the National Planning Policy Framework, specifically section 12 and Policy D1 of the City of York Publication Draft Local Plan

(2018).

10 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, brick sample panels (measuring at least 2x2m) should be constructed on site for all brick types, and bonding patterns in the proposed mortar and pointing shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the development beyond foundation level. The development shall be carried out using the approved materials.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location and to comply with the National Planning Policy Framework, specifically section 12 and Policy D1 of the City of York Publication Draft Local Plan (2018).

11 Notwithstanding what is shown on the approved drawings, prior to the commencement of the development above foundation level, scaled elevations and cross sections of all new windows and doors including the dormer windows shall be submitted to and approved in writing by the Local Planning Authority and installed only in accordance with the approved details and thereafter retained.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location and to comply with the National Planning Policy Framework, specifically section 12 and Policy D1 of the City of York Publication Draft Local Plan (2018).

12 Notwithstanding what is shown on the approved plan (DP(9)904 Rev N Proposed Site Plan RPA), prior to the construction of the residential care home above foundation level, details of all means of enclosures to the site boundaries, private courtyards and footpaths within the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details and maintained in the form shown for the lifetime of the development.

Reason: To ensure that the boundary treatment will preserve the privacy of prospective occupiers and users of the footpaths and the visual amenity of the area will be maintained and reducing the opportunities for crime, in accordance with paragraph 135 of the National Planning Policy Framework.

13 A programme of post-determination archaeological evaluation and topographic survey of earthworks is required. All works shall be undertaken in accordance with the submitted Written Scheme of Investigation - Archaeological Evaluation by Trial Trenching & Topographical Survey Ref: 05.02.23 by MAP Archaeological Practice.

Each stage shall be completed and agreed by the Local Planning Authority before it can be discharged/approved.

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

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

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

D) No development shall take place until:

- details in c have been approved and implemented on site
- provision has been made for analysis, dissemination of results and archive deposition has been secured
- a copy of a report on the archaeological works detailed in Part C should be deposited with City of York Historic Environment Record within 3 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

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

14 Notwithstanding what is shown on the approved drawings, prior to the commencement of the development above foundation level, details including scaled elevations and cross sections of the balconies shall be submitted to and approved in writing by the Local Planning Authority and installed only in accordance with the approved details and thereafter retained.

Reason: So that the Local Planning Authority may be satisfied with the finished

appearance of these details prior to the commencement of building works in view of their sensitive location and to comply with the National Planning Policy Framework, specifically section 12 and Policy D1 of the City of York Publication Draft Local Plan (2018).

15 Notwithstanding what is shown on the approved plans, prior to the occupation of the residential care home, full details of the design, layout and specification of the ball stop fencing/mitigation, including details of management and maintenance responsibilities, as set out in the supporting document Cricket and Rugby Ball Strike Assessment LSUK.23-0616_CBA Version 1.0 Dated 11.09.2023 by Labosport have been submitted to and approved in writing by the Local Planning Authority. The approved ball stop fencing/mitigation shall be installed as per the approved details prior to the occupation of the residential care home and shall be maintained in accordance with the approved details and thereafter maintained.

Reason: To provide protection for the occupants of the development from potential ball strike from the adjacent playing fields and to accord with the NPPF.

16 Unless otherwise agreed in writing by the Local Planning Authority, the construction of the residential care home shall be carried out in accordance with the ecological enhancements as set out in paragraph 8.2.6.4 of the Ecological Appraisal (December 2022 by Wold Ecology Ltd). 6no. bat boxes will be installed across the site with details of the bat box specification and their location submitted to and approved in writing by the Local Planning Authority prior to occupation of the care home.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 174 d) of the NPPF (2021) to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

17 Unless otherwise agreed in writing the development hereby approved shall achieve a 30% carbon emissions reduction when compared to the Target Energy Rating (TER) in the 2013 Building Regulations as identified in the Sustainable Design Alternative. Prior to above ground construction, details of the measures undertaken to secure compliance with this condition shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policies CC1 and CC2 of the Publication Draft Local Plan 2018.

18 Notwithstanding what is shown on the approved plans, and prior to the

construction of the care home above foundation level, scaled plans and elevations to show the position of all photovoltaics (PV) to serve the building as detailed in the Sustainable Design Alternatives report dated 8 September 2020 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policies CC1 and CC2 of the 2018 Draft Plan.

19 Prior to first occupation of the residential care home, the 2no. electric vehicle charging points as shown on the Proposed Site Plan RPA Ref: DP(9)904 shall be provided. Within three months of installation of the electric vehicle charging points, a scheme outlining the management, maintenance, servicing and access arrangements for all electric vehicle charging points for a minimum period of 10 years shall be submitted to and approved in writing by the Local Planning Authority. The management scheme shall be implemented and adhered to at all times.

Reason: To promote and facilitate the uptake of electric vehicles on the site in line with the Council's Low Emission Strategy (LES) and the National Planning Policy Framework (NPPF).

Notes:

The EV charging strategy shall confirm that the charge point(s) will be serviced and maintained in line with the manufacturer's recommendations for a minimum period of 10 years. It should also address charge point fault resolution.

20 Notwithstanding what is shown on the approved plans, prior to the occupation of the residential care home hereby permitted, a scheme for the provision of staff cycle parking providing 12 cycle spaces, shall be submitted to and approved in writing by the Local Planning Authority. The staff cycle parking shall be provided within a lockable cycle enclosure, and scaled details, materials and the internal arrangement of such enclosure included within the scheme. The cycle enclosure shall be installed as shown on the approved details and maintained in the form for the lifetime of the development and shall be used for this and no other purpose.

Notes: the number of cycle parking spaces and its internal arrangement shall be designed in accordance with the guidelines contained within LTN1/20 Cycle Infrastructure design. The door width shall be at least 1m, ideally 1.2m to enable people to get through and push their bike along.

Reason: To promote the use of cycles thereby reducing congestion on the adjacent roads and ensuring the visual appearance of the enclosure is appropriate in order to comply with paragraph 114 of the NPPF and D1 of the City of York Draft Local Plan

(2018).

21 Prior to the occupation of the residential care home hereby permitted, two Sheffield stands providing visitor cycle parking shall be installed in the location as shown on the approved site plan DP(9)904 Rev N Proposed Site Plan RPA. The visitor cycle parking shall be maintained in the form shown for the lifetime of the development and shall be used for this and no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote the use of cycles thereby reducing congestion on the adjacent roads in order to comply with paragraph 114 of the NPPF and policy T1 of the City of York Draft Local Plan (2018).

22 Notwithstanding what is shown on the approved plans, prior to the occupation of the residential care home hereby permitted, details including scaled elevations and materials and finished appearance of the bin store shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall be installed as shown on the approved scheme and maintained in the approved form for the lifetime of the development and shall be solely used for this and no other purpose.

Reason: To ensure that there is adequate facilities onsite for storage of waste and recycling materials and to comply with the National Planning Policy Framework, specifically section 12 and Policy ENV2 of the City of York Draft Local Plan (2018).

23 Unless otherwise agreed in writing by the Local Planning Authority, the construction of the residential care home shall be carried out in accordance with the details shown on the submitted Flood Risk and Drainage Assessment - Re: Flood Risk and Drainage Assessment JAG/AD/JR/48217-Rp001-Rev F September 2023 by Alan Wood & Partners.

Reason: In the interest of satisfactory and sustainable drainage.

24 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no raising of existing ground levels of the playing pitches and no connection to the surface water drainage system related to the residential care home. In all other respects, any works and future maintenance of the playing pitches shall be carried out in accordance with the report 'The provision of additional informal playing field area' by Sports Field Design Ltd.

Reason: To ensure that the risks from flooding arising from the proposed development are minimised and to ensure that there is appropriate drainage facilities separate to the proposed residential care home, in accordance with Section 14 of the NPPF and policies ENV4 and ENV5 of the City of York Council DLP (2018).

25 Unless otherwise agreed in writing by the Local Planning Authority, upon completion of the development, delivery vehicles and waste removal vehicles to the development shall be confined to the following hours:

Monday to Friday 08:00 to 18:00 hours

Saturday 09:00 to 13:00 hours and not at all on Sundays and Bank Holidays

Reason: To protect the amenity of occupants of the nearby properties from noise and to accord with policy ENV 2 of the City of York Council Draft Local Plan (2018).

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with the NPPF and policy ENV3 of the City of York Draft Local Plan (2018).

27 The area shaded blue on the Proposed Site Plan RPA Ref: DP(9)904 shall be used by the York Sports Club for playing pitches in connection with the York Rugby Union Club for the lifetime of the development. The area shaded hatched on the Proposed Site Plan RPA shall be reserved for the sole use of (rugby) junior training and under 7s games only.

Reason: The use of this area of the site is considered acceptable only as described in the application and restriction on play in certain areas will provide suitable mitigation to avoid the potential for ball strike, preserving the residential amenity of prospective occupiers of the care home.

28 HWAY19 Car and cycle parking laid out

29 The protection of existing trees shown to be retained on the approved plans shall be carried out in strict accordance with the content of the approved 'Arboricultural Method Statement' LTY-01-22 MS Rev V at all times during demolition, site preparation and construction phases of the development. A copy of the document will be available for reference and inspection on site at all times. A qualified arboriculturalist shall carry out regular inspections during the demolition and

construction phases of development. Before works start on site, the name and contact details of the appointed arboriculture consultant shall be supplied to the Council's Landscape Architect.

Reason: To protect existing trees which are covered by a Tree Preservation Order and/or are considered to make a significant contribution to the amenity of the development and/or the vicinity in accordance with paragraph 136 of the National Planning Policy Framework and Policy GI4 of the City of York Council Draft Local Plan (2018).

30 Within three months of commencement of development, a final detailed landscape scheme shall be submitted and approved in writing by the Local Planning Authority. This shall illustrate the species, stock size, density (spacing), and position of trees, shrubs and other plants. This scheme shall be implemented within a period of six months of the practicable completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species across the site since the landscaping scheme is integral to the amenity of the development and immediate area.

8.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- negotiation and discussion in respect to site layout and impact on trees, car parking - levels and siting, design including materials and boundary treatment, drainage, archaeology, Green Belt.

2. INFORMATIVE:

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

further information please contact:

Streetworks for:

Works in the highway - Section 171 and Vehicle Crossings - Section 184 (01904)
551550 - streetworks@york.gov.uk

For Pavement Cafe Licence:

Pavement Cafe Licence - Section 115 (01904) 551550 -
highway.regulation@york.gov.uk

3. INFORMATIVE:

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

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

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

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

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

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

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

(f) There shall be no bonfires on the site

4. Informative: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August

inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

5. Informative note: Drainage

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

Contact details:

Case Officer: Lindsay Jenkins

Tel No: 01904 554575

Limetrees, 31 Shipton Road, Clifton YO30 5RE

23/01217/FULM



GIS by ESRI (UK)



Scale : 1:2719

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	30 January 2024
SLA Number	Not Set

This page is intentionally left blank



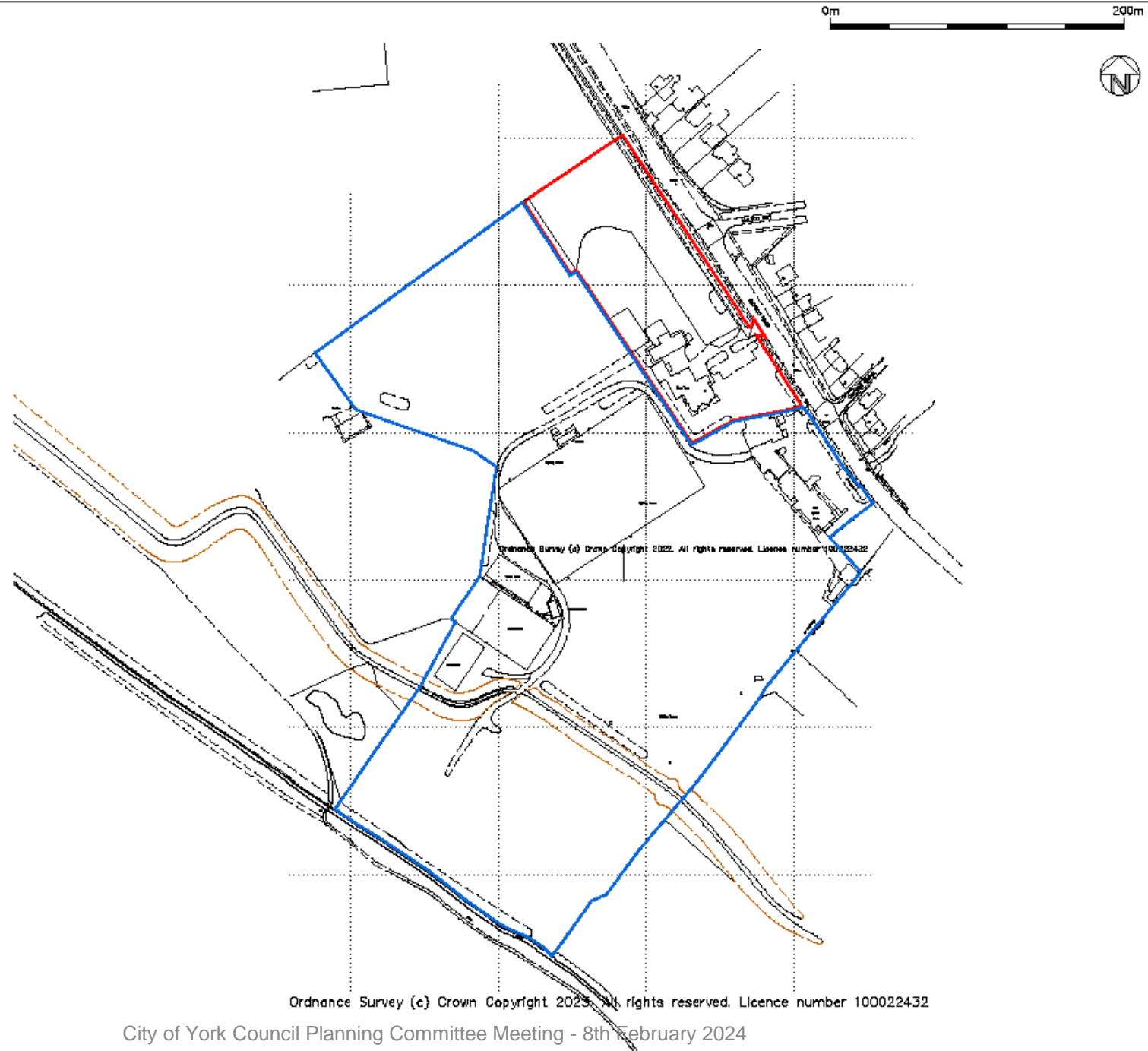
Planning Committee A

To be held on 8th February 2024

23/01217/FULM – Limetrees, 31 Shipton Road, Clifton, York

Erection of 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

Site Location Plan



Revision Table			
Rev. No.	Date	By	Description of revision
A	21-02-23	BDC	Site Boundary Updated
B	24-04-23	BDC	Ordnance Survey Extended
C	03-07-23	BDC	Boundary lines made more visible



01 SITE LOCATION PLAN
Scale: 1:2500

City of York Council Planning Committee Meeting - 8th February 2024

Drawing Name:
Site Area = 16,260 sq.m

fluid.
Architectural
Design Consultants

www.fluiddesign.co.uk

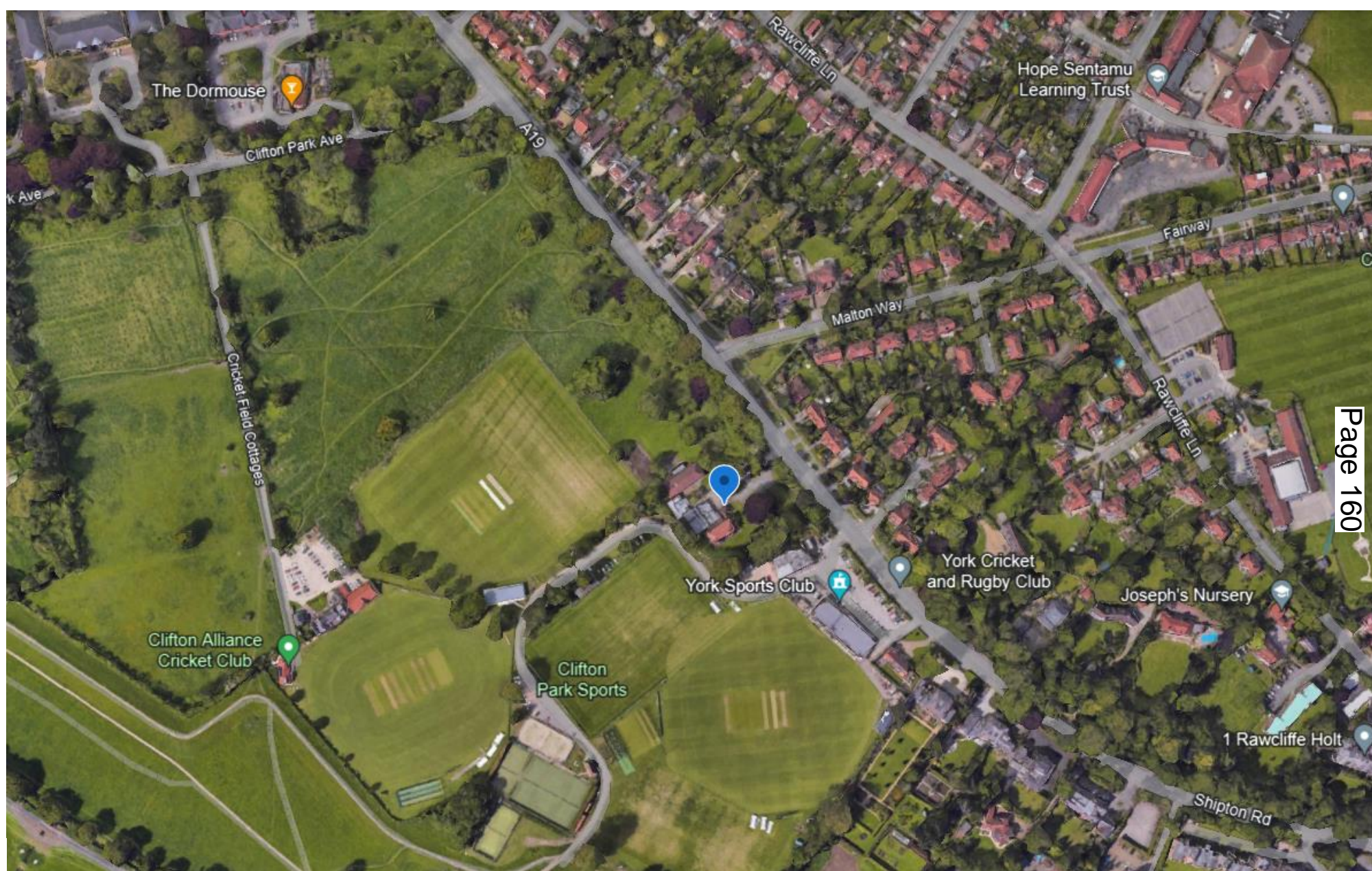
Studio, 01904 918 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Common Road,
Dunnington, York, YO19 9RZ

Client:
Yorkcare Homes Ltd

Project:
Lime Trees

Drawing Title: Site Location Plan	Drawing Status: PLANNING
Job No: YH058	Rev No: C
Drawing Number: DE19900	
Date: May 2022	Scale: 1:2500 @ A3
Drawn By: BDC	Checked By: ANU

Aerial Image –
Google Earth



Existing Land to the Rear



Existing Areas of Hardstanding



View North along
Shipton Road



View South along
Shipton Road



Southern Elevation
of Existing Main
Building



View within the site from entrance



Existing Cluster
Building to the North
West of the main
building



Existing Building
(North East
Elevation)



Existing Access
from Shipton Road



Existing Site Layout



01 EXISTING SITE PLAN
Scale 1:500



City of York Council Planning Committee Meeting - 8th February 2024

Revision Table:			
Rev. No.	Date	By	Description of revision
A	15-05-23	BC	Site Boundary Lines added

N

Page 170

fluid.
Architectural
Design Consultants

www.fluidesignassociates.com
Studio: 01904 310 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Common Road,
Dunnington, York, YO19 5RZ

Client:
Yorkare Homes Ltd

Project:
Lime Trees

Drawing Title: Existing Site Plan		Drawing Status: PLANNING	
Job No: YH058	Rev No: A	Drawing Number DE(9)901	
Date: FEB 22	Scale: 1:500 @ A1	Drawn By: BC	Checked By: AWJ

The Designer & all service contractors within the copyright ownership of Fluid Associates LLP are limited in liability for any errors or omissions which may occur in this drawing. Fluid Associates LLP, its directors, employees, agents, consultants and subcontractors shall not be held liable for any errors or omissions which may occur in this drawing. The Designer & all service contractors shall not be held liable for any errors or omissions which may occur in this drawing. The Designer & all service contractors shall not be held liable for any errors or omissions which may occur in this drawing. The Designer & all service contractors shall not be held liable for any errors or omissions which may occur in this drawing.

