

Date: 22 July 2024

Ward: Holgate

Team: West Area

Parish: Holgate Planning Panel

Reference: 23/02255/REMM

Application at: York Central, Leeman Road, York

For: Reserved matters application for layout, scale, appearance, landscaping and access for erection of a six storey (plus basement) office building (Use Class E (g) (i)) with ancillary uses and self-contained retail floorspace (Use Class E (b)) at ground floor, associated car and cycle parking, servicing and access, public realm and other associated infrastructure pursuant to outline planning permission 18/01884/OUTM

By: Homes England, Network Rail Infrastructure Ltd and Government Property Agency

Application Type: Major Reserved Matters Application

Target Date: 6 March 2024 (Extension of Time: 25 July 2024)

Recommendation: Approve subject to conditions

1.0 PROPOSAL

- 1.1 The application seeks reserved matters approval for layout, scale, appearance, landscaping and access for the erection of a six storey (plus basement) office building (use class E (g) (i) (formerly B1a)). The building would create 19,047sqm Gross External Area (GEA) which includes 2,043sqm GEA ancillary space. It is anticipated that the office building would be used as a Government Hub. Government Hubs are intended to bring together occupiers from multiple government departments into a shared location, bringing investment in infrastructure and capital investment to cities other than London.
- 1.2 The proposals include a small self-contained retail unit at ground floor for use as a coffee shop (use class E (b)) comprising 285sqm GEA.
- 1.3 The proposed six storey building would be brick built with concrete lintels in a matching tonality to the brick panels with glazing framed with anodised aluminium frames and textured metal ventilators in weathering steel effect. The building incorporates a roof terrace to part of the 5th floor which will include outdoor seating space set amongst planters for use by occupiers of the building. The roof itself has been designed to

accommodate a photovoltaic installation to the southwest, air source heat pumps and a green roof.

- 1.4 Externally hard landscaped paths including the delivery of a new planted pedestrian alley referred to as Cinder Snicket will be created between the Plot and Plot F1b to the south. Hudson Lane would be delivered between the Plot and Plot F2 to the west and would provide a pedestrian and cycle route linking through to Hudson Boulevard with limited vehicular access, primarily for service deliveries and blue badge parking.
- 1.5 Sixteen accessible blue badge parking spaces would be accommodated adjacent to the plot, eight within the service yard and eight within Plot F1b. In addition space for servicing and deliveries is also provided. The spaces would be accessed via Cinder Street. It is intended that no other vehicular parking would be provided on site.
- 1.6 A minimum of 230 long stay cycle parking spaces would be provided within the building at ground floor, 10 of these will be accessible. 20 external short stay cycle parking spaces will be provided to the south of the building, 8 of these are designed for non-standard bikes. A further 16 short stay spaces would be available close to the main entrance.
- 1.7 The building known as the Biscuit Warehouse which currently sits on part of the site would be demolished to accommodate the new building, consent for this demolition formed part of the outline consent 18/01884/OUTM.

APPLICATION SITE

- 1.8 The application site sits within York Central and falls within the area identified as the Station Quarter as set out in the York Central Approved Parameter Plans and Design Guide. The site is part of Plot F which has flexibility to provide any use at ground floor with predominantly office and research and development uses at the upper floors. Hudson Boulevard, which forms the main pedestrian and cycle route will run immediately to the north of the site and is currently being built out as part of the approved infrastructure works. Beyond Hudson Boulevard sits the former Goods Station which is part of the National Railway Museum and is grade II listed.
- 1.9 The primary vehicle route known as Cinder Street is located to the far south and this is also being built out as part of the approved infrastructure works. Plot F1b is located to the south and Plot F2 to the

west, both of which remain undeveloped. To the north-east and east of the site sits The Square a new area of public realm, consent for which has been granted and works due to commence later this year. York Railway Station is located to the far south-east.

- 1.10 The site falls outside 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

- 1.11 The site forms part of York Central which is allocated under Policy SS4 of the Draft Local Plan for a mixed use residential and commercial development.
- 1.12 In 2019 outline planning permission (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.
- 1.13 The outline permission is accompanied by an Environmental Impact Assessment setting out the likely environmental effects in accordance with requirements under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Outline permission was granted in the context of this assessment and was subject to 83 conditions and a Section 106 agreement.
- 1.14 The first reserved matters application referenced 20/00710/REMM was granted in November 2020. The application sought approval 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 include the construction of Cinder Street,

a new primary road which runs from Leeman Road tunnel to the south of the site and Hudson Boulevard, a new pedestrian and cycleway which sits to the north of the site. As part of this application the car parking along Cinder Lane which served the Railway Station was shown as being displaced and temporary car parks were indicatively shown on development plots B, C, D, F, G and H. The approved infrastructure works are currently under construction.