Existing Elevations



01 EXISTING SOUTH ELEVATION (1)
Scale 1:100



02 EXISTING EAST ELEVATION
Scale 1:100



03 EXISTING NORTH ELEVATION (1)
Scale 1:100

City of York Council Planning Committee Meeting - 8th February 2024



Revision Table:				
Rev. No.	Date	By	Description of revision	

Drawing Notes:

Page 171

fluid.
Architectural
Design Consultants

www.fluiddesignassociates.com
Studio: 01904 318 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Common Road,
Dunnington, York, YO19 5RZ

Client:
Yorkcare Homes Ltd

Project:
Lime Trees

Drawing Title: Existing Elevations	Drawing Status: FEASIBILITY
---------------------------------------	--------------------------------

Job No: YH058	Rev No: -	Drawing Number: DE(0)050
------------------	--------------	-----------------------------

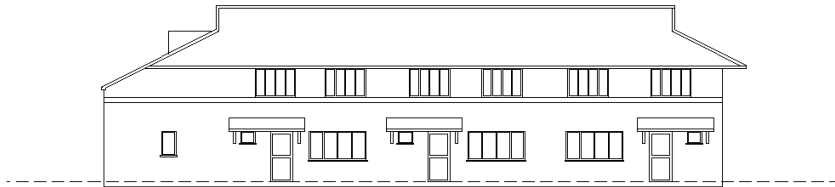
Date: Nov 22	Scale: 1:100 @ A1	Drawn By: BC	Checked By: AWJ
-----------------	----------------------	-----------------	--------------------

THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION. IT IS THE PROPERTY OF FLUID DESIGN ASSOCIATES LTD AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS STRICTLY PROHIBITED. FLUID DESIGN ASSOCIATES LTD ACCEPTS NO LIABILITY FOR ANY LOSS OR DAMAGE, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DOCUMENT. © FLUID DESIGN ASSOCIATES LTD 2022

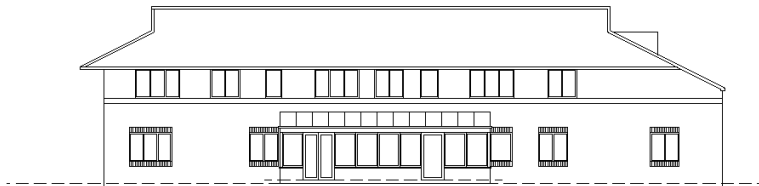
Existing Elevations (2)



04 EXISTING WEST ELEVATION
Scale 1:100



05 EXISTING SOUTH ELEVATION (2)
Scale 1:100



06 EXISTING NORTH ELEVATION (2)
Scale 1:100



Revision Table:

Rev. No.	Date	By	Description of revision

Drawing Notes:



www.fluidesignassociates.com
Studio: 01564 210 257
E-mail: info@fluid.co.uk
Ground Floor, 4 Fox Oak Park, Common Road,
Dunnington, York, YO19 5RZ

Client:
Yorkcare Homes Ltd

Project:
Lime Trees

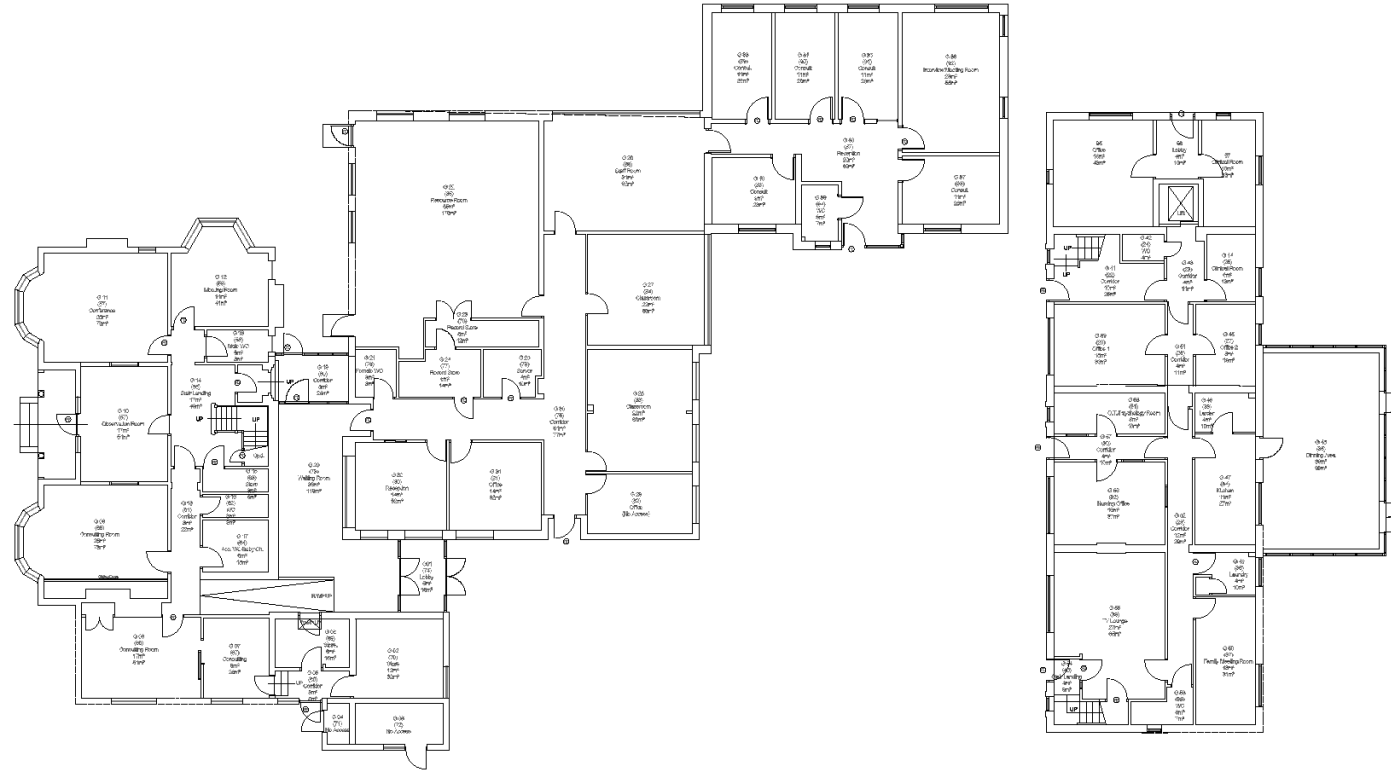
Drawing Title: Existing Elevations
Drawing Status: FEASIBILITY

Job No: YH058
Rev No: -
Drawing Number: DE(0)051

Date: Nov 22
Scale: 1:100 @ A1
Drawn By: BC
Checked By: AWJ

THE CLIENTS AND ARCHITECTS HEREBY AGREE TO THE COPYRIGHT PROTECTION OF THIS DOCUMENT BY THE ARCHITECTS AND TO THE ARCHITECTS' LIABILITY TO THE CLIENTS IN RESPECT OF THIS DOCUMENT. THE CLIENTS AND ARCHITECTS HEREBY AGREE TO THE ARCHITECTS' LIABILITY TO THE CLIENTS IN RESPECT OF THIS DOCUMENT. THE CLIENTS AND ARCHITECTS HEREBY AGREE TO THE ARCHITECTS' LIABILITY TO THE CLIENTS IN RESPECT OF THIS DOCUMENT. THE CLIENTS AND ARCHITECTS HEREBY AGREE TO THE ARCHITECTS' LIABILITY TO THE CLIENTS IN RESPECT OF THIS DOCUMENT.

Existing Ground Floor



01 EXISTING GROUND FLOOR PLAN
Scale 1:100

City of York Council Planning Committee Meeting - 8th February 2024

Revision Table:			
Rev No	Date	By	Description of revision

Drawing Notes:

Page 173

fluid.

Architectural Design Consultants

www.fluidesignassociates.com

Studio: 01904 310 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Common Road, Dunnington, York, YO19 5RZ

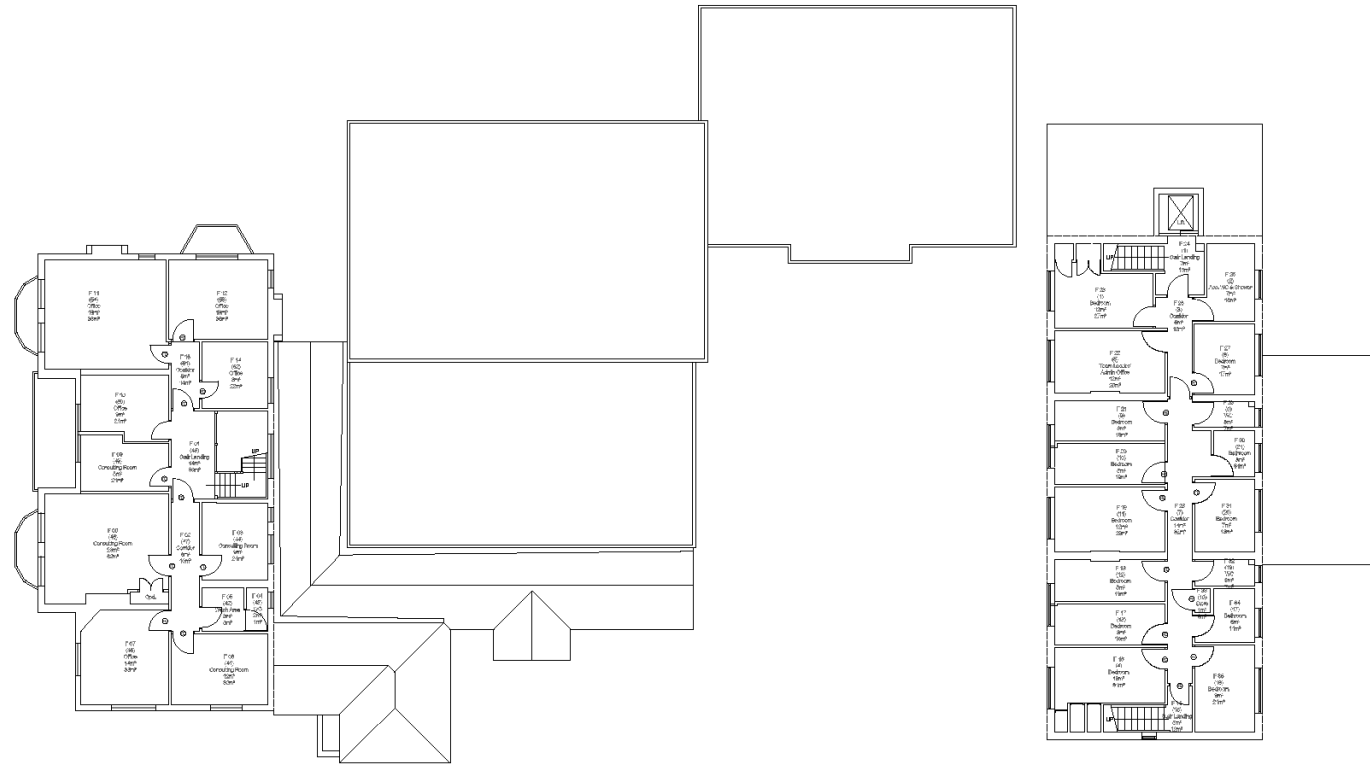
Client: Yorkcare Homes Ltd

Project: Lime Trees

Drawing Title: Existing Ground Floor Plan	Drawing Status: FEASIBILITY
Job No: YH058	Rev No: -
Date: Nov 22	Drawing Number: DE(0)001
Scale: 1:100 @ A1	Drawn By: BC
Checked By: AWJ	

This document is the property of Fluid Design Associates Ltd. It is to be used for the purposes specified in the contract only. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Fluid Design Associates Ltd. All rights reserved. Fluid Design Associates Ltd is a limited liability company registered in England and Wales. Registered office: 4 Fox Oak Park, Common Road, Dunnington, York, YO19 5RZ. Registered number: 11488888. Fluid Design Associates Ltd is a member of the Fluid Design Group. Fluid Design Group is a limited liability company registered in England and Wales. Registered office: 4 Fox Oak Park, Common Road, Dunnington, York, YO19 5RZ. Registered number: 11488888. Fluid Design Group is a member of the Fluid Design Group.

Existing First Floor Plan



Revision Table:			
Rev. No.	Date	By	Description of revision

Drawing Notes:

Page 174

fluid.
Architectural Design Consultants

www.fluiddesignassociates.com
Studio: 01904 310 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Common Road,
Dunnington, York, YO19 5RZ

Client:
Yorkare Homes Ltd

Project:
Lime Trees

Drawing Title: Existing First Floor Plan	Drawing Status: FEASIBILITY
---	--------------------------------

Job No: YH058	Rev No: -	Drawing Number: DE(0)002
------------------	--------------	-----------------------------

Date: Nov 22	Scale: 1:100 @ A1	Drawn By: BC	Checked By: AWJ
-----------------	----------------------	-----------------	--------------------

THE DRAWING IS AN UNCONTROLLED COPY AND IS NOT VALID FOR CONSTRUCTION. IT IS THE PROPERTY OF FLUID DESIGN ASSOCIATES LTD AND SHOULD NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT THE WRITTEN PERMISSION OF FLUID DESIGN ASSOCIATES LTD, NO PART OF THIS DRAWING MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT THE WRITTEN PERMISSION OF FLUID DESIGN ASSOCIATES LTD.



01 EXISTING FIRST FLOOR PLAN
Scale 1:100

Proposed Site Plan



01 PROPOSED SITE PLAN
Scale 1:500

Revision Table			
Rev No.	Date	By	Description of revision
A	17-10-22	AG	Boundary adjustments
B	14-12-22	BC	Hard Landscaping around the building revised following LA comments.
C	22-02-23	AG	Parking added
D	24-02-23	AG	Storage pond added and path adjusted
E	06-04-23	AG	Parking and cycle parking amended
F	14-04-23	AG	Ramp amended
G	24-05-23	AG	Latest plan added and ramp amended
H	01-08-23	AG	Plant enclosure amended
I	26-08-23	AG	Note added
J	12-10-23	AG	Cycle store added
K	31-10-23	AG	Parking amended and Tactile paving added
L	01-11-23	BC	Hedge added
M	13-12-23	BC	Sports pitch locations removed
N	04-01-24	AG	Parking amended

KEY

- Care home site boundary
- Land to be gifted to York Rugby Club

Drawing Notes:

Tree Key

- New Tree
- Existing Tree To Be Removed
- Existing 'U' Grade Tree To Be Removed
- Existing Tree To Be Relocated / Position

Page 175

fluid.
Architectural Design Consultants

www.fluidesignsassociates.com
Studio: 01904 310 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Common Road, Dunnington, York, YO19 5EZ

Client: Yorkcare Homes Ltd

Project: Lime Trees

Drawing Title: Proposed Site Plan RPA
Drawing Status: PLANNING

Job No: YH058
Rev No: N
Drawing Number: DP(9)904

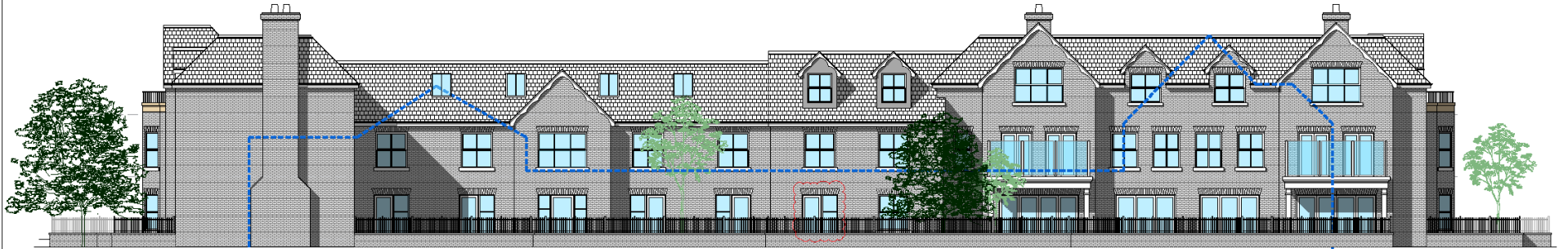
Date: FEB 22
Scale: 1:500 @ A1
Drawn By: BC
Checked By: AWJ

This drawing is a preliminary contract document and is not a final contract. It is subject to the terms and conditions of the contract. It is not to be used for any other purpose without the written consent of the author. It is the responsibility of the user to ensure that the drawing is used in accordance with the contract. It is not to be used for any other purpose without the written consent of the author. It is the responsibility of the user to ensure that the drawing is used in accordance with the contract.

Proposed Elevations



01 PROPOSED EAST FACING ELEVATION
Scale 1:100



02 PROPOSED WEST FACING ELEVATION
Scale 1:100



03 PROPOSED SOUTH FACING ELEVATION
Scale 1:100



04 PROPOSED NORTH FACING ELEVATION
Scale 1:100

Rev. No.	Date	By	Description of revision
A	17-10-23	AG	Site elevation updated
B	27-01-23	BC	Elevations updated following Client comments
C	21-02-23	BC	Elevations updated following Client comments
D	08-04-23	AG	Elevations updated to match plan updates
E	14-04-23	AG	Elevations updated to match plan updates

Drawing Notes:

fluid.
Architectural Design Consultants

www.fluiddesignassociates.com

Studio: 01904 310 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Coesmon Road, Dunnington, York, YO19 5RZ

Client: Yorkcare Homes Ltd

Project: Lime Trees

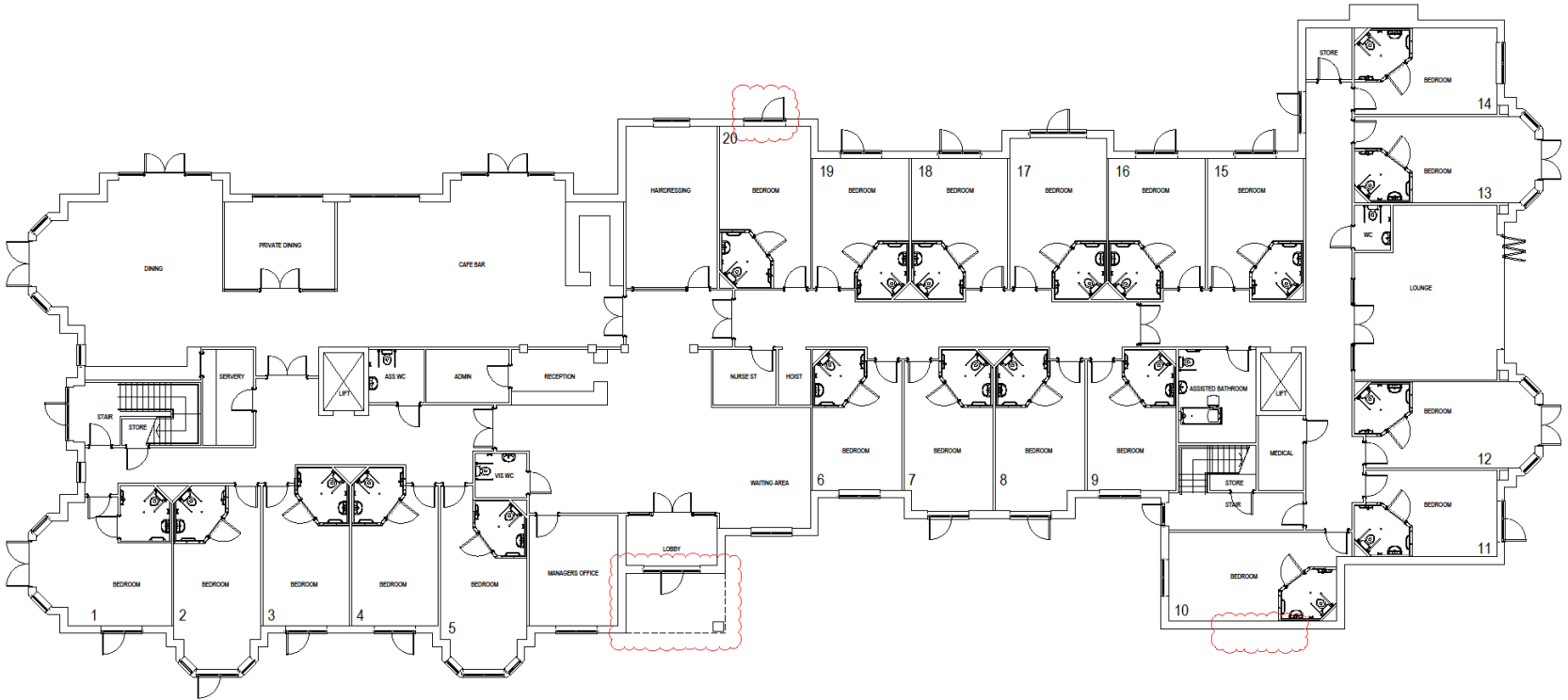
Drawing Title: Proposed Elevations
Drawing Status: FEASIBILITY

Job No: YH058
Rev No: E
Drawing Number: DP(0)050

Date: MAR 22
Scale: 1:100 @ A1
Drawn By: AG
Checked By: AWJ



Proposed Ground Floor Plan



01 PROPOSED GROUND FLOOR PLAN
Scale 1:100



City of York Council Planning Committee Meeting - 8th February 2024

Revision Table:				
Rev. No.	Date	By	Description of revision	
A	05-04-23	AG	General update	
B	14-04-23	AG	General update	

Drawing Notes:

Gross Internal Floor Areas	
Ground Floor	- 1,195.49 sq.m
First Floor	- 1,192.24 sq.m
Second Floor	- 1,059.71 sq.m
Total	= 3,437.44 sq.m

Page 177

Architectural Design Consultants

www.fluidesignassociates.com

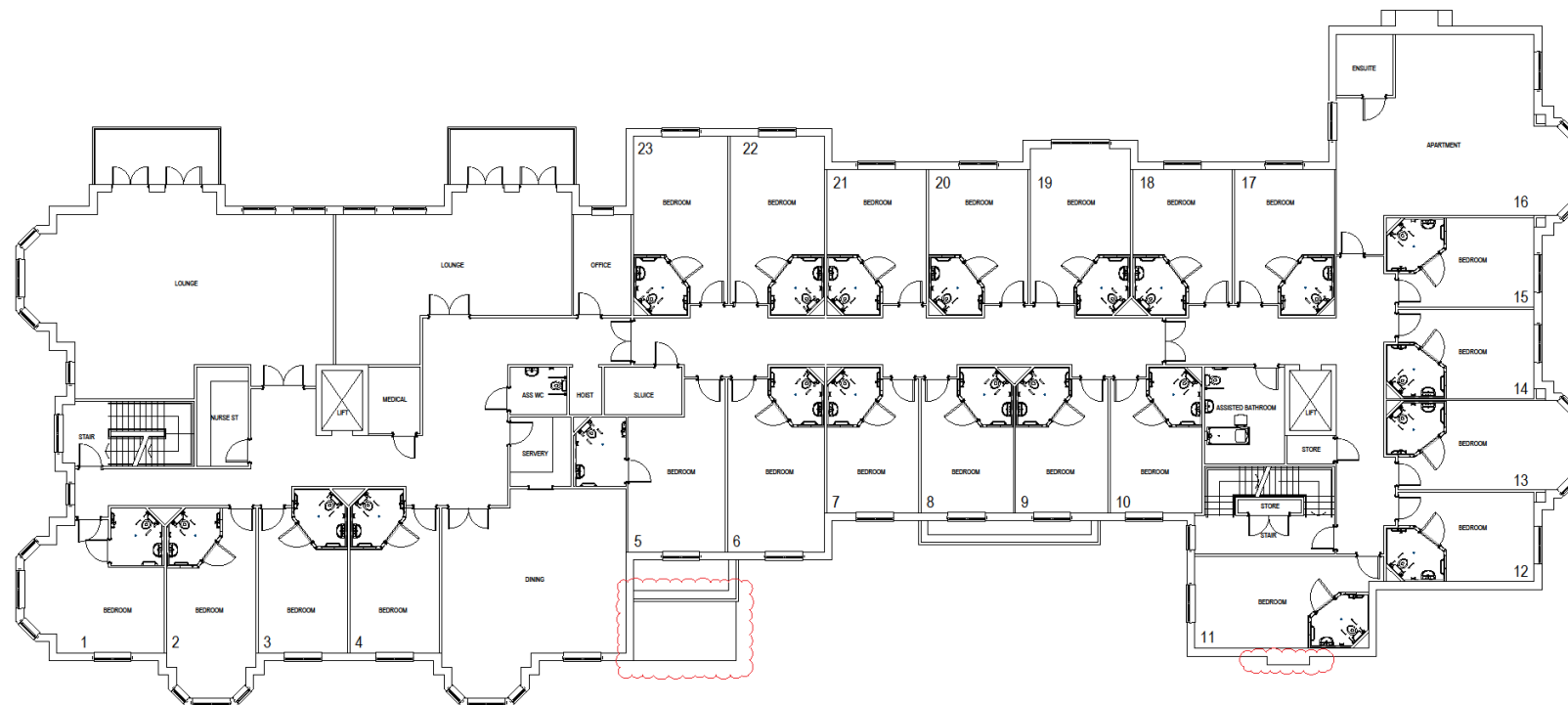
Studio: 01904 310 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Common Road,
Dunnington, York, YO19 5RZ

Client:
Yorkcare Homes Ltd

Project: Lime Trees	
Drawing Title: Proposed GF Plan	Drawing Status: FEASIBILITY
Job No: YH058	Rev No: B
Date: MAR 22	Scale: 1:100 @ A1
Job No: YH058	Drawing Number: DP(0)001
Date: MAR 22	Scale: 1:100 @ A1
Drawn By: BC	Checked By: AWJ

THIS DRAWING IS A FLUID DESIGN ASSOCIATES PROPERTY. THE COPYRIGHT OF THIS DRAWING IS RESERVED BY FLUID DESIGN ASSOCIATES. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF FLUID DESIGN ASSOCIATES. THE DESIGN OF THIS DRAWING IS THE PROPERTY OF FLUID DESIGN ASSOCIATES. THE DESIGN OF THIS DRAWING IS THE PROPERTY OF FLUID DESIGN ASSOCIATES. THE DESIGN OF THIS DRAWING IS THE PROPERTY OF FLUID DESIGN ASSOCIATES.

Proposed First Floor Plan



01 PROPOSED FIRST FLOOR PLAN
Scale: 1:100



Revision Table:				
Rev No	Date	By	Description of revision	
A	05-04-23	AG	General update	
B	14-04-23	AG	General update	

Drawing Notes:

Gross Internal Floor Areas	
Ground Floor	- 1,195.49 sq.m
First Floor	- 1,182.24 sq.m
Second Floor	- 1,059.71 sq.m
Total	= 3,437.44 sq.m

fluid.
Architectural Design Consultants

www.fluidesignassociates.com
 Studio: 01904 310 257
 E-mail: info@fluid.uk.com
 Ground Floor, 4 Fox Oak Park, Common Road, Dunnington, York, YO19 5RZ

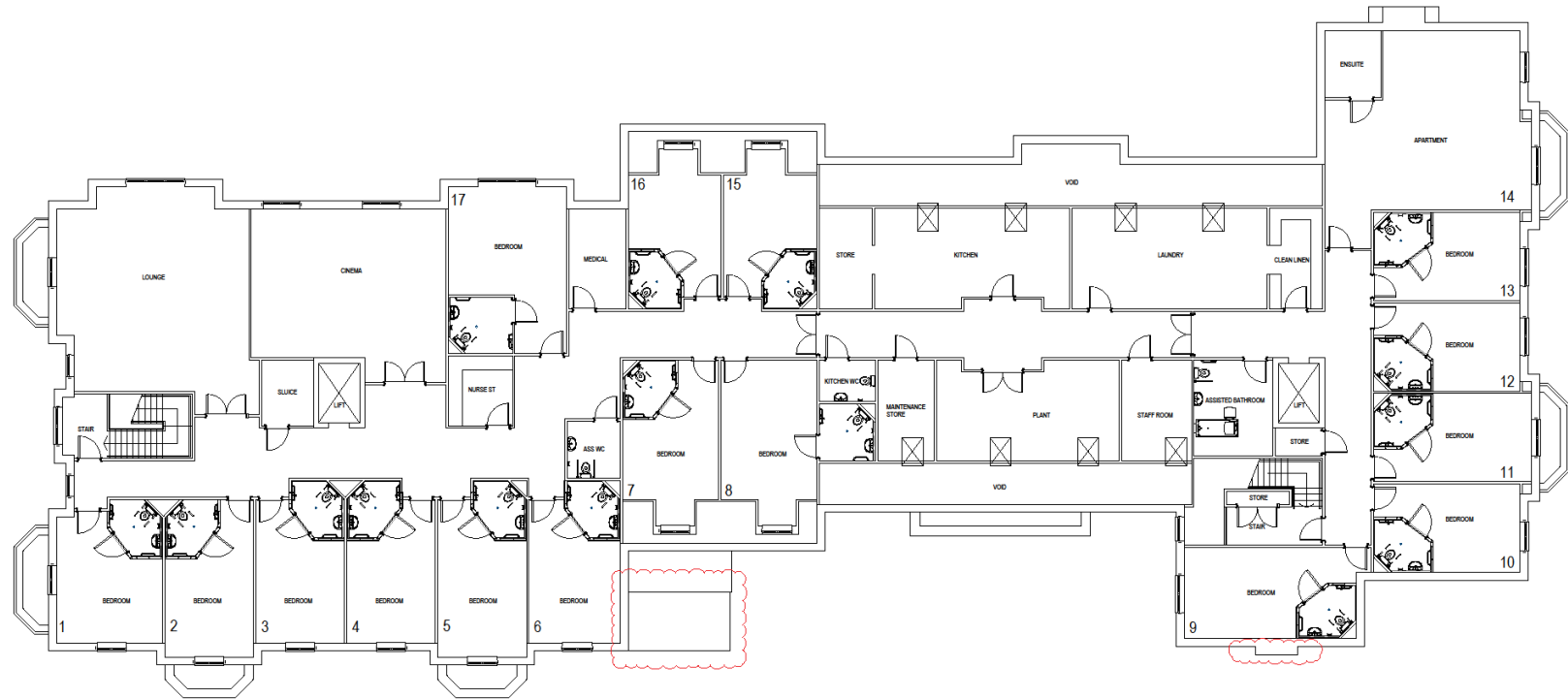
Client: Yorkcare Homes Ltd

Project: Lime Trees

Drawing Title: Proposed FF Plan	Drawing Status: FEASIBILITY
---------------------------------	-----------------------------

Job No: YH058	Rev No: B	Drawing Number: DP(0)002
Date: MAR 22	Scale: 1:100 @ A1	Drawn By: BC Checked By: AWJ

Proposed Second Floor Plan



01 PROPOSED SECOND FLOOR PLAN
Scale: 1:100



Revision Table			
Rev No	Date	By	Description of revision
A	08-04-23	AG	General update
B	14-04-23	AG	General update

Drawing Notes:

Gross Internal Floor Areas	
Ground Floor	- 1,195.49 sq.m
First Floor	- 1,182.24 sq.m
Second Floor	- 1,059.71 sq.m
Total	= 3,437.44 sq.m

fluid.
Architectural Design Consultants

www.fluidesignassociates.com
Studio: 01904 310 257
E-mail: info@fluid.uk.com
Ground Floor, 4 Fox Oak Park, Common Road, Dunnington, York, YO19 5RZ

Client: Yorkcare Homes Ltd

Project: Lime Trees

Drawing Title: Proposed SF Plan	Drawing Status: FEASIBILITY
---------------------------------	-----------------------------

Job No: YH058	Rev No: B	Drawing Number: DP(0)003
Date: MAR 22	Scale: 1:100 @ A1	Drawn By: BC Checked By: AWJ

This document is the property of Fluid Design Associates. It is to be used only for the purposes for which it is intended. It is not to be used for any other purpose without the prior written consent of Fluid Design Associates. The user of this document is advised that Fluid Design Associates does not accept any liability for any loss or damage, whether direct or indirect, arising from the use of this document. The user of this document is advised that Fluid Design Associates does not accept any liability for any loss or damage, whether direct or indirect, arising from the use of this document.

Proposed Landscaping Plan



Date: 8 February 2024 **Ward:** Holgate

Team: West Area **Parish:** Holgate Planning Panel

Reference: 23/01494/REMM
Application at: York Central, Leeman Road, York
For: Reserved matters application for 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
By: Homes England and Network Rail Infrastructure Limited
Application Type: Major Reserved Matters Application
Target Date: 21 November 2023 (Extension of Time: 12 February 2024)
Recommendation: Approve subject to conditions

1.0 PROPOSAL

- 1.1 Reserved matters consent is sought for the layout, scale, appearance, landscaping and access for the creation of a new area of public realm serving both York Central and the wider City. The space largely sits to the front of the National Railway Museum and is within close proximity to Marble Arch/Leeman Road tunnel and the rear entrance of York Station. The Square would provide a predominantly hard surfaced space with some soft landscaping throughout to define the boundaries and provide some shading. The space would include provision for pedestrian and cycle access through and would provide cycle parking spaces. The space would also include provision of seating, lighting and wayfinding and opportunities for public art. An area dedicated to outdoor seating serving the proposed café at the National Railway Museum is also provided.
- 1.2 The proposals incorporate minor changes to the previously approved highway layout and crossing points adjoining the site and would remove previously consented coach drop off bays. The space would include a series of controlled bollards which would allow limited access for emergency services and vehicles servicing and delivering to the National Railway Museum and Network Rail. There would be no other access for vehicles through the site and no provision for car parking.
- 1.3 This application is the third reserved matters application for the development of York Central which follows outline approval 18/01884/OUTM for a major mixed use development.

- 1.4 Since the application was submitted in August 2023 there have been a number of amendments made to the scheme in response to comments received from interested parties and consultees. The amendments include a more generous paved area adjacent to the southern toucan crossing to ease pedestrian movement, revisions to the cycle lane adjacent to Plot F01a, relocation of the northern crossing closer to the Mineral Office Building which allows more pedestrian space, changes to the paving material and surface finish at the transition from pedestrian paving to cycle lane surfacing within shared space, re-positioning of Hostile Vehicle Movement bollards and introduction of raised planters and seating as HVM to reduce bollards, additional cycle hoops adjacent the toucan crossing and adjacent the Mineral Office Building, with provision for adapted/cargo bikes, additional planting and seating adjacent the National Railway Museum exit and introduction of a panel of smaller Yorkstone setts to the northern side of the Mineral Office building.

APPLICATION SITE

- 1.5 The application site currently forms the forecourt to the front entrance of the National Railway Museum (NRM) and provides part of the staff and disabled visitor car parking. The site is largely tarmac/hard surfaced areas in differing materials.
- 1.6 The site then expands beyond the existing forecourt to take in the National Railway Museum's forecourt/service yard on the northern side of Leeman Road adjacent to the Great Hall and part of Leeman Road which is to be stopped up. It then extends up to the Hydraulic Power House and the approved but yet to be constructed Central Hall on the northern side and grade II listed former Goods Station (Station Hall) on the western side, the new cycle/footway referred to as Hudson Boulevard and yet to be developed Plot F01A on the south western side and the new road referred to as Cinder Street on the south and eastern sides. The public realm would wrap around the National Railway Museum's grade II listed Bullnose Building also referred to as the Mineral Office, Weighbridge, Gate Piers and Gates to the former York Goods Station which will remain in situ.
- 1.7 The application site falls within the area identified in the outline approval (18/01884/OUTM) as being a predominantly hard surfaced open space as identified on approved Parameter Plan YC-PP-012. The site falls within an area of the site referred to as Museum Gateway (the north half of New Square) as set out in the York Central Approved Parameter Plans and Design Guide submitted as part of the outline approval. The southern half of New Square which is currently the former Coal Drops would be developed as a separate reserved matters consent.

- 1.8 The site falls outside of the Conservation Area with the Central Historic Core Conservation Area Character Area 22 (Railway) being located to the east and encompassing York Railway Station and part of the city walls, which are also a scheduled monument. The site is identified as an Area of Archaeological Importance.

BACKGROUND AND RELEVANT PLANNING HISTORY

- 1.9 The site forms part of York Central which is allocated under Policy SS4 of the Draft Local Plan for a mixed use development.
- 1.10 In 2019 outline planning approval (18/01884/OUTM) was granted with all matters reserved for redevelopment of the site to provide a mixed-use development of up to 379,729 m² of floorspace Gross External Area (GEA) primarily comprising up to 2,500 homes (Class C3), between 70,000 m² and 87,693 m² of office use (Class B1a), up to 11,991 m² GEA of retail and leisure uses (Classes A1-A5 or D2), hotel with up to 400 bedrooms (Class C1), up to 12,120 m² GEA of non-residential institutions (Class D1) for expansion of the National Railway Museum, multi-storey car parks and provision of community uses all with associated works including new open space, ancillary car parking, demolition of and alterations to existing buildings and associated vehicular, rail, cycle and pedestrian access improvements.
- 1.11 The outline approval was accompanied by an Environmental Statement as it comprised development falling under the Environmental Impact Assessment Regulations and was subject to 83 conditions together with a Section 106 agreement. A number of the outline conditions require information to be submitted as part of each reserved matters application or for matters to be discharged prior to commencement and these conditions have to be complied with as part of any reserved matters application which comes forward.
- 1.12 The first reserved matters application referenced 20/00710/REMM was granted in November 2020. The application sought consent for layout, scale, appearance, landscaping and access for the construction of the primary vehicle, pedestrian and cycle routes and included associated landscaping and alterations to the existing road network. The infrastructure works approved included the construction of Cinder Street, a new primary road which runs from Leeman Road tunnel to the south-west of The Square and Hudson Boulevard, a new pedestrian and cycleway which sits to the west of The Square. It also enabled the provision of shuttle working through Leeman Road tunnel as this reduces to one lane for traffic with a dedicated two-way cycle lane. Two coach parking bays were proposed to serve the National Railway Museum visitor coaches which were located immediately adjacent to The Square. Two signalised crossing points were also approved, one situated close to the listed

gateposts and one to the southern side of The Square to provide future connection through to The Station rear entrance. The approved infrastructure works are currently under construction.

- 1.13 The second reserved matters application 21/02793/REMM was granted in August 2022 for layout, scale, appearance, landscaping and access for the construction of Central Hall (F1 use class) at the National Railway Museum. The proposals included an entrance hall, exhibition space and café with associated access, parking, landscaping and external works including surface water attenuation tanks below The Square, following the demolition of the mess room and other structures. These proposals sit to the north/north-east of The Square and enabling works relating to this consent are currently being undertaken.
- 1.14 The fourth reserved matters application 23/02255/REMM for layout, scale, appearance, landscaping and access relating to Plot F01a for the erection of a six storey (plus basement) office building with self-contained retail and ancillary uses at ground floor, associated car and cycle parking, servicing and access, public realm and other associated infrastructure has recently been submitted in December 2023 and is pending consideration. This plot sits to the south-west of The Square.
- 1.15 There have been a series of discharge of conditions approved or pending decision relating to the above approved reserved matters applications.
- 1.16 Also of relevance to the proposals is a listed building consent for demolition of part of the boundary wall attached to the grade II listed gateposts which sits within the application site which was granted consent in October 2023 under reference 23/01652/LBC. The boundary wall has now been demolished.
- 1.17 It is also worth noting, application 22/02625/FUL at the Peter Allan Building (fronting Station Hall) and to the west of the site which approved a new door opening, scissor platform and 1.4m high timber enclosure around a proposed bin store, louvre panels to windows and relocation of condenser units after removal of ramp, platform and fire escape stairs. These works directly front onto The Square.
- 1.18 In addition of note is application 23/00713/FUL at the National Railway Museum which granted consent for the reconfiguration and surfacing of the car park at North Yard with access from Leeman Road with erection of cycle shelters, road train shed and associated landscaping works. This consent included provision for coach drop off and turning.

1.19 As part of the Highway process, a stopping up order was granted on 6 October 2021 to enable closure of part of Leeman Road to facilitate the construction of Central Hall. Alongside this as part of their Highway functions, the Council entered into a Walkway Agreement with the National Railway Museum which approves a walkway route which runs through The Square and Central Hall until it re-joins Leeman Road. A section of the stopped-up road forms part of this application site.

2.0 POLICY CONTEXT

2.1 National Planning Policy

The revised National Planning Policy Framework (NPPF) was published in December 2023 and its planning policies are material to the determination of planning applications. Key chapters of the NPPF relevant are:

Achieving sustainable development (chapter 2)

Decision-making (chapter 4)

Promoting healthy and safe communities (chapter 8)

Promoting sustainable transport (chapter 9)

Achieving well designed and beautiful places (chapter 12)

Conserving and enhancing the natural environment (chapter 15)

Conserving and enhancing the historic environment (chapter 16)

2.2 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

2.3 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. Following examination it is expected the plan will be adopted in 2024. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.4 The key policies relevant to the proposals are:

D1 – Placemaking

D2 – Landscape and Setting

D4 – Conservation Areas

D5 – Listed Buildings

D7 – The Significance of Non-designated Heritage Assets

GI2 - Biodiversity

GI4 – Trees and Hedgerows

ENV1 – Air Quality

ENV2 – Managing Environmental Quality

ENV3 – Land Contamination
ENV5 – Sustainable Drainage
T1 – Sustainable Access

- 2.5 The following policies are also relevant to the planning application. They have outstanding objections, which will be considered through the Local Plan Examination process, but are consistent with national policy and can therefore be given limited weight.

SS4 - York Central

3.0 CONSULTATIONS

INTERNAL

STRATEGIC PLANNING POLICY

3.1 6 September 2023

Advise that policies D1, D2, D4, D5 and D7 of the emerging Local Plan (inclusive of proposed modifications) can be afforded moderate weight in the determination. Policy SS4 sets out the criteria within which new high quality public realm should be delivered and can be afforded limited weight due to the level of unresolved objection.

HIGHWAYS DEVELOPMENT CONTROL (HDC)

3.2 29 August 2023

- a) Further information required on the extent of Leeman Road stopping up and adopted highway.
- b) Queries on location and management of bollards and hostile vehicle management measures, vehicular access off Cinder Street and emergency access and location of cycle parking.
- c) Concerns with the design of proposed traffic signals to address the interaction between NRM access(es), two way cycle track, pedestrian crossing and Cinder Street shuttle working at the pedestrian crossing south of the Mineral Office Building and the crossing east of Plot F01A.
- d) Concerns with no difference in level between the pedestrian area between the pedestrian crossing outside of Plot F01A and Hudson Boulevard or north of Hudson Boulevard. No proposed formal crossing point for pedestrians across the cycle route does not comply with LTN 1.20.
- e) Concerns that cycle route alongside Cinder Street needs to provide segregation between the cycle route and pedestrian area.
- f) Request that the temporary design and materials and signage strategy be conditioned.

3.3 **2 October 2023**

Still concerns on extent of areas for highway adoption, approach to and location of hostile vehicle mitigation measures, access points for vehicles, traffic signal design for access points, cyclists crossing points and cycle route design and materials. Need to condition cycle rack detail as not considered street furniture. Need clarity on temporary versus final arrangements.

3.4 **10 January 2024**

Still some areas of concern as follows:

- a) Extent of adopted highway required on an updated plan to enable assessment of highway rights for all users.
- b) Further details of traffic controls for the areas between bollards and Cinder Street.
- c) Concerns regarding removal of signal control for road train access on other side of Cinder Street could block the outbound carriageway.
- d) Concerns regarding Cinder Street signalised crossing south.
- e) Concerns regarding approach to segregation between cyclists and pedestrians on Cinder Street.
- f) Priority crossing requested for pedestrians to cross the cycle route between Cinder Street and Hudson Boulevard.
- g) Directional paving required to guide pedestrians.
- h) Comments on design of HVM including height and spacing.
- i) Need to identify vehicle routes into shared space.
- j) Location of street lighting apparatus to be confirmed.
- k) Cycle parking provision still seems very limited.
- l) Delineation of public highway pedestrian route through The Square needs to be delineated.

3.5 **26 January 2024**

Still some highway concerns regarding the extent of the adopted highway, the northern and southern pedestrian crossing, pedestrian crossing at the cycle lane, detail of cycle facilities, dropped crossing points/access, road train access, however it is acknowledged that most of these could be conditioned.

LEAD LOCAL FLOOD AUTHORITY

3.6 **19 September 2023**

The Technical Note does not contain any proposed surface water drainage details or plans/layouts but appears to quote surface water being connected to dedicated highway drainage networks H1, H2 and H3 which will be adopted and maintained by the Highway Authority. A separate surface water system must be provided in accordance with Condition 76.

3.7 18 October 2023

Having assessed Drainage Note Revision 3 dated 13 October 2023, the Flood Risk Management Team has no objection in principle subject to the detailed design being sought and agreed in accordance with Conditions 75, 76, 77, 78, 80 and 81 of the 18/01884/OUTM application.

DESIGN AND SUSTAINABILITY**3.8 26 September 2023**

An investment and design reinvigoration of this large open space (circa 0.84 hectares) will be hugely beneficial and so is supported in principle. The overall design is strongly supported however there are some concerns and comments:

- a) More 3D work would help to explain the scheme.
- b) Condition provision of surface material samples/specification.
- c) Clarification on what is excluded e.g. art and wayfinding are shown but not provided for as part of the application.
- d) Explore moving the northern pedestrian road crossing away from the listed gates, it feels too cramped as drawn.
- e) Provision of detail of the complex/messy landscaping in the Cog feature area at the end of Hudson Boulevard.
- f) Review cycle strategy to remove risk that cyclists will try to continue in a straight line along Cinder Street rather than using Hudson Boulevard.
- g) Discourage pedestrians entering Marble Arch along the cycle path from the amphitheatre space because this is the natural desire line.
- h) Design detail around dropped or checked kerbs or flush surfacing as interfaces between differing materials is required.
- i) Detail on the secure line design potentially to resolve cyclist conflicts.
- j) Should be some vertical feature to represent the line of the removed wall.
- k) Explanation of the positioning of the side pass gates is required.
- l) Surfacing design should echo the presence of Leeman Road through choice of differentiated paving unit sizes and bonding patterns.
- m) Condition more detailed landscape treatment around the weigh office to ensure it does not feel annexed from context.
- n) Condition detail of weighbridge structures so their treatments can be understood and investigate signs of original north weighbridge.
- o) Consideration of how to approve lighting scheme that is about subtle visual quality impossible to describe, potential for real lighting mock ups.
- p) Clarification around interface with highway lighting and who maintains what.
- q) Condition street furniture (benches, wayfinding, CCTV, bins, lighting etc).
- r) Public art to be provided and details of an art scheme or how this would be commissioned and when with mechanisms to ensure its delivery.

- s) Provision of design detail for all secondary equipment needed for openable secure line bollards, includes comms poles, control poles, cctv and their poles, electrical cabinets etc, this kit is often extensive and visually obtrusive and needs design with care.

3.9 24 January 2024

No further comments received to amended plans.

LANDSCAPE ARCHITECT

3.10 4 October 2023

- a) Investigate design options between Weighbridge and Hudson Boulevard, to increase functionality extend areas of soft planting and opportunities for natural/informal play.
- b) Planted edge and seating parallel with Cinder Street could take on an asymmetrical zig-zag line to increase the soft planting and create a more dynamic edge and sculptural seating arrangement.
- c) To mitigate effects of climate change two/three more stand-alone specimen trees could be set within the expansive paved area e.g. within the circular periphery of the 'milling space' and the space to the south of the Weighbridge.
- d) Concerned at too much use of *Quercus palustris* along Cinder Lane. For diversity and climate resilience better to opt for another resilient species.
- e) Two oaks adjacent plot F01A are too broad for the proximity to the building. Drawing notes 'species, sizes, and densities are typical only; species may be added or omitted following detailed design'. This can be discussed later.

3.11 10 January 2024

- a) The potential for public art, permanent or temporary to have a 'play' role is fine as an idea but there are no suggestions or ideas. There are two locations for 'plonk' art on the latest landscape plan, these are fine as locations for some art installation, but are they likely to provide play provision in these locations? Given that provision for play could be included elsewhere across York Central these are comments rather than an objection, but am conscious that if nothing comes forward from the NRM this could be a rather lifeless space.
- b) Additional planting at the museum entrance is noted. Would still like the planting at the weighbridge to be increased. The design ethos is fine but the thinner beds look too thin for the scale of space. Would like to see these made deeper by protruding a segment out of the circle to create a wider bed. This is not a big ask and would make a significant difference to the effect and would not impact on the circle and rods theme.

- c) Do not accept that trees should be omitted in order to provide clear sight lines and aid visitor orientation. The NRM is a pretty big building and visitors will be able to see it and know where it is, besides these will be clear stemmed trees i.e. there would be no branches below eye level on the main stem. There is scope for more tree planting, nonetheless, it is accepted that there is a reasonable quantity of proposed, sizeable tree cover around the periphery of the main space which helps to shape it.
- d) Note the explanation for use of Oak (although a different species of Oak, North American to what would have been used on the railways) a portion of the quantity may need substituting due to increased demand for UK grown Oak as a result of the importation of oak processionary moth. To note, the list of species within the landscape strategy is not exhaustive and can be added to. Agree that planting species can be agreed later.