- 1.15 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 include an entrance hall, exhibition space and café with associated access, parking, landscaping and external works. These proposals sit to the far north of the site and enabling works relating to this approval are currently being undertaken.
- 1.16 The third reserved matters application 23/01494/REMM 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 which sits to the east of the site was granted approval in February 2024.
- 1.17 There have been a series of discharge of conditions approved and some are pending decision relating to the above approved outline and reserved matters applications. In addition there have been non-material amendments and Section 73 applications both pending and approved relating to the proposed infrastructure works.

2.0 POLICY CONTEXT

2.1 National Planning Policy

Since the outline consent was granted the National Planning Policy Framework (NPPF) has been revised a number of times, most recently 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)

Building a strong, competitive economy (chapter 6)

Promoting healthy and safe communities (chapter 8)

Promoting sustainable transport (chapter 9)

Making effective use of land (chapter 11)
Achieving well designed and beautiful places (chapter 12)
Meeting the challenge of climate change, flooding and coastal change
(chapter 14)
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. It has now been subject to full examination and is expected to be adopted late 2024. The Draft Local Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.4 The key policies relevant to the proposals which can be given moderate weight are:

SS4 - York Central
D1 – Placemaking
D2 – Landscape and Setting
D5 – Listed Buildings
D6 – Archaeology
GI2 - Biodiversity
GI4 – Trees and Hedgerows
ENV2 – Managing Environmental Quality
ENV3 – Land Contamination
ENV4 – Flood Risk
ENV5 – Sustainable Drainage
T1 – Sustainable Access
T6 – Development at or Near Public Transport Corridors, Interchanges and Facilities
T7- Minimising and Accommodating Generated Trips

2.5 Those policies which can be given limited weight based on outstanding objections are:

SS1 – Delivering Sustainable Growth for York
CC1 – Renewable and Low Carbon Energy Generation and Storage
CC2 – Sustainable Design and Construction of New Development
CC3 – District Heating and Combined Heat and Power Networks
ENV1 – Air Quality

T5 – Strategic Cycle and Pedestrian Network
T8 – Demand Management

3.0 CONSULTATIONS

The most recent consultation responses are set out below:

INTERNAL

STRATEGIC PLANNING POLICY TEAM 6 February 2024

- 3.1 There are no in principle concerns. Policy SS4 sets out the site-specific criteria against which the proposals should be assessed.

CITY DEVELOPMENT (ECONOMIC DEVELOPMENT) 1 March 2024

- 3.2 The development of York Central is a key enabler in growing the city's economy and contributing to the delivery of the York Economic Strategy.
- 3.3 It is pleasing to see this application coming forward to enable early delivery of a substantial Grade A office building in a prime location on the York Central site. Providing space for circa 2600 full time equivalent Civil Servants, it will facilitate job creation within a new business district for York as well as consolidating and safeguarding high quality jobs within the wider York area.
- 3.4 As part of the Places for Growth Initiative and a drive to increase job opportunities outside London, it is anticipated that the proposed Government Hub will also act as a catalyst for further new inward investment and business growth in the City, helping to create high value job opportunities for York residents as well as potential supply chain opportunities for York businesses, as has already been evidenced from similar investments in other Northern locations e.g. Darlington.

HIGHWAYS DEVELOPMENT CONTROL (HDC) 8 July 2022

- 3.5 All remaining issues can be addressed through existing conditions which includes a Full Travel Plan (Condition 37), although there are some concerns whether the current travel plan and the Section 106 funding

secured at outline stage will be sufficient to deliver a successful car free development of this size.

LEAD LOCAL FLOOD AUTHORITY

24 June 2024

- 3.6 Conditions 75 to 81 imposed on the outline consent 18/01884/OUTM will need to be addressed and discharged under separate approval of details applications for this area of the site. We have assessed the submitted Flood Risk Assessment and Drainage Strategy Report and comments made should be taken into account when the subsequent discharge of conditions applications come forward.

DESIGN AND SUSTAINABILITY

26 February 2024

- 3.7 This is a great design quality benchmark for the first reserved matters building on York Central and given the Local Plan focus on York Central for city office expansion it is also great to see office use new build at this key location in the masterplan. The overall proposed design is supported, with some minor matters subject to recommended conditions.