3.12 **23 January 2024**

Having had another look on site to assess the scale of the space in light of the correspondence exchange, it would be preferred to have a little more planting but design rationale is accepted and there is no objection to the proposed scheme. The soft landscaping general arrangement plan and typical landscape details plan can be approved notwithstanding the use of species *Quercus palustris* adjacent to Plot F01a. The reason being the species is too broad-spreading for the proximity to the future building line.

ECOLOGIST

3.13 **21 August 2023**

- a) The requirement for additional bat surveys is highlighted within the Preliminary Ecology Appraisal (PEA) and the Environmental Statement (ES) Compliance Statement and this is required.
- b) The Biodiversity Enhancement Management Plan (BEMP) may need to be altered based on findings of bat survey work.
- c) Bird, bat and insect boxes are suggested in street tree planting. The lighting report states trees will be up lit. It is recommended that trees are not lit to create darker areas more likely to be used by bats, birds and invertebrates. Given the size of trees proposed it is unclear whether they are suitable to support boxes.
- d) A recommendation to retain a patch of mixed scrub in the northern section of the site next to the Great Hall is made in the ES Compliance Statement. This area is not marked for retention, but shown as ornamental planting.

Confirm if the Ecologists' comments have been considered within the landscape design.

3.14 6 September 2023

Bat surveys for Central Hall are now out of date. The scope of updated bat surveys should include all buildings and structures to be impacted and disturbed by the works.

3.15 9 January 2024

a) Having reviewed the information provided by Wold Ecology no additional bat survey work is required, given the confirmed status of the buildings and low activity levels of bats found in previous surveys. No further information has been provided regarding biodiversity enhancements and habitat retention, which was raised in the response of 21 August 2023. It would be useful to see an updated enhancement plan in response to these points.

b) If tree sizes do not support bat and bird boxes (which should be installed at about 4m high) the applicant could look at alternative locations just outside the red site boundary, or offer alternative products i.e. invertebrate boxes, rather than bat and bird boxes.

c) In terms of the requested enhancement plan, if we can get all the enhancement features agreed upon, we would not necessarily need an updated plan, although even a hand annotated plan would be really useful.

3.16 23 January 2024

Happy to condition lighting which should include a lighting contour plan that shows light spill (including that which extends beyond the site boundary), lux levels and lighting spectrum (kelvin). We need to ensure enhancement features are not illuminated and dark corridors are available for light sensitive species.

ARCHAEOLOGIST

3.17 14 August 2023

Do not wish to impose any archaeological conditions. The original ground levels in this area have been reduced removing any archaeological resource in the process.

PUBLIC PROTECTION

3.18 27 August 2023

Light

The applicant has submitted a lighting report that provides details on the type of lighting that is being proposed, the lighting levels and the environmental

zone for the development. It is accepted that due to the distance to the nearest residential properties no further information is required.

Noise

It is accepted that due to the distance to the nearest residential properties no further information is required in relation to noise.

Air Quality

Most of the mitigation measures outlined in the wider Emission Mitigation Statement (EMS) are not relevant to the site-specific EMS. However, relevant measures that are applicable have been outlined and are acceptable. The 'Transport Note' states that refuse collection from Station Hall is to be undertaken by an electric vehicle. This is not specifically mentioned in the site-specific EMS but is welcomed to further reduce emissions.

Contamination

The submitted Geo-Environmental Desk Study Assessment is acceptable and fulfils the requirements of outline condition 55. A remediation strategy (including details of the proposed clean cover system and procedures for dealing with unidentified areas of contamination) should be submitted in due course.

WASTE SERVICES

3.19 No response received.

ACCESS OFFICER (COMMUNITIES)

3.20 **4 September 2023**

Overall the scheme was well received, a lot of consideration had gone in to keeping pedestrians, cyclists and vehicles separate. There was good consideration given in designing out the steep drop in different levels using an amphitheatre style just make sure the sloped seating is easily identified.

We discussed that all crossings should have priority for pedestrians, style of HVM bollards with preference for black with red contrast markers, inclusion of accessible cycle racks in both rack locations, reviewing the Equality Impact Assessment once progressed through MIMA, for consultation to be undertaken directly with York Access Forum (YAF), signage and wayfinding to be consulted via the YAF and YDRF including new Changing Places signage, use of large stone blocks for seating instead of bollards in certain places, but in a contrast colour and similar consideration for any other obstacles to be highlighted in a way to make them more visible to the visually impaired.

EXTERNAL

HOLGATE PLANNING PANEL

3.21 **15 August 2023** - No objections.

CONSERVATION AREAS ADVISORY PANEL

3.22 No response received.

HISTORIC ENGLAND

3.23 **24 August 2023**

We have previously provided advice at outline and pre-application stages and the issues raised have been addressed. We are not offering advice and suggest seeking views of the Council's specialist conservation and archaeological advisers.

NORTH YORKSHIRE POLICE DESIGNING OUT CRIME OFFICER

3.24 **21 August 2023**

A security and public safety defensive line, using bollards and a range of street furniture, has been incorporated into the design and layout. The lighting strategy contributes to making this new space safe. The proposals accord with the core principles and design objectives in the National Planning Policy Framework in respect of developments creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

3.25 **12 October 2023**

Having had the opportunity to review the Hostile Vehicle Mitigation Defensive Line alongside the Vehicle Dynamics Assessment and the Security Concepts and Parameters, are confident that counter terrorism and crime prevention measures for this stage of York Central will be fit for purpose.

YORK CIVIC TRUST

3.26 **3 October 2023**

Museum Square could define York Central as a destination of great interest and appeal. However, this opportunity has not been fully grasped in the proposed scheme. We therefore offer general comments as way of progressing the scheme to one we would look to support:

- a) The need for a unified space. Concerned the design is proposed without design intentions for the Coal Drops. It is critical they are designed to complement and reinforce each other's contribution to public realm.
- b) Conflicts between The Square and Cinder Street as traffic control and queues conflicts with the enjoyment of the space. A decision needs to be taken to restrict the tunnel to buses, taxis and essential vehicles, and redesign the Square accordingly.
- c) The design proposes shared pedestrian and cycle paths at certain points on the western approaches. These are incompatible with government guidance. Dedicated cycle tracks fail to meet government guidance. The cycle track heading east towards the tunnel mouth, to link with the cycle route in the city centre-bound lane of the tunnel needs to be installed in advance of completion of Museum Square.
- d) Concerned that no provision is made for blue badge parking for users of the Square.
- e) Concerned that the Emissions Mitigation Statement is inadequate. The focus on 'after the fact' clean-up of emissions once released into the atmosphere using trees is unlikely to be effective. If there is likely to be considerable queuing, then this aspect should deserve specific attention. Ideally, some atmospheric dispersion modelling should be carried out.
- f) Is disappointing that the uniqueness of the York site, complete with its high heritage credentials, is not being put to the fore in the design. It risks Museum Square being read as a smaller, cheaper copy of the Granary Square model, York Central and the city deserve better.
- g) The scheme is over-complicated for a small space, leading to cluttering with physical objects and desired uses. The proposal is very busy, with each pocket of the square allocated for a specific use. There is none of the relaxed charm from the openness offered by modern public squares across Europe.
- h) Rather than introducing too many new heritage interpretations and interventions, thought should be given to how this heritage interacts with the wider heritage of the York Central site. The use of 'framing' key views and vistas with such heritage should be key to this.
- i) The line that connects Peter Allen Building, the weighbridge building, and the Mineral (Bullnose) Building offers a perfect axis to tell different aspects of York's railway heritage with a clear space for programmed 'activities' well away from transactional spaces. This is currently not being grasped.
- j) Proposed street furniture relies heavily on use of corten steel for surface finish to the raised planters, tree grilles, cycle stands, bollards and detailing of some benches. Corten is not a traditional railway heritage material. This risks being a disingenuous approach to heritage, is too generic, insipid and a lazy association.

- k) Use of Yorkstone paving is too formal for what was historically a dirty working commercial space without care for refinery; Yorkstone paving is more akin to a Georgian civic square.
- l) If a playfulness is to be achieved, the use of materials, street furniture, lighting, water, and planting will be important. There is no sense of fun coming out the design proposed.
- m) Opportunities associated with the weighbridge are not being grasped - allowing families and school parties to see how many of them it would take in cumulative weight to represent, say, a full mineral wagon or "shunter" steam engine, helping to give insight for heritage-associations of the site.
- n) The horseshoe of flora surrounding the weighbridge building does not frame, reveal or celebrate the importance of this Listed structure. It risks obscuring it and confounding visitor understanding of it. The Heritage Impact Assessment concludes that the planting area does distract from its former use. We recommend removing it.

YORKSHIRE WATER

3.27 1 September 2023

We have no objections.

3.28 29 December 2023

We have no additional comments to make.

NATURAL ENGLAND

3.29 13 September 2023

No objections

3.30 11 January 2024

No objections

ACTIVE TRAVEL ENGLAND (ATE)

3.31 9 October 2023

ATE welcomes this application, it demonstrates how it carefully considers its role as a vital conduit for active travel for the broader York Central development and with further enhancements, as outlined, has the potential to be a best-practice public amenity.

- a) The cycle path on the southern perimeter of the square has a bi-directional width of 3m with a small narrowing to 2.7m due to physical constraints, is segregated and in principle aligns with LTN 1/20. There is an abundant amount of seating, an excellent lighting strategy along with other soft

infrastructural measures which will help ensure this square is a destination in its own right.

- b) Subsequent phases can benefit from an enhancement to the Framework Travel Plan targets set in the outline application for the entire York Central Scheme. In particular the FTP includes walking and cycling targets of 40% for staff and 46% for residents. Targets in future applications should be highly ambitious and exceed aims of the UK government that at least 50% of short urban trips are to be walked, wheeled and cycled.
- c) ATE is satisfied that the development will act as a highly effective conduit for active travel and contribute to high numbers of walking, wheeling and cycling. To ensure that this is maximised and embedded from the outset, there are two broad areas of concern to be addressed to ensure the development is of the highest standard possible. These are:
 - 1. Many visitors will park bicycles and micro mobility vehicles at the proposed cycle hub planned for York Station, it is important to incorporate more suitable cycle parking in locations near the site which is safe and secure in a locked facility which is visible and benefits from a degree of passive surveillance. The number of spaces should be expanded to more than 20, in consideration the expected increase in demand from visitors, residents and employees.
 - 2. The cycle route on Hudson Boulevard to the junction with Cinder Street cannot be classified as a segregated route as there is no delineation between the footway and the cycleway. This is a necessity and in line with LTN 1/20 Principle 2, cycles must be treated as vehicles and not as pedestrians. Surface materials should be suitable for both pedestrians and cyclists. The dimensions as well as the type of material will need to be specified rather than generalised at this stage of the process.

ATE recommends that further information is submitted in order to progress this application to a point where planning conditions can be formulated.

3.32 **9 January 2024**

ATE welcomes the amendments which include the introduction of five additional cycle hoops adjacent the Toucan crossing and two including additional space near the Mineral Office for a total minimum of 28 external spaces for visitors. ATE also recognises that the applicant has considered spaces for adapted cycles and cargo bikes. This will provide a complementary facility for the extensive cycle hub facility proposed at York Station, less than 400m away. Furthermore the applicant has also incorporated dropped kerbs for safe transition to the carriageway's cycle amenity.

The applicant has responded favourably to ATE's advice in the initial response to improve surfacing and ensure that there is clearer delineation between cyclists and pedestrians. This includes the use of Yorkshire Setts (large scale) for the cycle way for a more suitable surface and also for delineation between it and the footway, in line with LTN 1/20 Principle 2 'cycles must be treated as vehicles and not pedestrians'.

ATE appreciates the revisions and recommends the details are secured by planning condition.

4.0 REPRESENTATIONS

4.1 The application was advertised by neighbour letter, site notice and advertisement in the local newspaper resulting in two letters of objection being received one from a local resident and one from York Central Co-Owned, the comments can be summarised as follows:

- a) The space is full of possibility and excitement, but fails to deliver.
- b) The Square lacks purpose and ability to respond to uses it could accommodate.
- c) It could be a place where people meet, tourists gather, citizens meet friends and visitors, but the space lacks enclosure, seating which accommodates groups and genuinely engaging focal points.
- d) The space could engage and delight families. The Wonderlab at the NRM is a playful and educational celebration of movement, where is the outdoor version of this sort of experience?
- e) How does the flat paving enable children to let off steam without fear of running into nearby traffic?
- f) Would question how the design of raised planters, sculptural seating and level changes could provide more enclosure and a more playful environment?
- g) Would question how could the weighbridge be used in more creative ways?
- h) As climate change progresses we need to think of how to make public spaces usable all year. The design includes some tree planting but this appears mainly marginal and will provide limited shade.
- i) Are there ways of providing broader shade through more tree planting or other means of shading?
- j) Pursuing the issue of playfulness can we not have water which provides both cooling and engagement for children.
- k) The response to HVM relies almost entirely on bollards, which cut directly across spaces, creating visual clutter and disrupting their use.
- l) The application notes the need to resolve level differences but seems to miss the opportunity to do this in a way which integrates protection, using

sculptural seating, raised planters or protected trees to prevent unwanted vehicular movement.

- m) The application talks of pop-up activities and art but shows no active effort to encourage these.
- n) The space could have easy access to power and lighting to allow local groups to use the space for performance or rehearsal.
- o) There is no mention of how the space will be managed and how this will engage with potential users.
- p) Considerations about functionality, how provision of seating, bins, drinking fountains and toilets respond to failures elsewhere which have prompted consultation underway in the city at present.
- q) Illustrative material fails to acknowledge the impact of Cinder Street, a road with similar levels of traffic to Gillygate. All ground images face away from the road suggesting a traffic-free space when the road will have a huge impact visually and in terms of noise and smell.
- r) If there will be traffic queuing how will this impact, where exactly will traffic controls and hence queues be?
- s) Public engagement needs to be honest, failure wastes the opportunity to get public creative in exploring solutions to challenges and squanders public trust.
- t) Issues around timing ahead of proposals for the other half of the square (including the Coal Drops) and the Government Hub site which as one of the enclosing buildings. It is appreciated that co-ordination is hard, but could make greater efforts to at least suggest ways in which the broader space might be shaped and how this might be half of a coherent whole.
- u) Here is a wonderful opportunity to express something of what it means to be a UNESCO Creative City of Media Arts.
- v) The location of the square carries meaning beyond it being the 'waiting room' to the Railway Museum. It provides an important glimpse for travellers by rail, of an important part of the City of York. Such insights are immensely important in establishing the identity of a place. The standard here should be the spectacle of Durham or Newcastle rather than the clumsy banality of Doncaster.

Two further letters were received, one neither objecting or supporting and one in support. The comments can be summarised as follows:

- a) Proposal will be a significant improvement from existing environment.
- b) Proposals place too much emphasis on hard landscaping which misses the opportunity to respond positively to climate change.
- c) Hard landscaping necessitates need for attenuation storage tank to manage surface water run-off.

- d) Increasing soft landscaping, incorporating rain gardens and more nature surfaces would provide a greener, more natural and attractive space which is environmentally resilient and promotes dwell time amongst its users.
- e) A musical fountain can provide a profoundly moving experience, many European cities have them why should York miss out.

5.0 APPRAISAL

5.1 The key issues for consideration are as follows:

- Context within which to assess this Reserved Matters Application
- Sequencing of Delivery
- Design matters
- Heritage Impacts
- Highway matters
- Ecology/Biodiversity
- Flooding and Drainage
- Environmental Protection

CONTEXT WITHIN WHICH TO ASSESS THIS RESERVED MATTERS APPLICATION

5.2 The outline approval referenced 18/01884/OUTM granted outline consent with all matters reserved for the principle of the redevelopment of York Central to provide a mixed-use scheme with associated works including new open space and associated vehicular, rail, cycle and pedestrian access improvements. The outline consent also established the principle of stopping up Leeman Road to vehicles and providing alternative access routes through the site, shuttle working (one way traffic) through Leeman Road tunnel, a dedicated cycleway through Leeman Road tunnel, an improved pedestrian and cycle link to Wilton Rise or Chancery Rise and inclusive access into the rear of York Railway Station.

5.3 The outline application was subject to an Environmental Impact Assessment which assessed in detail the anticipated environmental impacts arising from the development. These environmental impacts covered air quality, traffic and transport, archaeology and built heritage, townscape and visual, noise and vibration, ecology, ground conditions, socio-economics and population, waste resources, water resources, flood risk and drainage, wind, daylight and sunlight, climate change, health and a cumulative impact assessment. This reserved matters submission confirms that no new environmental effects have been identified beyond those identified and assessed at outline stage and as such any mitigation requirements set out in the Environmental Statement

remain relevant and unaltered by the proposals.

- 5.4 When outline consent was granted 83 conditions were attached, many of which require the developer to submit details alongside the reserved matters submissions, prior to commencement or at other relevant trigger points within the development process. Therefore where information has not been presented as part of this reserved matters application each section of the report confirms which relevant outline conditions would deal with any outstanding matters. Any new conditions imposed should relate directly to the matters reserved and should not repeat those set out at outline stage given that these still need to be complied with.
- 5.5 The proposals are also considered within the context of the Parameters Plans (Condition 6) and Design Guide (Condition 7) approved at outline stage. The approved Parameter Plans cover aspects of the scheme such as the limits of deviation within which access and circulation routes and areas of open space would be developed. It also sets out the different types of development zones across the site together with proposed site levels and restrictions on building heights. The approved Design Guide is a key document which encourages the quality of design which should be reflected in subsequent reserved matters applications. The document includes mandatory codes which each reserved matters proposal must adhere to. The application has therefore been assessed within the context of this approved framework.
- 5.6 This reserved matters site falls within the area identified in the York Central Approved Parameter Plans and Design Guide as Museum Gateway (the north half of New Square). The design guide describes the area as providing a 'city scale' open space which is not just the front door the National Railway Museum but a key public space within York Central. The proposals submitted align with the Design Guide in that they propose a new area of public open space within the spatial parameters identified at outline stage. The principle of development has therefore already been established and thus the focus of this application is on the layout, appearance, access, scale and landscaping proposed.
- 5.7 The application is also assessed within the context of the approved infrastructure works (20/00710/REMM) which show the proposed alternative vehicular route to Leeman Road along Cinder Street, provision for bus laybys and bus stops along Cinder Street and proposes new segregated pedestrian and cycleways through various parts of the site, the main route being Hudson Boulevard.
- 5.8 The proposals also need to have regard to the approved works for Central Hall (21/02793/REMM) at the National Railway Museum and in the context that

Central Hall includes an outdoor café seating area, underground water storage tanks and cycle parking within The Square.

- 5.9 The proposals also need to take account of the relationship of The Square to Plot F01a which proposes a new office block building with a self-contained café at ground floor. A reserved matters application for which has recently been submitted (23/02255/REMM).

SEQUENCING OF DELIVERY

- 5.10 In order to assess the proposals it is also useful to understand the proposed sequencing for delivery of the reserved matters schemes already consented and those that are to follow.
- 5.11 The primary infrastructure works relating to York Central were approved under 20/00710/REMM. These works include the construction of the main spine road (Cinder Street and Park Street), Foundry Way which spurs off from Leeman Road and links through to Hudson Boulevard which runs alongside Station Hall and provides the main pedestrian and cycle route once Leeman Road is stopped up. It also includes the imposition of shuttle working for vehicles using Leeman Road tunnel and includes a segregated two way cycleway. These works are currently being delivered on site.
- 5.12 Central Hall was the second reserved matters approval under reference 21/02793/REMM, this sees the demolition of the existing NRM entrance and the former Mess Room (attached to the Bullnose building/Mineral Office) and construction of a new building serving the National Railway Museum and connecting the existing Museum buildings (Station Hall and the Great Hall). Central Hall will be constructed over Leeman Road however will provide a walkway through for use of local residents which was secured through the highway process by virtue of a Walkway Agreement. The reserved matters application also included the provision of an outdoor café area and cycle parking which would sit on The Square and had the provision of underground drainage tanks which sit below The Square. Enabling works have commenced for this and it is anticipated that this will be constructed during 2025.
- 5.13 This application for The Square, is the third reserved matters scheme which is expected to be delivered alongside Central Hall during 2025.
- 5.14 The fourth reserved matters application relating to the erection of a six storey (plus basement) office building (referred to as a Government Hub) with self-contained retail and ancillary uses at ground floor, associated car and cycle parking, servicing and access, public realm and other associated infrastructure

has recently been submitted and is pending determination. It is anticipated that this building would be constructed during 2026 and operational by 2027.

- 5.15 Within the submission and consultation responses reference is made to a proposed multi storey car park and cycle hub within the wider York Central site. There is no reserved matters submission or confirmed date for delivery of these aspects of the scheme at present.

DESIGN MATTERS

Relevant policies

- 5.16 Chapter 12 of the NPPF relates to achieving well-designed and beautiful places with Paragraph 131 emphasising the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.17 Paragraph 135 goes on to state that planning decisions should ensure that developments will (among other criteria), function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 5.18 Policy D1 of the Draft Local Plan relates to placemaking and states development proposals will be supported where they improve poor existing urban and natural environments, enhance York's special qualities and better reveal the significances of the historic environment. The policy goes on to set out detailed design points relating to urban structure and grain, streets and spaces, building heights and views and character and design standards. Policy D2 of the Draft Local Plan relates to landscape and setting and sets out a series of detailed criteria for consideration.
- 5.19 Policy SS4 relates specifically to York Central and sets out further design criteria specific to this site which includes, creating a distinctive new place of outstanding quality and design which complements the existing historic urban fabric of the city and respects those elements which contribute to the distinctive historic character of the city and assimilates into its setting and surrounding communities.

Assessment

- 5.20 The Design and Access Statement submitted at outline stage described the design intent of the development and the key townscape and placemaking considerations. It described how the site would be divided into five distinct areas, each defined by a differing mix of uses and each with its own character, responding to constraints and opportunities and to the design drivers of the development.
- 5.21 The outline Design Guide advanced the design intent in the Design and Access Statement and provided guidance for developers in the successful delivery of the development. The Design Guide sets out mandatory requirements which subsequent reserved matters applications must adhere to alongside advisory aspirational guidelines which need to be taken into account on each reserved matters application. The Design Guide was conditioned as part of the outline approval (Condition 7) in order to deliver a coherent approved vision in accordance with design guidance as detailed in National Planning Guidance. In addition a series of parameter plans were also approved at outline stage (Condition 6).
- 5.22 The outline planning consent showed the areas of public open space. The proposals sit within Development Zone G and more specifically an area referred to as the Museum Gateway, this being the northern half of New Square. This area of public open space is seen as a key gateway to York Central and described as a 'public front door to the National Railway Museum'.
- 5.23 The approved Design Guide envisaged that this area would provide a compelling city-scale open space which highlights the history and railway heritage of the site within its design. It suggests that in order to resolve the level changes between Marble Arch and the Museum, useful flexible surfaces for events and social interaction should be incorporated, with seating for waiting, relaxation and spill-out space for café seating. It also recommends utilising tree planting alongside the road with reference to the former Goods Station enclosure, with terrorism defences considered where possible and the provision of lighting and security measure to ensure safety of all users. The proposals accord with the design intentions of the approved Design Guide and are discussed in further detail below.

Layout and Functions

- 5.24 This reserved matters application seeks consent for provision of the public realm on the northern side of Cinder Street. The outline parameter plans envisage that a further area of public realm would be provided on the southern side of Cinder Street within the former Coal Drops. York Civic Trust have

expressed concerns that the public realm is not being proposed as a unified space. Whilst this may have been a welcomed approach, there is nothing to suggest that the delivery of the public realm in two phases would fail to achieve coherence. In addition York Civic Trust have concerns regarding the impacts of the road on the public realm overall and The Square itself. It should however be noted that the approved outline masterplan and Design Guide always intended that the two areas of public realm be situated either side of the road so this does not change by virtue of the proposals. Officers also note that images presented of The Square are indicative and do not reflect the level of traffic that is likely to be adjacent to the site. The application is however in line with the outline parameters and has therefore to be assessed on its own merits in the knowledge that a future reserved matters application would design the space to the south.

- 5.25 The proposed public realm would be largely enclosed by existing National Railway Museum (NRM) buildings on the north and west and the approved road alignment to the south and east (known as Cinder Street). Plot F01a would provide a further boundary to the south west. Existing National Railway buildings also sit within the site including the Mineral Office building, also known as the Bullnose building and the weighbridge both of which are listed. Whilst it is regrettable that these buildings are currently without use, it has been indicated that it is the intention that they be brought into use in the future. The outline parameters indicates that the weighbridge building could have any permitted use (excluding residential) and the Bullnose building could have a retail use at ground floor with any permitted use (excluding residential) at first floor this would be considered in detail under future planning applications. However the proposals ensure that the layout of the site would not adversely impact on their re-use by ensuring window and door openings are not obstructed. Bringing these buildings into re-use should further activate the areas around these buildings and enhance The Square further which would be welcomed.
- 5.26 As the NRM is visited by many families with children of all ages, the Applicants were asked by Officers during the pre-application process, that consideration should be given as to how younger people would be engaged with the content of the space, for example climbing, hanging around, kinetic/visual elements. There was also suggestion, through representations received both during the pre-application consultation and during the application, of water features being incorporated. The Applicants advise that this could be catered for within the coal drops public realm and within other designated play space across the wider York Central site. Officers note that although it may be the role of the coal drops open space to facilitate more play, there could have been some provision to keep a child's interest within The Square, which is part of the wider public realm available to York Central and the city. This suggestion has

been dismissed by the Applicant as they consider this is not the intended role and function of The Square and there are other areas of the site which would cater for play areas. Having had regard to the outline Design Guide it was never the intention of this space to provide for play or recreation and although it could have been designed with a sense of play the proposals align with the approved Design Guide. Aside from this, Officers note that the space does not preclude the introduction of more fun/play elements in future should the Applicant wish to do so.

- 5.27 Aside from providing a key a number of other functions, it leads up to the new main entrance of the National Railway Museum, also providing space for an outdoor café area and incorporating cycle parking spaces for its users. It is required to enable limited access for servicing and deliveries to the Peter Allan Building which fronts Station Hall at the National Railway Museum and for Network Rail to access the rear of the Great Hall. It also allows provision for an outdoor seating area for Plot F01a if this were required and cycle parking close to this plot.
- 5.28 The site also incorporates part of the key pedestrian and cycle routes through to Hudson Boulevard which will be the main segregated pedestrian and cycle route through York Central. Whilst highway matters are discussed in greater detail later in this report, it should be noted that the layout proposes some minor alterations to the approved infrastructure works. These alterations include the removal of two coach bays which were proposed to the south of the former goods yard wall which enables provision of a continuous cycleway running from Leeman Road tunnel and sitting on the southern side of the former Goods Station wall. It also removes the stub end of Leeman Road and integrates this area into The Square through soft landscaping and stepped features which address the change in levels. In addition it is proposed that the pedestrian/cycle crossing point near the Mineral Office/Bullnose Building is located further away from the gate posts which provides a more generous space for pedestrians. Officers consider that from a design perspective these works improve the overall infrastructure layout and ensure that The Square and infrastructure blend more seamlessly together.
- 5.29 The submission makes reference to the fact that temporary events or exhibitions could take place within The Square, however there is no further detail in respect of what these may be or how often. Officers acknowledge that without details of events it is difficult to control these by condition, however acknowledge that The Town and Country Planning (General Permitted Development) (England) Order 2015 sets out restrictions for temporary buildings and uses. It is therefore acknowledged that there are some controls in place which would need to be complied with. Should events fall outside the definition of a temporary use or involve any operations

requiring planning permission then a separate planning consent would need to be sought. It is also recognised that the Council would have further controls through the Licensing process. Officers are content that the use of the space aligns with the aspirations of the outline Design Guide. Overall given the number of functions this space needs to incorporate, the proposed layout is appropriate given the surrounding context and aligns with the approved Design Guide and outline parameters.

Appearance and Materials

- 5.30 The approved Design Guide states that the civic material palette is to be used in New Square (The Square) with use of natural stone strongly recommended (e.g. Yorkstone, granite, basalt). It recommends use of stone setts as paving for the carriageway with stone gutters and kerbs. It also suggests that proposals utilise a design language and material palette that reflects the site's railway heritage. Condition 24 of the outline consent relates to site specific landscaping and requires details of all proposed hard landscape works, including retaining walls, steps, ramps, paving materials and other hard surfacing and landscape features to be provided prior to commencement. This condition therefore has to be complied with in due course.
- 5.31 The submitted plans show the majority of The Square would be finished with Yorkstone paving with Yorkstone sett paving used for some of the feature paving and cycleways. Contrasting black granite setts are proposed to provide contrasting bands and circular features which the applicants reference as being taken from the railway language of cogs and rods. Kerbing is proposed as silver grey granite. These proposed materials accord with the civic materials expected within the Design Guide and the Council's Design and Sustainability Manager considers the resurfacing in these high quality natural materials to be very beneficial and supports their use subject to a condition that material samples be provided through the discharge of Condition 24.
- 5.32 There would be a space described as an amphitheatre to the north-east of the site which would also be a welcome addition and responds well to the level changes in this part of the site. Cast concrete in a buff finish will be used for the stepped/terraced feature which is accepted subject to material samples to ensure coherence with the texture and colour palette of other hard surface materials.
- 5.33 The material palette presented is acceptable and should result in an appropriate appearance for The Square and aligns with the approved Design Guide subject to compliance with Condition 24 and physical samples being presented.

Soft Landscaping

- 5.34 The approved Design Guide states that street trees are an integral component of the green infrastructure of urban development and provide a wide range of benefits to their surroundings, most importantly improving the health and quality of life of those that live, work and visit York Central. It states street trees shall be selected to provide seasonal interest, colour, texture and form and large species shall be utilised wherever space allows. It emphasises the need for adequate space between trees and street lights and signage to ensure that future growth will not impede their beam and sighting.
- 5.35 Condition 24 of the outline consent, relates to site specific landscaping and requires details of locations of utilities in particular in relation to tree planting, species, stock size, density (spacing), and position of trees, shrubs hedging, bulbs and other plants and seed mix, sowing rate, and mowing regimes, details and specifications of ground preparation, tree pits/trenches, soil cells, means of support, protection and water and timing and phasing of soft landscaping to be submitted and approved prior to commencement. This condition will need to be complied with accordingly.
- 5.36 The soft planting scheme proposes a combination of street trees, ornamental trees, ground level and raised planters and a wild area around the weighbridge. A new soft landscape bed which incorporates trees at regular intervals would be provided along the approximate line of the removed wall/railings attached to the listed gate posts. This provides a defined edge to The Square and was part of the justification for the removal of the wall in terms of it retaining the sense of enclosure of the former Goods Station yard. There would be an area by the stepped amphitheatre which would include ornamental trees, trees defining the edge of the outdoor café and seating around and the seating alongside the Mineral Office, an area around the weighbridge which would include a wild area and areas adjacent Plot F01a which include ornamental trees. A variety of planters are also to be incorporated which would introduce ornamental grasses and herbaceous plants intended to provide flower and foliage which offers a variety of colour, form and height.
- 5.37 The Council's Landscape Architect considers there is scope for the introduction of more trees within The Square and does not accept the argument presented by the Applicant that trees should be omitted to provide sight lines and aid visitor orientation to the National Railway Museum which is a large building in itself. Notwithstanding this it is accepted that a reasonable quantity of sizeable tree cover around the periphery of the main space would be provided, which helps to shape it. One of the chosen tree species has been queried due to its size in relation to the proximity of Plot F01a and a

condition is recommended in order that this be reviewed. Otherwise the Council's Landscape Architect is satisfied with the chosen species shown on the softworks general arrangement plan and the layout, number and species shown should be taken forward into any subsequent discharge of condition 24.

- 5.38 The Council's Landscape Architect would like to see the planting around the weighbridge increased as she considers that whilst the design ethos is fine the thinner beds appear too thin for the scale of the space. It has been suggested that these could be made deeper by protruding a segment out of the circle to create a wider bed which would make a significant difference to the effect and would not impact on the circle and rods theme. The Applicant considers that the extent of landscaping is acceptable taking into account factors such as the potential future use of the weighbridge, the re-installation of the second weighbridge (from an artistic not functional perspective), the existing doors to enable pedestrian routes/access, servicing, refuse collections as well as pedestrian and vehicle movement. Officers accept this position. The soft landscaping scheme aligns with the approved Design Guide subject to the discharge of Condition 24.

Lighting

- 5.39 Condition 22 of the outline consent requires that the reserved matters application include a strategy for lighting of external/public areas. It goes on to state that the strategy shall explain how artificial lighting would conform to meet the Obtrusive Lighting Limitations for Exterior Lighting Installations for the relevant Environmental Zones as detailed in the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Lighting. Condition 24 of the outline consent relates to site specific landscaping and requires details of locations of street lights in relation to trees to be submitted and approved prior to commencement. This condition would need to be discharged accordingly.
- 5.40 The approved Design Guide states that lighting is to be utilised to enhance York Central's architectural features and provide visual comfort while helping to create spaces that are inspiring and adaptable. It goes on to state that a well-integrated lighting design will be critical to providing safe places for pedestrians and cyclists while minimising unnecessary light pollution. It also suggests minimising potentially obtrusive light poles within the public realm with the use of concealed light fittings within street furniture or buildings where feasible.
- 5.41 The application is accompanied by a lighting strategy which explains that it seeks to use layers of light to provide an essence of fun and interest while assisting with wayfinding and ensuring that users of the space feel safe when

it is dark. It advises that aspects of the feature lighting could be controlled through a timeclock to be switched on at dusk and turned down at 11pm whilst ensuring sufficient lighting conditions are met through the night.

- 5.42 There are various aspects of lighting proposed to build up the proposed layers of light. These are as follows:
- 5.43 Installation of 3no. large sculptural feature lighting columns to light large parts of the public realm which will provide the main ambient lighting. The design intention is for these to be to a height of approximately 12m with adjustable spotlights. They are intended to reduce lighting equipment clutter as they would light a larger area, for them to have an industrial, rail inspired appearance with corten finish with exposed fixings and provide an opportunity for placemaking signage to be integrated into the lower part of the column.
- 5.44 A series of smaller lighting columns would be located around the pedestrian seating areas, walkways and cycle routes. These lighting columns would have the ability to house CCTV, speakers and temporary power outlets for events to reduce surface clutter.
- 5.45 It is proposed that buried uplights would illuminate selected trees, providing ambience and a night-time green feel to the space. Lighting would also be integrated into low level furniture, seating and planters.
- 5.46 Façade and wall mounted lighting would be used to contribute to lighting levels where required and would be used to express historic façade details at night. It is acknowledged that the wall mounted and façade lighting for existing listed buildings would require separate listed building consents from the National Railway Museum. In addition lighting proposals for Central Hall at the NRM have been taken into account. It is anticipated that there would be liaison between the Applicant and the NRM, as partners on the York Central project, to ensure a coherence of lighting provision. Officers will consider the relationship between lighting of both Central Hall and The Square further once subsequent discharge of conditions are submitted to address Condition 24.
- 5.47 Finally it is also proposed to have in ground colour changeable feature lighting which would be recessed into the paving. The intention is that this lighting would be white, with colour changing utilised for events.
- 5.48 The lighting report states it provides indicative positions final quantities, types, positions and lighting calculations to be developed during next design phase.
- 5.49 Having consulted the Council's Design and Sustainability Manager he supports the commissioning of lighting as a public realm design consideration

and supports the lighting report including the design for industrial bespoke lighting columns. He has expressed some concerns of how to approve the lighting scheme that by its nature is about subtle visual quality impossible to describe in documents. He has therefore suggested real lighting mock ups be conditioned for approval.

5.50 North Yorkshire Police have commented that the lighting strategy contributes to making this new space safe and in respect to designing out crime they consider the proposal accords with the core principles.

5.51 The Council's Environmental Health Officer has also considered the lighting report submitted, albeit from an amenity perspective and has raised no objections to the proposals presented.

5.52 Officers support the design intentions set out within the submitted lighting strategy and the location of lighting as shown on the submitted general arrangement plan, however recommend that a condition is imposed to secure the precise positions, final quantities, design, materials, appearance and lighting calculations given that this detail is not covered by outline conditions.

Public Art

5.53 The approved Design Guide states that York Central's new public realm presents a range of opportunities for public art in all its forms, from physically integrated artworks to ephemeral digital projections and temporary installations. It recognises that works of public art that are strategically sited create a sense of place and will encourage a sense of ownership and respect from residents and visitors. The Design Guide stipulates that public art shall be site specific and culturally relevant to York and those that live in, work in or visit York Central, adding to the understanding of the place, its past, and cultural fabric. Condition 23 of the outline consent requires a site wide strategy for public realm which includes a strategy for public art. This condition has not yet been discharged and as such there is no established strategy for how and when public art will be delivered at York Central.

5.54 Whilst the application shows indicative locations for public art provision near Central Hall and the proposed amphitheatre, no specific art strategy or proposal for public art has been detailed at this stage. It is suggested that the new weighbridge could include script that references the former Goods Yard, creating opportunity for public art. The Council's Design and Sustainability Manager advises that public art should be provided as part of this application and details are required of an art scheme, how this would be commissioned and when with mechanisms to ensure its delivery. This could be conditioned.

5.55 The Council's Landscape Architect comments that the Applicants intention that public art permanent or temporary would have a 'play' role is fine as an idea but notes there are no suggestions or ideas presented at this stage. She notes that there are two locations for 'plonk' art given on the landscape plan and comments these are fine as locations for some art installation. It is also suggested that the proposed granite kerb edge to the planting bed along Cinder Street could feature etched text that references both the location of the former Goods Yard and activities/use/goods transferred which would be supported. However she has some concern that if nothing comes forward from the National Railway Museum, this could be a rather lifeless space. Given the nature of the space and its historic surroundings it is ideally placed to incorporate various types of public art and it is therefore expected that public art will be explored in more depth and delivered on site. Condition 24 requires the location and details of public art, where applicable, are to be provided prior to commencement. Officers consider that with a lack of a site wide strategy for public art (as required by Condition 23) and given the vague wording contained in Condition 24 to secure its delivery a specific condition relating to public art should be attached.

Wayfinding

5.56 The approved Design Guide specifies the principles which should be observed in terms of wayfinding, these include that signage elements shall consistently reflect the hierarchy of streets and open spaces, shall be legible and accessible to all through use of clear and consistent graphics, the scale and composition of signage shall be sympathetic to the space or building to which it relates as well as the overall character of the public realm and it shall be developed complementary to CYC standards.

5.57 The layout plan shows four locations for wayfinding which are supported in principle, however no specific detailing has been provided in terms of the precise location, size, design and finish. The Council's Design and Sustainability Manager recommends that a condition be attached for provision of wayfinding. Condition 24 of the outline consent requires elements of hard and soft landscaping to be approved prior to commencement, which includes items of street furniture, and whilst wayfinding is not specifically referenced it does fall under hard landscaping. For the avoidance of doubt Officers expect that the full detail for wayfinding be presented as a subsequent discharge of this condition.

Street furniture

5.58 In terms of street furniture the approved Design Guide states that street furniture is a vital component of usable streetscapes and open spaces and

when strategically sited and comprising well chosen materials, it enhances and complements the spaces in which it is located. Street furniture inspired by the site's pre-rail and railway heritage and the skill, craft and mechanical production associated with this is encouraged. Key principles are set out which include ensuring user's health and safety, design reflecting the hierarchy of streets, street furniture to respond to the particular identity of each neighbourhood, enhancing each area's urban and landscape characters and reinforcing its sense of place to create comfortable and pleasant environments and the use of recycled materials is encouraged.

5.59 The submitted layout plan shows seating provided in various locations across The Square, including some parallel with Cinder Street, to the west of the Mineral Office (Bullnose Building), around the weighbridge office, outside the Goods Station and to the east of Plot F1a, with informal seating provided around the stepped amphitheatre. Outdoor seating would also be provided outside the NRM café (up to 120 seats). The seating appears in logical locations and at reasonable intervals, Officers therefore support the layout of seating shown. Some representations suggest that there is insufficient seating provided, however Officers consider that there is a reasonable amount to serve the space and note there would be nothing to prevent further seating being added if it was felt necessary at a later date. No specific locations have been shown for bins at this stage and it is important that the layout of these is also carefully considered. It should be noted that Condition 24 requires the precise locations and detailed design of street furniture which shall include seating and bins, to be approved prior to commencement and this condition would need to be complied with.

Hostile Vehicle Measures

5.60 Hostile vehicle measures are required for this space and would be provided through a combination of bollards, raised planters and seating. The evolution of the design to avoid the reliance on bollards alone to achieve the required security is welcomed and the measures appear well considered and integrated into the proposed scheme. The measures inevitably create some visual clutter in the space however it is accepted that these are fundamental safety requirements and this outweighs the very minor visual impacts they would have. Officers consider that the design approach is appropriate and this is supported by North Yorkshire Police. The Council's Design and Sustainability Manager notes that full details would be required for the secure line of bollards as these can come with additional control poles, CCTV and their poles and electrical cabinets. Condition 19 of the outline consent relates to security measures and requires details including, CCTV, security lighting and would extend to security bollards and any associated equipment and as such this condition will need to be complied with prior to commencement so there will be

further opportunity to review the full package of security measures including locations to reduce clutter at discharge of condition stage.

- 5.61 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. The proposals are in compliance with the approved parameter plans and approved design guide and align with the Environmental Statement submitted at outline stage and with local and national policies. Any matters of detail outstanding are either covered by existing outline conditions which need not be repeated or through new conditions as set out at the end of this report.

HERITAGE IMPACTS

Impact on the setting of Heritage Assets

- 5.62 The impacts on heritage assets are assessed in the context of whether the detailed proposals submitted accord with what was set out at outline stage and to establish whether the conclusions of the ES remain valid. In addition applications should be considered in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, which states in section 66(1) that local authorities shall have 'special regard to the desirability of preserving the building or its setting' when considering proposals affecting listed buildings or their settings. Section 72 of the same Act requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 5.63 Relevant paragraphs of Chapter 16 of the NPPF set out how Local Planning Authorities (LPAs) should approach determining applications that affect heritage assets. Paragraph 201 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of evidence and any necessary expertise. Paragraph 212 states that LPAs should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 5.64 Policy D2 of the Draft Local Plan relates to landscape and setting and details a series of design criteria to be encouraged. Policy D5 of the Draft Local Plan relates to proposals affecting a Listed Building or its setting. It states they will

be supported where they preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. The more important the building, the greater the weight that will be given to its conservation.

Assessment

- 5.65 The application site sits outside the historic core of York and lies outside of the conservation area, however it is enclosed by a number of grade II listed buildings and as such the impact on the setting of these heritage assets needs to be taken into consideration. It is noted that the outline consent included a Heritage Statement which set out the baseline description of key heritage assets within and around the site. The report acknowledges that the York Central site still contains many railway buildings seen at the turn of the twentieth century and valued as part of York's industrial heritage. The most significant of the National Railway Museum buildings, which immediately adjoins The Square being the Goods Station, with its unusually intact sequence of Goods Station (also known as Station Hall/Peter Allan Building), the former weigh office, former coal manager's office and house (also known as the Mineral Office/Bullnose Building) and entrance Gatepiers all of which are grade II listed. The buildings are important examples which discern how Victorian processes for handling goods and coal operated following the introduction of the railways. The buildings are considered to have greater significance when considered as an ensemble rather than a set of individual buildings.
- 5.66 The Heritage Statement confirms that the grade II listed forecourt grouping have a high significance, although it acknowledges that the multiple lines of railings and fencing together with the significant levels of parking currently detract from their setting. The proposed York Central development therefore offers positive opportunities for the site's heritage.
- 5.67 It was anticipated at outline stage that part of the wall connected to the gateposts would be demolished, with the sense of enclosure being preserved by trees, benches and planters along the line of the old wall which was seen to be an important aspect to retain the sense of enclosure for the ensemble of historic buildings. It also recommended that investigation into the possible presence of the northern forecourt weighbridge was considered. The setting analysis submitted recognised that from the southern most gatepost of the Goods Station forecourt there is a 360 degree view taking in the collection railway buildings which allows the listed buildings to be experienced as a strong architectural sequence and this setting is therefore of high significance.

- 5.68 This reserved matters application is accompanied by a Heritage Impact Assessment which takes into account the Heritage Assessment undertaken at outline stage. The assessment acknowledges that the development will impact upon the setting of heritage assets and takes into account the fact the redevelopment proposals for Central Hall will alter the impact on setting from what currently exists. It acknowledges that the reduction of the wall and railings, consent for which has been granted under 23/01652/LBC, will impact upon the setting of the adjacent listed gate posts, reducing the overall sense of enclosure. However the wall line will be preserved by a design feature on the ground as well as planting which will echo the line of the boundary and retain the sense of enclosure in accordance with the outline Heritage Assessment.
- 5.69 In addition to this the retained section of wall would be repaired and restored under consent 23/01652/LBC which would enhance its aesthetic and ensure its long term preservation. The Council's Design and Sustainability Manager supports the proposals overall, however requested that there be a vertical feature to represent the line of the proposed removed wall. The Applicants have stated that the alignment of the former wall is not parallel to Cinder Street so an exact marker is not possible, however it is the intention that a line of engraved script granite kerb along the northern side of the planting area adjacent to the bench seating is proposed. They considered this was the best position to provide this rather than on the southern edge where it could be potentially distracting for cyclists. Queries were also raised in respect of the intended position of the side pass gates and the Applicants have advised that these would be fixed closed and this can be conditioned.
- 5.70 In terms of the former weigh office the Applicants confirm that investigations have shown that the second 'weighbridge' no longer exists. It is therefore intended to reintroduce the second 'weighbridge' as a cast metal new 'weighbridge' with the landscape and tree planting surrounding it framing the asset without obscuring the visual links with other assets. The Council's Design and Sustainability Manager does not see the merits of putting the building inside a circular paved and planting feature, although recognises it may help in the short term as it is without a use and has recommended a condition for more detail on the landscape treatment and detailed proposal for the weighbridge.
- 5.71 With respect to the Bullnose building/Mineral Office it is noted that the building will be more physically isolated, however this has already been accepted through consent for Central Hall and the closure of Leeman Road. The public realm scheme has the potential to ameliorate the harm to the setting of this building, which has already been accepted through previous consents, through a hard/soft landscape scheme that aims to re-anchor the building into a wider scheme. The Council's Design and Sustainability Manager suggested that

surfacing design could echo the presence of Leeman Road through choice of differentiated paving unit sizing and bonding patterns and this has now been incorporated onto the amended plans submitted and final hard materials for this area will be agreed through Condition 24 and material samples. It is noted that the amphitheatre design also helps with re-anchoring the building.

5.72 Historic England have no comments to make and have recommended that advice is sought from the Council's Conservation Officer.

5.73 As set out above the significance of the heritage assets is derived from the intact ensemble of railway buildings, this would not alter by virtue of the proposals which would significantly improve and enhance the space from what currently exists and in turn enhance the setting of the listed buildings. Whilst this could be improved further by bringing vacant buildings into use, this is not for this application to resolve. Officers therefore accept that the proposals in terms of their impacts on heritage assets.

Impact on the setting of the Conservation Area

5.74 York Station and land to the east of it (including the city walls) lie within the Central Historic Core Conservation Area. Character Area 22 of the Conservation Area relates to the Railway Area which contains a mix of building types, of varying scale and period with many surviving features which relate to the arrival and development of the railway which form a strong narrative when considered alongside the buildings within the York Central site. Many of the surviving buildings within this part of the conservation area are listed and as such have a high significance within a historic setting of high significance.

5.75 At outline stage it was recognised that direct impacts on the setting of heritage assets in the Historic Core Conservation Area as a whole were relatively minor. At outline stage it was also assumed that several redundant buildings in the railway yards (such as the Bullnose building for example) could be conserved and brought back into use, they could then (through positive design interventions) be reintegrated into York's wider 'railway area' setting. This would benefit the former NER buildings in the Railway Area conservation area, however these would be part of future reserved matters applications. Overall having had regard to the impacts of the provision of a new area of public realm on the setting of conservation area it is considered that the proposals would enhance the setting.

Archaeology

- 5.76 Condition 68 of the outline consent requires that as part of any reserved matters application a detailed Archaeological Remains Management Plan (ARMP) shall be submitted to and approved in writing by the Local Planning Authority. In this case the Council's Archaeologist has confirmed that this is not required for this part of the site as the original ground levels in this area have been reduced removing any archaeological resource in the process. The submitted Heritage Impact Assessment notes that there is moderate potential for survival of elements of an oil and gas works of the 1890s, but this sits largely within the National Railway Museum application boundary (21/02793/REMM) for Central Hall and as such any archaeological mitigation will take place as part of that development. The Council's Archaeologist therefore confirms that proposals are acceptable in terms of the approach to archaeology. If any unexpected archaeological features or deposits were encountered during construction consultation would take place with the Council's Archaeologist. Historic England make no comment on archaeology. In this context the proposals are therefore acceptable.
- 5.77 In terms of heritage impacts the proposal accords with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant chapters of the NPPF and policies D1, D4 and D5 of the Draft Local Plan (2018). The proposals align with the outline parameter plans and Design Guide and result in no additional impacts on heritage beyond those identified in the Environmental Statement.

HIGHWAYS MATTERS

- 5.78 Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which (amongst other criteria) a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other for example through street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, b) are safe and accessible for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles for example through, layouts that encourage walking and cycling.
- 5.79 Paragraph 108 states transport issues should be considered from the earliest stages of development proposals so that (among other criteria) opportunities to promote walking, cycling and public transport use are identified and pursued, patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Paragraph 114 advises it should be ensured that (among other criteria) appropriate opportunities to promote sustainable transport

modes can be or have been taken up and safe and suitable access to the site can be achieved for all users. Paragraph 116 goes on to state that within this context applications should (among other criteria) give priority first to pedestrians and cycle movement both within the scheme and with neighbouring areas so far as possible, address the needs of people with disabilities and reduced mobility in relation to all modes of transport, create places that are safe, secure and attractive, which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and respond to local character and design standards and allow the efficient delivery of goods and access by service and emergency vehicles.

- 5.80 Draft Local Plan policy T1 relates to sustainable access and requires development to demonstrate there is safe and appropriate access to the adjacent adopted highway for motor vehicles but also for pedestrians and cyclists, they provide suitable access, permeability and circulation for a range of transport modes whilst giving priority to pedestrians (particularly those with impaired mobility), cyclists and public transport services and they provide, sufficient convenient, secure and covered cycle storage and restrict access or discourage general motor vehicle traffic.

Assessment

- 5.81 The outline consent set out the parameters for access and circulation routes and established that Hudson Boulevard would be the main pedestrian/cycling route with Cinder Street being the main vehicular route for cars and public transport. The consent also established the principle of stopping up Leeman Road with a new pedestrian connection through the National Railway Museum site and shuttle working of the Leeman Road tunnel with a segregated two way cycle route provided.
- 5.82 Condition 41 of the outline consent secures the design requirements for Leeman Road Tunnel and Marble Arch. In addition prior to occupation of Plots B, C, D, E and F there is a requirement for a scheme for the pedestrian and cycle link between York Central and Holgate Road (either via Chancery Rise or Wilton Rise) (Condition 42), an inclusive access into the railway station (Condition 43) and a cycle hub with provision for 300 cycles (Condition 44) to be submitted and approved. These improvements are yet to come forward, however the scheme has been designed with accessibility to these facilities.
- 5.83 The first of the York Central reserved matters applications under reference 20/00710/REMM sought consent for layout, scale, appearance, landscaping and access for the construction of the primary vehicle route and associated roads and alterations to the existing road network which have a direct relationship to The Square.

5.84 The Square is a space where a number of accesses through the York Central site converge. It is where the main entrance to the National Railway Museum and its outdoor café seating area will spill out onto, where the walkway route as part of the stopping up of Leeman Road will run, where access from the rear of the Station via a crossing point will direct pedestrians, where the main pedestrian and cycle access from Marble Arch will run and where the pedestrian and cycle access along Hudson Boulevard terminates. This area of public open space is therefore seen as part of the main gateway into the York Central site.

Pedestrian movement

5.85 The submitted Planning Statement confirms that The Square has been designed in consultation with MIMA Group to ensure that it has been designed with consideration of the nine protected characteristics set out under the Equality Act 2010. The Applicant has also submitted an Equality Impact Assessment to demonstrate how equalities has drive the chosen design. The Applicants have also presented the scheme to The Access Forum and the Council's Access Officer which has led to a number of amendments to the design during the course of the application.

5.86 In terms of pedestrian movement, if arriving from the City Centre through Marble Arch a new crossing point would be provided (amended from that approved as part of the infrastructure works) which directs pedestrians close to the Mineral Office/Bullnose building where they can continue through The Square to the National Railway Museum either through the listed gateposts or to the north side of the Mineral Office/Bullnose building. The main route to the NRM being denoted by directional tactiles.

5.87 The Council's Highway Officer has considered in detail the movement of pedestrians throughout the site and has liaised with the Council's Access Officer in respect of this. With respect to the northern pedestrian crossing on Cinder Street, this has been designed as a Toucan. This means that cyclists and pedestrians will have to share the crossing and its approaches (shared space). Highway Officers consider this acceptable in this location as the number of cyclists using this crossing should be relatively low. They advise that this would need to be reviewed if the planning application to deliver the Wilton Rise bridge results in cyclists having to use this crossing to rejoin Cinder Street. The application has therefore been assessed on the Council's current understanding of anticipated movements around the site. The Highways Officer has recommended that the detailed design of this crossing should be conditioned and subject to a full Road Safety Audit.

5.88 A second crossing point into the site would be provided close to Plot F01a. In the long term it is intended that this would be the main route for those accessing the site from York Station, the proposed cycle hub and Wilton Rise footbridge. The Highways Officer notes that high flows of cyclists and pedestrians are expected at this crossing. This signalised crossing has been amended so that it would be a parallel crossing, avoiding the need for cyclists and pedestrians to share the approaches and crossing. Highway Officers consider this an appropriate design approach given that usage by both pedestrians and cyclists is likely to be higher. This approach is therefore accepted subject to detailed design being conditioned and subject to a full Road Safety Audit.

5.89 With respect to pedestrian use of The Square itself the Design and Access Addendum notes that visually contrasting 'directional' tactile paving routes are proposed to guide blind and partially sighted visitors from both pedestrian crossings to and from the NRM building. The Highways Officer recommended to the Applicant that directional tactile paving also be provided to guide pedestrians along the route linking Cinder Street to Hudson Boulevard. The reason they give for this is that not all pedestrians will want to go to the NRM and noting that the main public/highway route will be between the two crossing points on Cinder Street and into Hudson Boulevard. The Applicant considers the tactiles are only necessary to provide a route through a large open public realm to a destination, such as the NRM. As Hudson Boulevard is not a destination in its own right they do not consider that directional tactiles are necessary. They are also concerned that it could become confusing if too many tactiles are provided. This approach is not supported by CYC's Highway Development Control Officer or by CYC's Access Officer. Highway Officers accept that this matter could be dealt with through the discharge of condition 24 for hard surfacing however the Applicant would need to be in agreement to this, currently they consider the design as shown is sufficient to provide guidance to pedestrians. The Applicant's Access Advisor has not raised this as a concern and Officers accept that providing too many tactiles or different surfacing within the site may prove confusing and that not all routes can be differentiated. The layout provides some directional aids through the defined edge of planters and street furniture within The Square close to both pedestrian access points. This will be further supplemented through the use of wayfinding.

5.90 Within The Square Highway Officers also requested that a priority crossing be provided for pedestrians crossing the cycle route linking Cinder Street to Hudson Boulevard. This has been incorporated onto the revised plans submitted and has been designed similar to a zebra crossing. Highway Officers have raised concern that the indicative colour differentiation between the stripes was not acceptable, although they accept this detail can be dealt

with through condition 24. Highway Officers also note that due to the proposed design offering no level difference between the cycle route and the pedestrian areas, the crossing will not be designed in line with best practice (crossings would usually be placed on a raised table to slow cyclists down). The Highways Officer has therefore recommended that the detailed design being conditioned and subject to a full Road Safety Audit.

- 5.91 During the course of the application, Highway Officers have requested a plan showing the extent of the adopted highway. They consider this is needed to be able to assess the proposals in terms of highway rights for all users. They consider this is especially important for pedestrians as there is no footway on the eastern side of Cinder Street and a two-way cycle route is proposed alongside the western side of Cinder Street. In highway terms a suitable route for pedestrians will therefore need to be provided at all times to enable pedestrians to travel alongside Cinder Street and to/from Hudson Boulevard. It is acknowledged that this can be dealt with through a condition requiring that a plan be submitted.

Cycling movement

- 5.92 Cycleways are proposed which connect a newly created two-way segregated cycleway through Leeman Road tunnel approved as part of the infrastructure works. Cycle infrastructure within The Square will connect with Hudson Boulevard and Cinder Street. Cycle parking facilities will be provided close to Plot F01a and outside the Mineral Building. In response to comments from Active Travel England and CYC Highways revised plans were submitted which increase the number of stands and enable space to facilitate adapted cycles/cargo bikes. It is anticipated that further cycling provision would be provided at the proposed cycle hub planned close to the new station entrance which will come forward as a future reserved matters application. Active Travel England note this is the case and consider the provision shown to be sufficient for the purposes of this application. CYC's Highway Officer considers that the cycle parking provided on The Square is insufficient. The Applicant considers that they have provided sufficient provision, particularly in light of the comments from Active Travel England. Officers accept this position given that individual developments, as they come forward, will be required to provide their own cycle parking spaces, in light of the cycling hub coming forward and the fact that the NRM have further cycling provision on the north western side. In addition to this it is noted that there is nothing to preclude the introduction of additional cycle stands at a future date. Further details of the design, specifications and appearance of the cycle stands will be submitted and approved as part of the discharge of Condition 24.

- 5.93 The OPA Design Guide envisaged that part of the cycle route within The

Square would be shared with pedestrians, however in designing the scheme and in response to comments from the Highways Officer the Applicants have provided defined cycle routes in order to try to reduce conflict/risk of collision. They propose the areas would be identified through different surface textures to highlight the segregation. The Highway Officer notes that the only delineation provided is a silver grey granite flat top edge kerb flamed finish laid flush between the cycle route laid in Yorkstone sett paving capital finish and the pedestrian area which is laid in Yorkstone paving capital finish.

5.94 The Highway Officer notes the relevant guidance includes:

- LTN 1.20 Principle 2 “Cycles must be treated as vehicles and not as pedestrians. On urban streets, cyclists must be physically separated from pedestrians and should not share space with pedestrians. Where cycle routes cross pavements, a physically segregated track should always be provided. At crossings and junctions, cyclists should not share the space used by pedestrians but should be provided with a separate parallel route”.
- Para 6.2.7 of LTN 1.20 “Cycle tracks in all forms should be clearly distinguishable from the footway. The preference among visually impaired people is for a level difference between the cycle track and footway as this is the most easily detectable form of separation. Colour and tonal contrast, and different surface materials – for example asphalt on the cycle track and concrete flags on the footway – also help”.
- Inclusive mobility Section 4.6 “Mixing pedestrians and cyclists should be avoided as far as possible, in order to reduce the potential for collisions or conflict, and shared use routes in streets with high pedestrian or cyclist flows should not be used. It is particularly important to protect those pedestrians who are most at risk and who, for example, might not be able to see or hear an approaching cyclist.”

5.95 In terms of the cycle route linking Cinder Street and Hudson Boulevard, the Design and Access Statement addendum notes that the edge material of the cycle lane within the ‘shared space’ would include a band of black granite setts to increase visual contrast, set against a wide (400mm) silver grey granite paver with ‘blister’ tactile finish, to aid blind and partially sighted visitors. All surfaces would be flush to remove trip hazards. Highways Officers comment that this results in the provision of a shared area and is not compliant with guidance (as described above). As such, this is not supported by CYC’s Highway Development Control officer and by CYC’s Access Officer.

5.96 The Highway Officer does however confirm that the detailed design of the cycle facilities can be conditioned to address these points of concern and it is further noted that final hard surfacing materials are dealt with through the discharge of Condition 24 where this detail can be agreed.

Vehicular movement and Access

- 5.97 The Infrastructure RMA stated that a service access would be maintained on Leeman Road to provide access for the NRM, Northern Power and Network Rail to their assets to the north-east of the NRM buildings, maintenance and servicing would be provided from Leeman Road (west) and Cinder Street. The submitted Transport Assessment states the proposals align with the Infrastructure RMA. Condition 49 of the outline consent requires a site specific vehicle servicing strategy to be approved prior to commencement and this will therefore need to be discharged accordingly.
- 5.98 The Square will have limited vehicular access with two access points from Cinder Street, one to the north and one to the south of the Mineral Office (Bullnose Building). These access points were approved, albeit to a different design, through the approved infrastructure works. The accesses would only enable access for servicing at the NRM including delivery of supplies, exhibits, refuse collection and track and plant access. The access requirements would be largely between 7am and 10am with vehicles parked for a limited period. Access to the Hydraulic Power House would be required 24/7 however this is understood to be very infrequent access. The Applicants intention is that vehicular movement would be controlled through a Traffic Regulation Order (TRO) to be approved separately by CYC Highways. The Square will also need to allow access for emergency vehicles and this would be controlled by the use of active hostile vehicle mitigation measures and also covered by a TRO. There is no car parking included as part of these proposals as car parking is provided for elsewhere on the wider York Central site and for users of the National Railway Museum this is situated to the north western side of Central Hall.
- 5.99 Although indicative accesses and dropped crossings have been shown on the submitted plans, the Highway Officer confirms that the accesses require consent as they are located off a classified road. They advise that based on an assessment of the layout and visibility of these accesses presented to date they would object to the access as shown as they have highway safety concerns and as such they consider the access layout cannot be permitted at this stage. Given that an access has been granted in a similar position under the infrastructure works it would be unreasonable to request the applicant remove this access. Officers note that visibility for any access point in this location will have some restriction on visibility by virtue of the listed gateposts, however note that the landscaped boundary will enable some intervisibility between the cycle lane and the access. It is also recognised that cycling speeds should be relatively low and the access will have a low level of use. It should therefore be possible to design an appropriate solution in order that the access is delivered in a manner which is safe for cyclists. Officers consider

that a planning condition could cover this detail subject to a full Road Safety audit.

5.100 With respect to controlling access, Highways Officers requested a strategy to manage vehicle access for the areas between Cinder Street (including the cycle route) and the HVM bollards providing access to the NRM (two access points). The applicant previously stated that this would be managed through a TRO. Any enforcement by CYC would require ANPR based enforcement of access restrictions therefore the future provision of this equipment is recommended through condition.

5.101 The crossing point close to the Bullnose Building has altered position since the infrastructure works were approved, this in turn impacts on the NRM road train access on the opposite side of Cinder Street and amendments have been sought to the plans to demonstrate that an appropriate access/egress for the road train can still be provided. An indicative plan has been submitted suggesting how this area could be designed which shows the NRM road train loop signalised to ensure that the road train only exits when it is safe to do so to ensure the safety of pedestrians and cyclists using the northern signalised crossing and to reduce the risk of the train blocking Cinder Street and the shuttle arrangements for vehicles travelling through the Leeman Road tunnel. Highway Officers have advised that the detailed design of this is to be conditioned and subject to a full Road Safety Audit.

Servicing

5.102 Servicing requirements are covered by the Central Hall approval (21/02793/REMM). The Transport Assessment submitted with that consent stated that servicing was as follows:

- Catering - 6 catering deliveries a week between 07:00 and 10:00 hours parked for 20-90 mins. Mixture of small to medium vans up to 18 Tonnes
- Catering refuse collection – 3 times a week using Biffa refuse vehicle and skip lorry for glass. Days are known but times vary.
- Retail and office deliveries – 7.5 tonne vans typically between 08:00 and 16:00 up to 8 deliveries a day ranging from boxes to 4 pallets per delivery.
- Other deliveries/refuse collection currently to rear.

5.103 It should be noted that Condition 49 (site specific servicing strategy) still requires formal discharge for Central Hall and this will need to be discharged prior to commencement so further details should come forward as part of a discharge of conditions application to ensure that Highway Officers are satisfied with the arrangements proposed.

Hostile Vehicle Mitigation

5.104 The Square would include the provision of Hostile Vehicle Mitigation the majority of which will be static, however at Hudson Boulevard, the stub of Leeman Road and access to The Square west of the Bullnose building will be active (possibly remotely operated) to enable access for servicing and emergency vehicles. Whilst the principles of the approach to hostile vehicle measures is supported, the precise location and specifications of the bollards and street furniture designed to restrict vehicular access, and in some cases, protect from hostile vehicles are not fully agreed, however it is noted that this will be dealt with through the discharge of Conditions 19 and 24, prior to commencement.

Coach Access

5.105 The infrastructure approval (20/00710/REMM) made provision for coach access/drop off and pick up for the NRM adjacent to The Square. It was proposed that a layby would be provided to enable two coaches servicing the National Railway Museum to set down / pick up passengers. The Applicant has advised that these coach bays are no longer required and as such this part of the road has been amended to reflect the removal of the bays. The coach parking and turning arrangements are now provided to the rear (north-western side) of the National Railway Museum and were consented as part of application 23/00713/FUL for the reconfiguration and surfacing of the car park at North Yard with access from Leeman Road with erection of cycle shelters, road train shed and associated landscaping works. The removal of the coach bays along Cinder Street are therefore supported.

Construction Traffic Impacts

5.106 It is intended that construction traffic routing will be addressed through the Construction Environmental Management Plan which would need to be discharged through Condition 15 of the outline consent prior to commencement of development.

Highway Conclusions

5.107 Having had regard to all of the highway related issues CYC Highways Officers remain concerned with respect to some aspects of the layout and design, they have however recommended that most of these matters are addressed further through conditions supported by a Road Safety Audit. The proposals are however in line with what was accepted at outline stage in terms of impact on the routes for pedestrians and cyclists and access for servicing and deliveries at The Square. Furthermore the Environmental Compliance Statement

confirms that there are no additional impacts than were reported in the traffic and transport chapter, and as a result the conclusions of the ES remain valid.

ECOLOGY/BIO-DIVERSITY

5.108 The NPPF paragraphs 180 to 188 relate to conserving and enhancing the natural environment, habitats and biodiversity. Policy GI2 of the Draft Local Plan requires development to conserve and enhance York's biodiversity by proposals resulting in a net gain to and helping to improve biodiversity. Policy GI4 supports development which supplements the city's tree stock with new tree planting.

Assessment

Impact on protected species

5.109 Planting of trees alongside Cinder Street will form the beginning of a new green corridor which will run through the York Central site which will have the benefit of providing habitat for bats and connectivity through the York Central site.

5.110 A number of ecological surveys on specific species were undertaken at outline stage, however it was recognised that these were to provide baseline information and would need to be updated for each reserved matters phase to reflect changes in the distribution or abundance of mobile species on the site. Condition 28 of the outline consent therefore required that application(s) for reserved matters shall include an up to date (no more than 2 years old) Preliminary Ecological Appraisal (PEA) and any further necessary habitat or species surveys as recommended by the appraisal.

5.111 This reserved matters application is accompanied by a Preliminary Ecological Appraisal (PEA) which confirms that the development will have minimal impact on the ecologically significant habitats on site as there is very little vegetation removal. There is the presence of buildings surrounding the site that demonstrate potential for bat roosting. These have been surveyed for bats as part of the National Railway Museum's proposals and these surveys are accepted by the Council's Ecologist who has confirmed that no additional bat survey work is required given the current status of the buildings and low activity levels of bats found in previous surveys. It is recommended within the PEA that where possible the Applicants should consider incorporating bat boxes or other artificial roosting structures into the development to provide additional habitat opportunities for bats. To enhance the site's overall ecological value it is also recommended that native trees, shrubs and plant species and mixed scrub are incorporated into the soft landscaping design.

5.112 The Council's Ecologist supports the recommendations set out in the PEA, however raised concerns that the tree heights proposed may not be suitable to support bat boxes, she has therefore recommended a condition to ensure that if they are not able to support them alternative locations or products can be approved. The proposals are therefore acceptable in terms of their impacts on protected species.

Biodiversity Enhancement

5.113 With respect to biodiversity enhancement, Condition 30 of the outline approval requires each reserved matters application to provide a Biodiversity Enhancement Management Plan (BEMP) for the creation of new wildlife features to secure net gains for biodiversity.

5.114 The application is supported by a BEMP which sets out measures to support biodiversity and foraging resources for bats and other wildlife species. The proposed measures recommended on this site includes the provision of three bat boxes, two bird boxes and one insect hotel, indicative locations for these are provided with precise locations to be agreed once the lighting strategy has been agreed.

5.115 The Council's Ecologist raised concerns regarding the impact of lighting on birds and bats and has recommended a condition to deal with lighting so that we can ensure that enhancement features are not illuminated and dark corridors are available for light sensitive species.

Landscape and Ecological Management Plan (LEMP)

5.116 In line with OPA Condition 31, the application is supported by a LEMP which sets out the habitats to be created and the subsequent management and monitoring of these areas and this is accepted by the Council's Ecologist.

5.117 The proposals are in line with the outline Environmental Statement and conditions set out at outline stage. The proposals accord with local and national policy in respect of the impacts on ecology and biodiversity.

FLOOD RISK AND DRAINAGE

5.118 The NPPF paragraph 173 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate applications should be supported by a site specific flood risk assessment.

- 5.119 Policy ENV4 of the Draft Local Plan relates to flood risk and states new development shall not be subject to unacceptable flood risk and shall be designed and constructed in such a way that mitigates against current and future flood events.
- 5.120 Policy ENV5 of the Draft Local Plan relates to sustainable drainage, this states for all development on brownfield sites, surface water flow shall be restricted to 70% of the existing runoff rate (30% reduction in existing runoff), unless it can be demonstrated that it is not reasonably practicable to achieve this reduction in runoff. Sufficient attenuation and long term storage should be provided to ensure surface water flow does not exceed the restricted runoff rate and must accommodate at least a 1 in 30 year storm. The policy goes on to state that Sustainable Drainage Systems (SuDS) should be utilised for all new development to minimise the risk of pollution and attenuate flood volumes.

Flooding

- 5.121 The Square is located within flood zone 1 and as such is at low probability of flooding. A Flood Risk Assessment relating to flood impacts for the whole of York Central site were assessed as part of the outline approval. Conditions attached at outline stage relevant to flood risk were Condition 72 which required a site specific flood risk assessment for any development in zones 2 and 3, which is not relevant to this site and Condition 73 which relates to flood compensatory storage for the Primary Vehicle Route which again is not relevant here. No further flood risk assessment is therefore required, however other drainage matters are considered further below.

Drainage

- 5.122 The existing site is impermeable tarmac with gullies on site collecting surface water run-off and discharging it below ground to the Leeman Road combined sewer. The eastern part of the existing site falls steeply towards Cinder Lane/Leeman Road and surface water run-off which escapes the gullies discharge to the highway drains then to Leeman Road sewer.
- 5.123 At outline stage it was confirmed that separate foul, surface water and highway water drainage systems would be utilised as investigations had shown that infiltration methods of surface water disposal were not suitable. A series of drainage conditions were attached at outline stage which are relevant to these proposals, these include Condition 76 that separate systems of drainage are required for foul, highway and surface water and Condition 77 which requires details of surface water drainage details to be submitted and approved.

- 5.124 This application is accompanied by a Drainage Note, this explains that the design and installation of the drainage infrastructure including new foul sewerage, surface water and highway drainage networks for the wider York Central is being delivered as part of the approved infrastructure works being constructed. It confirms that part of the surface water catchment for The Square is incorporated into these works.
- 5.125 As part of the Central Hall approval it was proposed that surface water run-off from Central Hall building and external areas would be discharged to hardstanding areas into the combined water public sewer, a below ground cellular tank situated beneath The Square is proposed to attenuate flows.
- 5.126 The remainder of surface water run off for The Square that is not accommodated by the infrastructure works or Central Hall drainage proposals will need to be attenuated to limit surface water flows and this will be considered further as part of the discharge of Condition 77. The Drainage Note advises that it is however anticipated that this would include permeable paving, additional planters (above ground/near surface attenuation) and attenuation features which could include below ground storage within drainage pipework.
- 5.127 The Council's Flood Risk Management Team have reviewed the submitted Drainage Note and advise that surface water discharge rates should be in accordance with clause c) of Condition 77. They note the Drainage Note provides details of the existing catchment area within The Square which is connected to the public combined sewer in Leeman Road and this is agreed in principle. The report suggests that some areas (hatched green in the report) will be connected to highway drainage networks, it should be noted that only highway drainage will be allowed to these networks and not surface water generated from The Square and as such this is not agreed and this matter will need to be resolved through detailed design. The Flood Risk Management Team therefore have no objection to the reserved matters application in principle, subject to the detailed design being progressed through the discharge of Conditions 75, 76, 77, 78, 79, 80 and 81 of the outline consent.
- 5.128 Yorkshire Water have no objections to the reserved matters application.
- 5.129 Having had regard to the consultation responses, Officers are satisfied that the discharge of planning conditions attached at outline stage can provide the detail required to ensure that an appropriate drainage scheme is incorporated into the site and that there would be no additional impacts in terms of flood risk. The proposals therefore comply with local and national policy with

respect to drainage and flood risk subject to discharge of conditions. There are therefore no further impacts beyond those identified within the OPA ES.

ENVIRONMENTAL PROTECTION

Air Quality

- 5.130 Paragraph 186 of the NPPF states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Policy ENV1 of the Draft Local Plan states development will only be permitted if the impact on air quality is acceptable.
- 5.131 The outline Environmental Statement confirmed that taking into account the Transport Assessments and Air Quality Monitoring, there would be no residual effects as a result of the York Central development from construction activities subject to implementation of construction dust mitigation measures which would be discharged through Condition 15 which requires a Construction Environmental Management Plan to be submitted and approved prior to the commencement of each phase or sub phase of development. In addition the it established that there would be no predicted residual effects as a result of the development to human or ecological receptors arising from operational traffic and that any potential impacts arising from temporary car parks would be mitigated by suitable design.
- 5.132 Condition 53 was attached to the outline approval and this required that an Emission Mitigation Statement (EMS) be submitted to the Local Planning Authority. This condition was partially discharged by Homes England/Network Rail under application AOD/22/00097. The submitted Emissions Mitigation Statement provides a framework by which all Reserved Matters Applications will be determined through setting out a number of measures for lowering emissions and exposure to air pollution, to deliver the principles of CYC's Low Emission Planning Guidance across the site and over a number of phases of development. The Council's Public Protection Team confirms that the EMS will need to be adhered to by each reserved matters application with each requiring a statement to cover the specifics of the measures which will be implemented.
- 5.133 The Applicants have provided an Emissions Mitigation Statement as part of this reserved matters application this states that as the proposals relate to infrastructure development which create no vehicular trips there are no additional emissions to assess in this instance, however the EMS includes an emission mitigation plan. The plan sets out that The Square does not include any car parking, however provides a dedicated footway and cycleway through the site to encourage alternative modes of travel and will include appropriate

way finding. Whilst there is access for delivery/maintenance vehicles, as is currently the case, these would be limited in number and access into The Square controlled through bollards. The plan confirms that The Square has been designed to help reduce exposure to users of The Square to road traffic emissions through providing trees and ground level planting adjacent to the cycle lane along Cinder Street and in planters adjacent to seating areas and through the main seating areas such as the café being located away from Cinder Street. The Council's Public Protection Team have confirmed that the Emissions Mitigation Statement submitted is acceptable in accordance with the requirements of Condition 53. The proposals as presented therefore do not give rise to any additional impacts beyond those set out the OPA Environmental Statement and accord with relevant policies.

Noise and Vibration

5.134 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new development contributing to or being put at unacceptable risk from noise and where possible help to improve the local environmental conditions. Policy ENV2 of the Draft Local Plan requires development proposals likely to give rise to noise impacts to demonstrate how these have been considered in relation to both construction and the life of the development.

5.135 The submitted Environmental Compliance Statement confirms that the application requires minimal construction and demolition activities. As such noise and vibration levels are expected to be minimal with the implementation of appropriate mitigation, noise and vibration levels can be anticipated to be lower than those anticipated in the outline planning approval. Mitigation measures include the use of best practical means and control of noise measures which would be controlled through a site specific Construction Environment Management Plan to be discharged through Condition 15. The Council's Public Protection Officer has confirmed that given the distance between the site and the closest residential properties they have no objections in terms of noise. The proposals align with the OPA Environmental Statement and comply with policy.

Contamination

5.136 Paragraph 183 of the NPPF requires planning decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination. Similarly Policy ENV3 of the Draft Local Plan requires planning applications to be accompanied by an appropriate contamination assessment.

- 5.137 A contamination assessment is required pre-commencement as part of Condition 55, the application is therefore accompanied by a Geo-Environmental Desk Study Assessment. This states that there is low risk to future site users from potential contaminants associated with made ground and moderate/low from ground gas, potential soil contaminants in soils at the location of the historical gasometer and historical industrial use of the surrounding site. The report therefore confirms that ground investigation is not required to characterise the ground conditions beyond those identified within the report, however a remediation strategy will be required which aligns with the requirements of Condition 56. In addition any sub soil or top soil materials being imported to the site will be analysed to ensure it is suitable for the intended use, which will be agreed with the LPA to satisfy condition 59.
- 5.138 The Council's Public Protection Officer has confirmed that they have no objections and it is noted that outline planning conditions 55, 56 and 59 which will require subsequent discharge adequately deal with this matter. Following the implementation of mitigation there will be no new or different construction effects than were reported in the OPA ES and as a result the conclusions remain valid. The proposals therefore accord with policy.

Light Pollution

- 5.139 Paragraph 185 of the NPPF requires planning decisions to ensure that new development is appropriate for its location and in doing so to limit the impact of light pollution from artificial light on local amenity. Similarly Policy ENV2 of the Draft Local Plan requires consideration of the impacts on amenities of occupants with respect to increase in artificial light or glare.
- 5.140 Condition 22 of the OPA requires that a lighting strategy be submitted with any reserved matters application. A Lighting Report has been submitted which sets out the anticipated approach to external lighting in order to provide a safe, comfortable and visually stimulating illuminated environment for users through the use of layered lighting. It has considered the position of lighting to avoid glare and light spill into surrounding areas.
- 5.141 The Council's Public Protection Team have confirmed that the strategy is accepted and have raised no concern with respect to light spill given the distance of the closest residential properties to the site. The proposals accord with the OPA ES which accepted any impacts subject to mitigation. The proposals are therefore in accordance with the OPA ES and accord with national and local policies.

6.0 CONCLUSION

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 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.
- 6.5 Impacts on habitats and ecology have been appropriately assessed and any outstanding matters addressed by condition.
- 6.6 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.
- 6.7 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.

7.0 **RECOMMENDATION**

7.1 The application is therefore recommended for approval subject to the following conditions:

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

Site Location Plan YC-RMA03 001 Rev 1
Landscape General Arrangement BHA_22_1019_NR_S_003 Rev U
Hardworks General Arrangement BHA_22_1019_NR_S_004 Rev K
Softworks General Arrangement BHA_22_1019_NR_S_005 Rev J
Typical Landscape Details BHA_22_1019_NR_S_007 Rev B

Reason: For the avoidance of doubt.

2. Notwithstanding the details shown on the approved Softworks General Arrangement BHA_22_1019_NR_S_005 Rev J, prior to commencement of the soft landscaping works, an alternative species to *Quercus palustris* adjacent to Plot F01A shall be submitted as part of the discharge of Condition 24. The development shall thereafter be undertaken in accordance with the approved detail.

Reason: The species is too broad-spreading for the proximity to the future building line.

3. Prior to the installation of any signage, a signage strategy which shall include the design and position of all types of signage including the co-ordination of wayfinding and highway signage shall be submitted to and approved in writing. The signage shall thereafter be implemented in accordance with the approved strategy.

Reason: In order to achieve a suitable signage strategy for the site and in order to seek to minimise street clutter.

4. No development shall commence until a plan detailing the extent of the existing highway, any areas which will become adopted highway once the development is built and any areas which may need to be stopped up due to the proposed development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved plan.

Reason: In order to ensure that a suitable corridor remains open at all times for pedestrians and to future proof the transport provision around the site and avoid any issues with obstructions of the adopted highway where it has not been stopped up.

5. Prior to installation of any new external lighting a detailed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include:
- a) demonstration of how and where external lighting will be installed (through the provision of appropriate lighting contour plans, technical specifications and lighting mock ups where possible), taking into account street lighting and other lighting of surrounding buildings, clearly demonstrating where light spill will occur (including that which extends beyond the site boundary), lux levels and lighting spectrum (kelvin);
 - b) demonstration that required external lighting has been selected in-line with current guidance - Bat Conservation Trust (2018) Bats and artificial lighting in the UK.

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

Reason: To protect the habitats European Protected Species where there might be changes on site in accordance with Section 15 of the National Planning Policy Framework.

6. The development shall be undertaken in accordance with the recommendations set out in Preliminary Ecological Appraisal dated May 2023 and the Biodiversity Enhancement Management Plan dated July 2023 by Pell Frischmann, unless otherwise approved in writing by the Local Planning Authority. In the event that tree sizes do not support bat and bird boxes (which should be installed at approximately 4m high) the applicant should submit details of alternative locations just outside the red site boundary, or offer alternative products for example invertebrate boxes, rather than bat and bird boxes. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of securing ecological enhancements at the site in line with the recommendations set out in submitted Preliminary Ecological Appraisal.

7. The existing gates attached to the listed gateposts shall be kept in a fixed closed position, unless otherwise approved in writing by the Local Planning Authority.

Reason: To maintain the sense of enclosure of the former Goods Yard which is an important aspect of the setting of the listed buildings.

8. No development shall commence until the detailed design of the highway and transport aspects of the development (covering all modes of transport), specifically including the following items, supported by a Road Safety Audit, has been submitted and approved in writing:
- a) layout and surfacing detail of the southern signalised crossing;
 - b) layout and surfacing detail of the northern signalised crossing;
 - c) layout and surfacing detail for the zebra crossing over the cycleway;
 - d) the delineation/signing of the junction as the cycleway from Cinder Street diverts onto The Square towards Hudson Boulevard.
 - e) Layout and extent of dropped crossings including plans showing that appropriate visibility splays can be achieved.
 - f) Details of the location and operation of ANPR at the access points.
 - g) Layout and details of the road train access/egress, signalling and signing.

The proposals shall thereafter be carried out in complete accordance with the approved details.

Reason: In the interests of the safety of pedestrians and cyclists.

9. Notwithstanding the details shown on Landscape General Arrangement BHA_22_1019_NR_S_003 Rev U, prior to their installation the position of the cycle stands to the east of Plot F01a close to the crossing shall be submitted to and approved in writing. The proposals shall thereafter be carried out in complete accordance with the approved details.

Reason: There is a conflict between the proposed cycle stand and tactiles, their relocation is therefore required in the interest of pedestrian safety.

10. No development shall commence until details of a public art scheme, setting out, how this would be commissioned, the siting, scale, appearance of any proposed public art together with mechanisms to ensure its delivery and maintenance have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that public art is delivered on site despite the lack of a Public Art Strategy for York Central which is required as part of Condition 23 but is not yet agreed.

11. Prior to any new hard surfacing being laid a detailed layout and design for the both the southern and former northern weighbridges shall be submitted to and approved in writing by the Local Planning Authority. The

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

Reason: In the interests of ensuring a scheme which gives appropriate regard to the heritage of this part of the site.

8.0 INFORMATIVES:

Statement of the Council's Positive and Proactive Approach

1. In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Worked with the Applicant during the course of the application to seek amendments where necessary in order to address concerns raised by Officers and consultees.

Highways Informative:

You are advised that prior to starting on site, consent will be required from the Highways Authority for the works being proposed under the Highways Act 1980 (or legislation/ regulations listed below). For further information, please contact the officer(s) named:

- Adoption of highway (Section 38) – development.adoption@york.gov.uk
- Agreements as to execution of works (Section 278) – development.adoption@york.gov.uk
- Stopping up of the adopted highway - development.adoption@york.gov.uk
- Planting in the highway (Section 142) – to be addressed through S38/278 process
- Scaffolding, hoarding or skip licences - highway.regulation@york.gov.uk
- Works in the highway – streetworks@york.gov.uk
- Temporary highway closure (Road Traffic Regulation Act 1984, Section 14) - highway.regulation@york.gov.uk
- Footpath/bridleway diversion (Town and Country Planning Act 1990, Section 257) – rightsofway@york.gov.uk

Contact details:

Case Officer: Louise Milnes

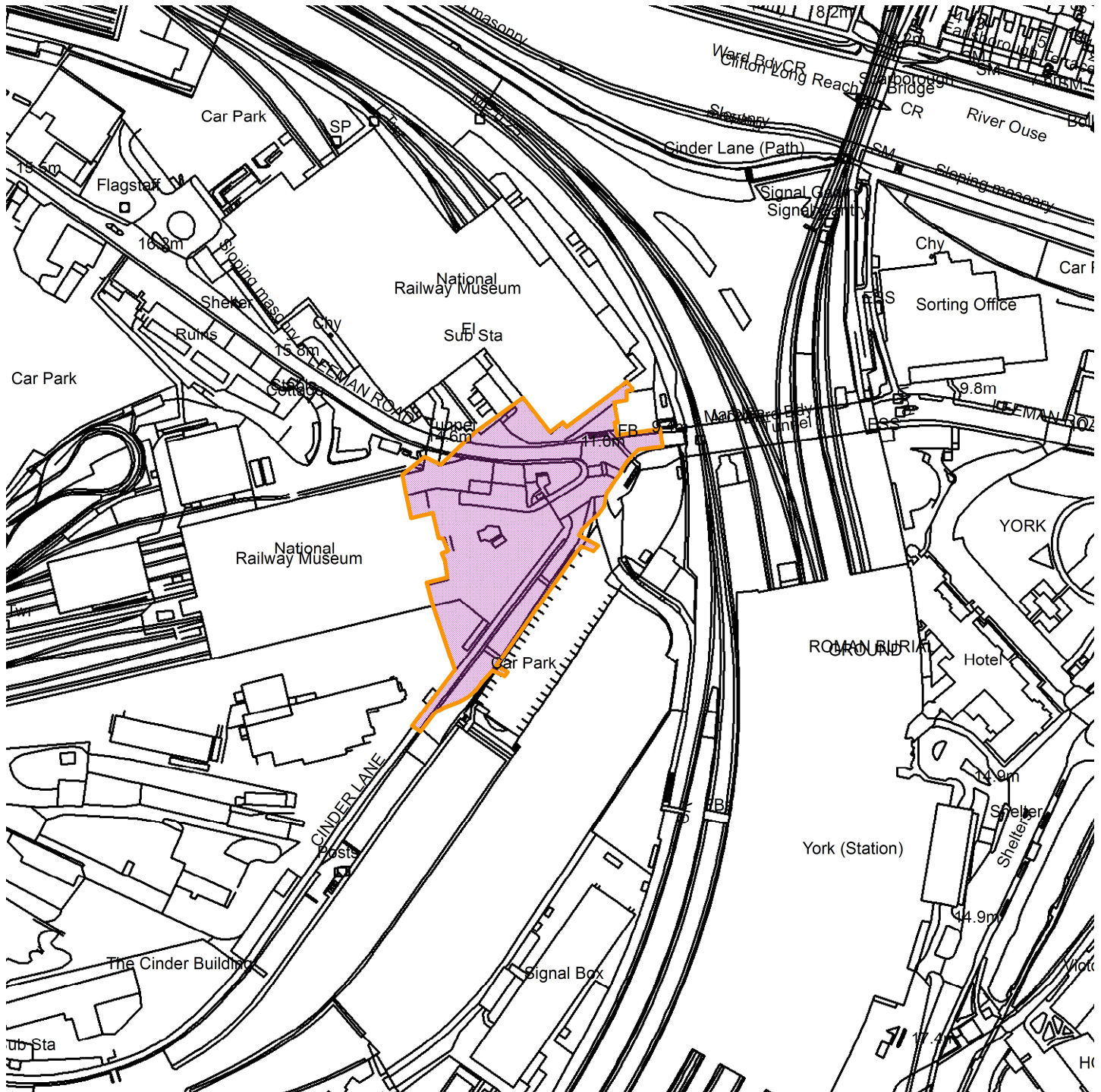
Tel No: 01904 555199

York Central, Leeman Road, York

23/01494/REMM



GIS by ESRI (UK)



Scale : 1:2719

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	30 January 2024
SLA Number	Not Set

This page is intentionally left blank



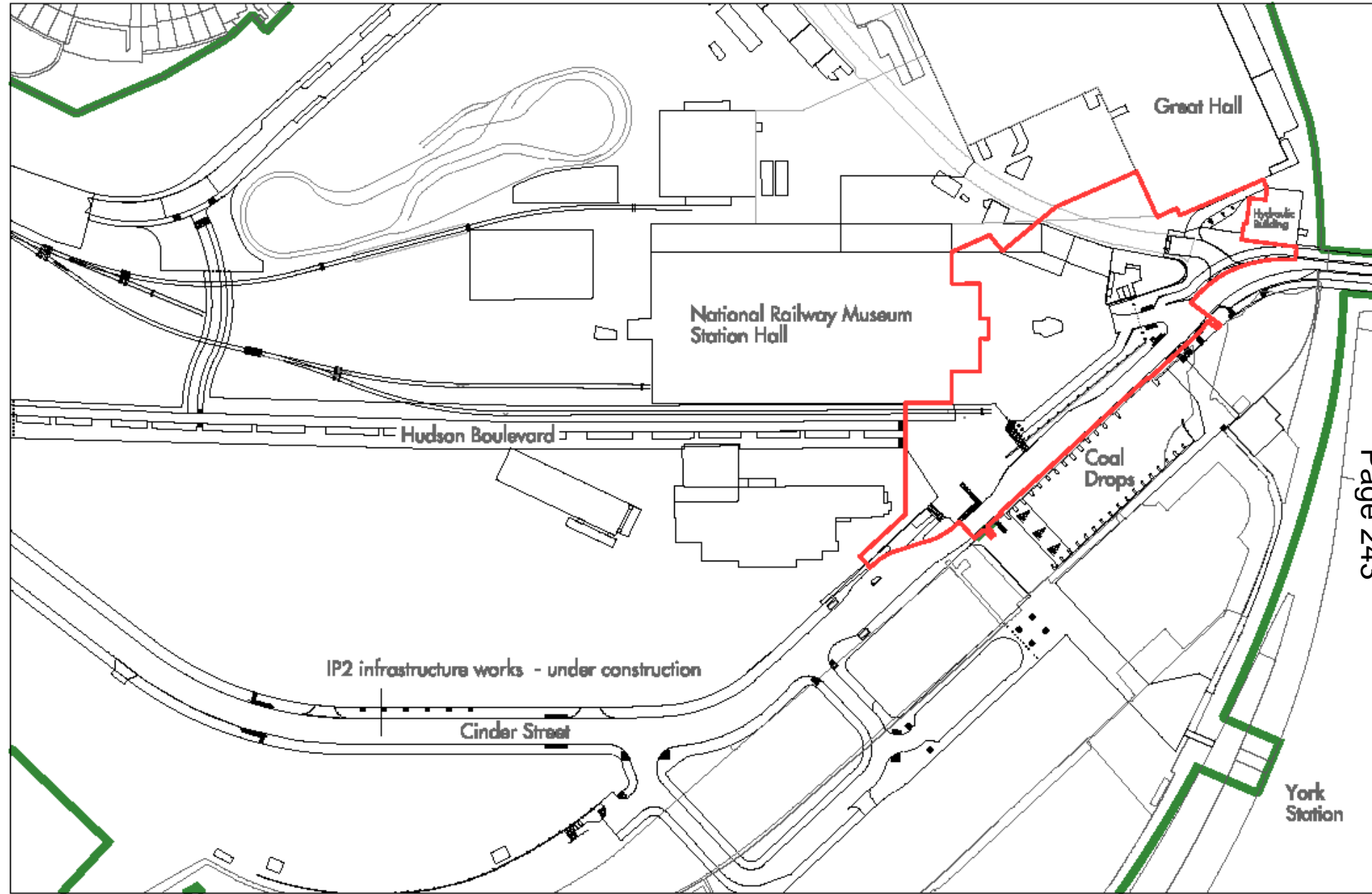
Planning Committee A

To be held on 8th February 2024

23/01494/REMM – York Central, Leeman Road, York

Reserved matters approval for 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

Site Location Plan



Scale 1:1250 @ A3
0 10 20 30 40 50

City of York Council Planning Committee Meeting - 8th February 2024

— Culture Planning Application Boundary
— RMA03 boundary - The Station

Allen and Horns
100 York Road
York YO1 1AB
01904 626262
www.allenandhorns.co.uk

YORK CENTRAL
Reserved Matters Application RMA 03
Site Location Plan

3
YCRMA03 001 Rev 1

Aerial Photograph
(Google Earth)



Page 244



NRM Forecourt Inc. Listed Gate Posts – Bullnose Building on Right

View South towards location of former boundary wall which will become planted border and Cinder Street



View South towards
location of Cinder Street,
Coal Drops with York
Station beyond





View South West – Southern side of Station Hall. Location of Hudson Boulevard with approximate location of Plot F01a on left

View West over
existing forecourt
(Cinder Street will be
on the left)



West looking
towards Station Hall
and Peter Allan
building



Page 250

Weighbridge Office
and Southern
Weighbridge



Weighbridge Office –
Eastern Elevation



View West and North
West with Station Hall
and Peter Allan
Building on left Great
Hall to North



View North West
approximate location of
Central Hall (Station Hall
on Left)



View North from
Northern Side of
Weighbridge – former
location of NRM
Entrance



View West towards
approximate location
of Central Hall 'Drum'



View North showing Great Hall area where Central Hall Café and outdoor seating would be located



View East towards
Leeman Road Tunnel
and Marble Arch –
Bullnose Building on
Right



Former Hydraulic
Power House
adjacent the
proposed
Amphitheatre Area





Marble Arch and Leeman Road Tunnel from NRM side



Bullnose Building North Elevation



Bullnose Building
Eastern Elevation,
Listed Gateposts from
within forecourt and
Marble Arch – Leeman
Road tunnel in
Distance



Southern Elevation of Bullnose Building



View East looking towards Leeman Road Tunnel (taken from Station Hall)



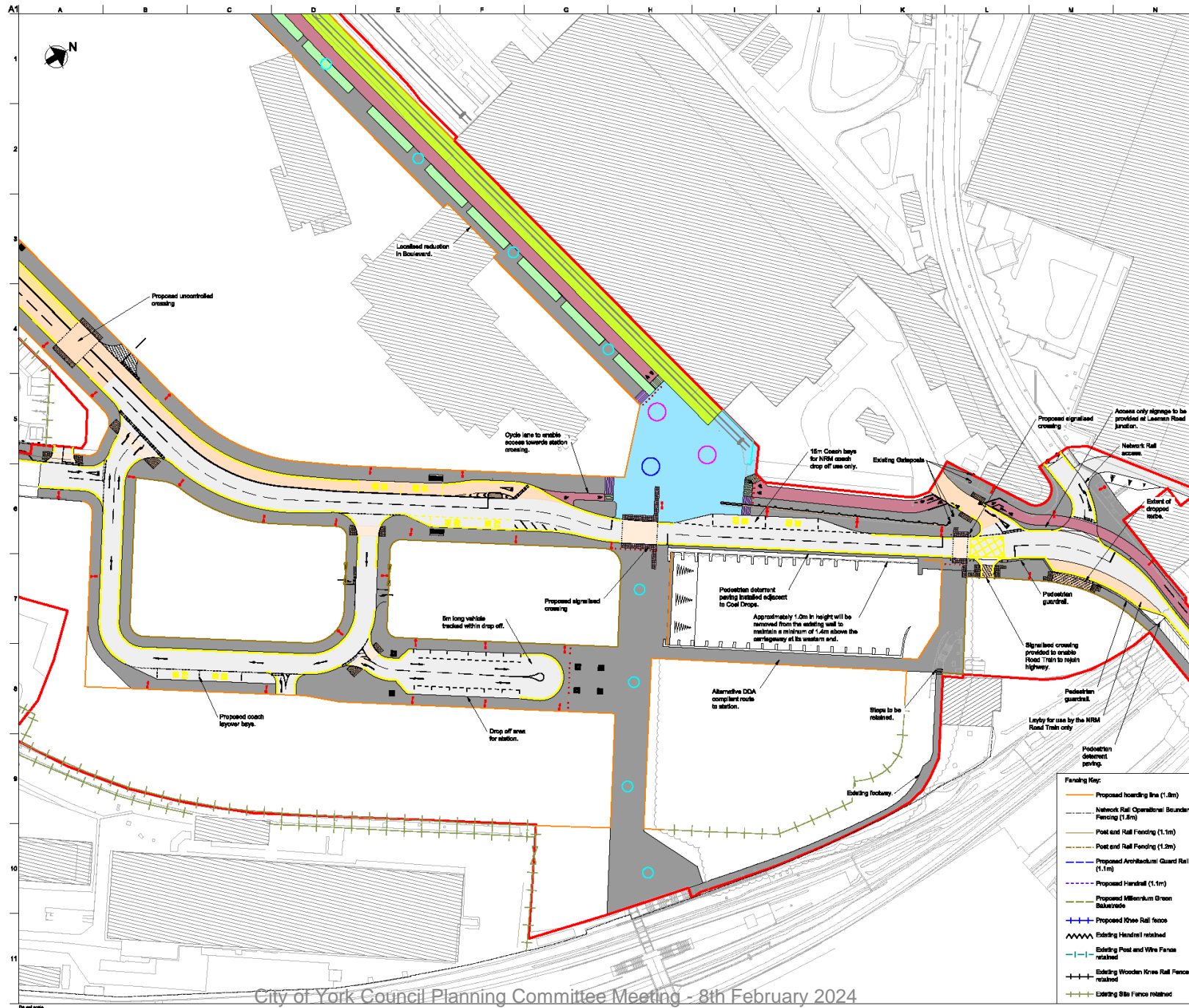
Proposed Layout – Landscape General Arrangement (Extract)



Proposed Hard Works – General Arrangement (Extract)



Approved General Arrangement Plan for Infrastructure Works Granted Under 20/00710/REMM – Known as RMA1



- General Key:**
- NRM Rail Spur
 - Landscape Planting
 - Vehicle Restraint System
 - Carriageway
 - Footway
 - Millennium Green Footway
 - Segregated cycle lane
 - Or-carriageway cycle lane
 - Shared footway/cycleway
 - Surface colour contrast
 - Temporary Landscaping
 - Vehicle Crossover
 - Retaining wall
 - Unbound Area for Low Loader Access
 - Indicative traffic signal pole location
 - Pedestrian deterrent paving
 - Network Rail Line-side Access area
- Tactile Paving Key:**
- Signalised Blister Tactile paving
 - Blister Tactile paving
 - Tribble Tactile (demarcation on cycle lane)
 - Ladder Tactile (demarcation on footway)
- Lighting Key:**
- 8m column with double lantern
 - 8m column with single lantern
 - 6m column with double lantern
 - 6m column with single lantern
 - 4m column with single head
 - 8m multi-head column
 - 10m multi-head column
 - 12m multi-head column

- Lighting Key (continued):**
- Access only signage to be provided at Laesman Road junction.
 - Network Rail access.
 - Extend of dropped kerb.

Rev	Date	Description	By	Chk	App'd	Aut'd
P01	20/05/20	RMA Submission	SH	MC	NS	-
P02	20/05/20	RMA Submission	EN	MC	NS	-
P03	20/05/20	RMA Submission	EN	MC	NS	-
P04	20/05/20	RMA Submission	EN	MC	NS	-
P05	17/02/21	Amend Design Information	SH	MC	NS	-
P06	11/02/21	Amend Design Information	SH	CC	NS	NS

ARUP

Address: 10000, 10000, 10000, 10000, 10000
 Tel: +44 (0)113 234 5678
 Fax: +44 (0)113 234 5678
 www.arup.com

Client: City of York Council

Project Title: York Central

Drawing Title: Phase 1 Infrastructure RMA General Arrangement Sheet 6 of 12

Scale: 1:2500

Rev: 001 - CHM - Highways

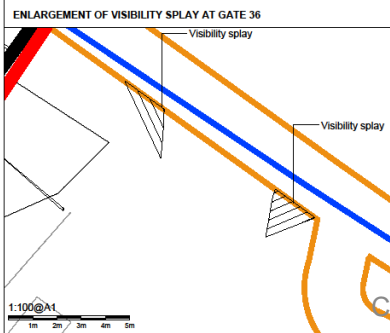
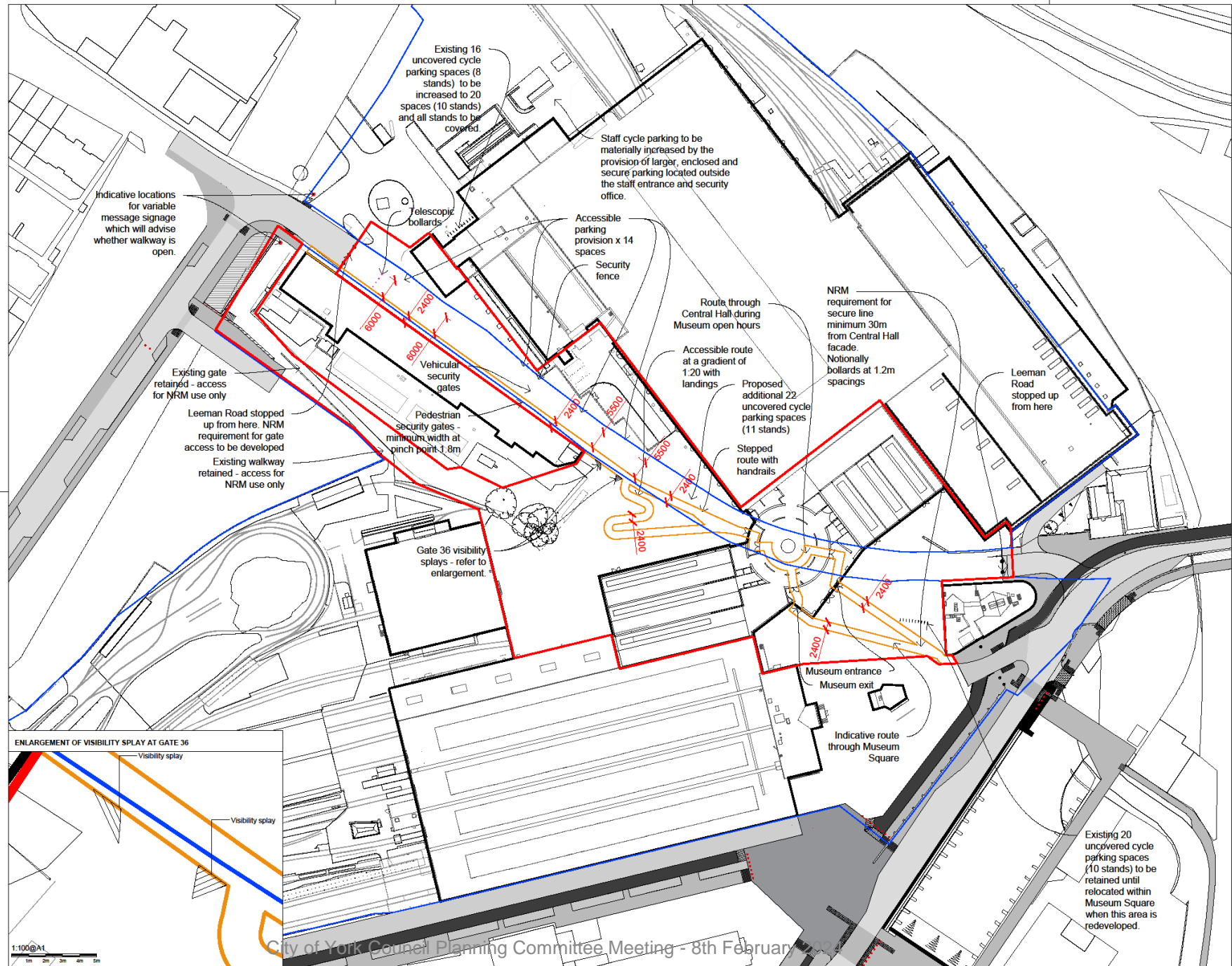
Author: S4 - Suitable for Stage Approval

Rev	By	On	Chk	App'd	Aut'd
001	EN	11/02/21	EN	MC	NS
002	EN	11/02/21	EN	MC	NS

Project: YCL - ARP - RMA1 - XX - DR - CH - 0106



Approved General Arrangement Plan for Central hall Granted under 21/02793/REMM – Known as RMA2.



- NOTES
- This drawing is to be read in conjunction with all other drawings and specifications.
 - Do not scale off this drawing. Written dimensions to be taken only.
 - Any discrepancies found between this drawing and other drawings and specifications in the construction documents must be referred to the Landscape Architect prior to work commencing.
 - This drawing must not be copied in whole or in part without prior written consent of Optimised Environments Ltd.

LEGEND

- Route of Walkway Agreement
- Planning Application Boundary
- Land within NRM ownership

01	Boundary layout	10/01/2022	AW	20/01/2022
02	Cycle parking layout, gate line dimension	10/01/2022	AW	20/01/2022
03	Proposed route from Museum sq. back to Leeman Rd	10/01/2022	AW	20/01/2022
04	Leeman Road stopped up	10/01/2022	AW	20/01/2022
05	Leeman Road stopped up	10/01/2022	AW	20/01/2022

open
optimised environments

01/10/2022

Unit 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Client	NATIONAL RAILWAY MUSEUM
Project	NATIONAL RAILWAY MUSEUM YORK
Drawing Title	LEEMAN ROAD WALKWAY AGREEMENT

Scale Bar: 0.5m, 1.0m, 1.5m, 2m, 2.5m

Scale: 1:500@A1 Date: February 2022

By: HW Status: PLANNING

Checked: AH Approved: BP

Drawn by: 18

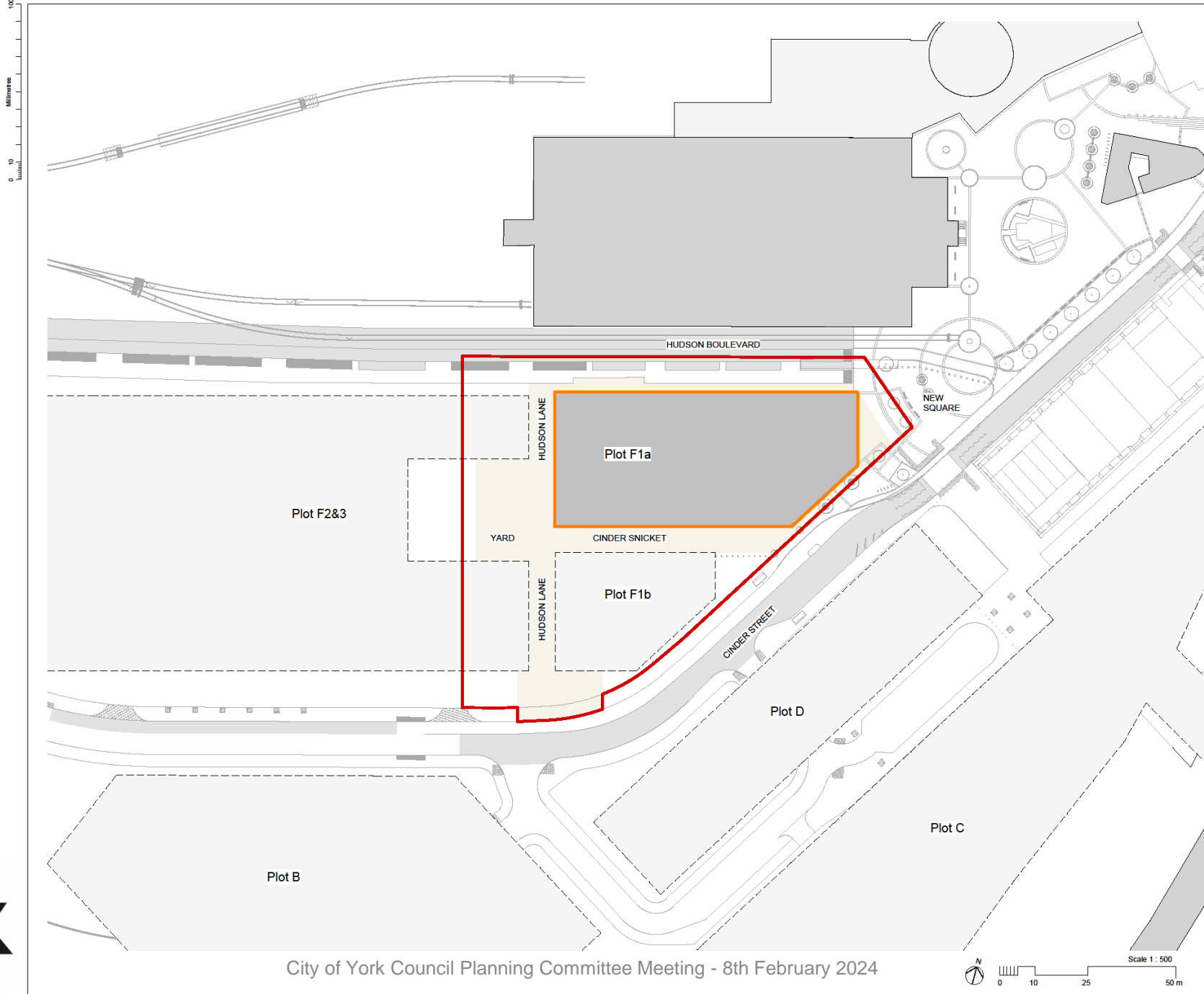
201564_NRM_OP_SW_0001 05



Submitted Site Plan for Plot F01A – Currently Pending Determination under reference 23/02255/REMM – Known as RMA4

CLASSIFICATION - CONTAINS BASELINE INFORMATION

DO NOT SCALE



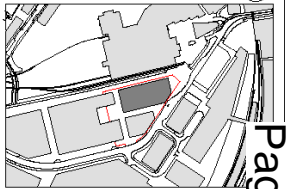
- NOTE:
- The content of this drawing refers to a planning application level of detail. It is intended for indicative purposes and only for information.
 - The background information shown is based on the latest OS map data, Ordnance Survey, (c) Crown Copyright 2023. All rights reserved. Licence number 10002452.
 - This drawing is to be read in conjunction with the Design and Access Statement and other documentation provided as part of this planning application.
 - No dimensions are to be measured from this drawing.

Key

- RMA#4 Site Boundary (9,230 sq.m.)
- Plot F1a Boundary
- Future Development Plots as per Outline Planning Permission 18/01884/OUTM and subsequent amendment 20/02285/NONMAT.
- Shared Landscaped Spaces

The of the RMA#3 Square is shown for indicative purposes only. Please refer to 23/01494/REMM for further details

KEY PLAN



Page 270

Rev.	Date	Description	By	Check	App'd
P01	13/07/23	Planning Issue	LT	DA	DMV

Drawing Subtitle		FOR INFORMATION		Sheet	S2
------------------	--	------------------------	--	-------	-----------

SNC-LAVALIN
 Nova North,
 11 Bressenden Place
 Westminster
 London
 SW1E 5BY
 Tel: 02071212000
 www.snc-lavalin.com
 © SNC-Lavalin (2019)

ATKINS
 Member of the SNC-Lavalin Group

Client
Government Property Agency

Project Title
York Central Proposed Government Hub SHELL AND CORE

Drawing Title
Proposed Site Plan in Masterplan Context (Showing RMA and Plot F1a Boundaries)

Scale	As Indicated	Original	Checked	DA	Reviewed	DMV	Approved	NA
Original Size	A1	LT	DA	DMV	NA			
Date	04.07.23	04.07.23	04.07.23	04.07.23	04.07.23	04.07.23		
Drawing Number	YRK2-ATK-ZZ-XX-PL-A-021205							P01

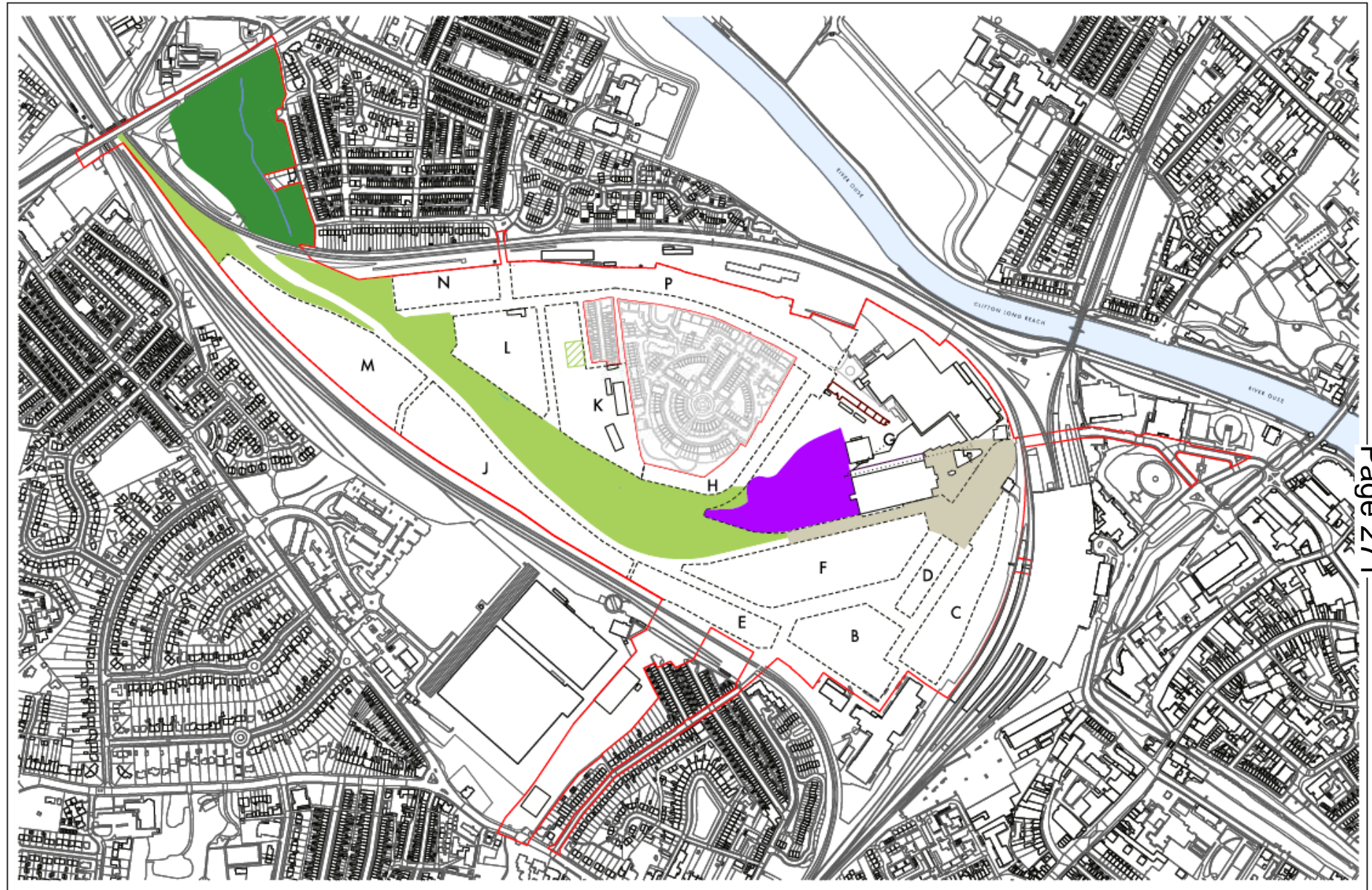


City of York Council Planning Committee Meeting - 8th February 2024



Alpine Project Number: 500230

Approved Outline
Open Space
Parameter Plan – YC-
PP-012



Scale 1:5000 @ A3
0 50 100 200

- | | | |
|--|---|---|
| Planning Application Boundary | NRM yard - predominantly hard or soft landscape | Development Zones - refer to YCPP 005 for Zone Boundary & Zone Boundary Subdivision LOD |
| Predominantly soft landscaping - Railway lines which may be retained or incorporated in the area | Millennium Green and surrounding green space - predominantly soft landscape | Development Zone name |
| Predominantly hard or soft landscaping | Predominantly hard or soft landscaping | NOTE: - LOD Limits of deviation |
| Predominantly hard landscaping | | NOTE: Predominantly equals to proportion of area greater than 75% except for : (*) Millennium Green which allows an area greater than 90% |

Alex and Martin
020 7921 0200
info@alexandmartin.com

STATUS: FOR APPROVAL
August 2018

YORK CENTRAL
Parameter Plan
Open Space Areas
31 YC-PP 012

This page is intentionally left blank