LANDSCAPE ARCHITECT

21 June 2024

- 3.8 Note changes to the highway layout and parking which offers little, if any scope for planting within the 'yard' now. There are some concerns regarding potential conflict between proposed drainage and trees which needs to be resolved to ensure those trees shown can be accommodated. Otherwise support the proposed landscape detail. It is noted that further landscaping detail is to be approved through the discharge of Condition 24

CYC ECOLOGY

20 June 2024

- 3.9 It is confirmed that having reviewed the additional information provided by the Applicant sufficient information has been provided in relation to aspects of the landscaping scheme and proposed biodiverse roof which address previous concerns raised regarding biodiversity enhancements. In terms of the habitat boxes there remains the concern that the current locations as shown in the BEMP are unlikely to be used by the targeted species given they are in areas of high disturbance. To address this

concern consideration should be given to re-locating the insect hotel to the amenity terrace or biodiverse roof, where it is much more likely to be functional. Consideration for additional bat and bird boxes in areas where they would be more functional such as retained areas of vegetation in the wider site covered under the outline permission should also be given.

CYC ARCHAEOLOGY

18 December 2024

- 3.10 The application is submitted with an Archaeological Remains Management Plan (ARMP) which contains a summary of all archaeological monitoring and evaluation work which has taken place. Further evaluation is required on the southern half of the plot with monitoring to the northern half. An archaeological condition is therefore recommended.

PUBLIC PROTECTION

21 January 2024

- 3.11 Air Quality
The measures outlined in the plot specific Emission Mitigation Statement (EMS) are acceptable but should be reviewed by CYC sustainability/building control/transport.
- 3.12 Contamination
The submitted Atkins Ground Investigation Report concludes the site is suitable for the proposed use. Further ground investigation works are required post demolition of all structures on site. There are conditions within the outline permission (55 to 57) that require a full ground investigation to be undertaken therefore there is no requirement for any additional conditions.
- 3.13 Light
Happy for a similar condition to Central Hall for further lighting detail.
- 3.14 Noise
Condition 64 of the outline approval requires a noise assessment for plant/machinery to be submitted for approval of the LPA therefore no further recommendations or conditions are required.
- 3.15 Construction Management

Condition 15 of the outline approval requires a Construction Management Plan to be submitted for approval therefore no further recommendations or conditions are required.

CYC WASTE SERVICES

11 December 2023

- 3.16 The swept path analysis used in the application should refer to the specifications in the Waste Information for Developers Guide, including vehicle size, turning circle and minimising reversing.

CARBON REDUCTION TEAM

2 February 2024

- 3.17 The Applicant has demonstrated that at least a 28% reduction in carbon emissions (as required under Part L of the Building Regulations) can be achieved by considering reduced energy use, energy efficiency, district energy and low and zero carbon technologies, and will therefore meet the guidance set out in Condition 50 regarding policy CC1 of the Publication Draft Local Plan 2018.
- 3.18 The Applicant has demonstrated that a BREEAM Outstanding score can be achieved and will therefore exceed the guidance set out in Condition 51 regarding policy CC2 of the Publication Draft Local Plan 2018.

BUILDING CONTROL

- 3.19 No response received.

External

HOLGATE PLANNING PANEL

20 December 2023

Object on the following grounds:

- 3.20 The Outline Transport Plan is fundamentally compromised because it is written with a presumption that one or more multi-storey car parks will be built. A MSCP has no guarantee of being developed and it is feasible that the forthcoming York Local Transport Plan due in 2024 could establish a principle of no new car parks in the city centre which would invalidate this application's assumption that one will be built in the vicinity.

3.21 111 temporary parking spaces are proposed on Plot F2 but with no constraint for a maximum duration of the temporary facility. There are concerns it could be in place indefinitely. Even if temporary it seems counter intuitive to open a workplace with on-site parking for a select few for a limited time, only to take them away again when travel habits have become entrenched.

NORTH YORKSHIRE POLICE
26 June 2024

3.22 It is pleasing to note that the accessibility arrangements proposed for the site do not compromise its security and in particular the hostile vehicle mitigation measures.

3.23 The application accords with the core principles and design objectives in the NPPF in respect of developments creating safe and accessible environments where crime and disorder, and fear of crime do not undermine quality of life or community cohesion.

YORKSHIRE WATER
21 December 2023

3.24 No objections.

ACTIVE TRAVEL ENGLAND (ATE)
4 July 2024

3.25 ATE previously outlined its position on the local and national vision to commence a shift in travel patterns towards sustainable and active modes of transport. The Applicant has stated that it is intended for this development to play a role in delivering this objective and this is why ATE has recommended, through the course of its consultation responses, that the quantity and quality of cycle parking to serve the development is of a high standard and capable of supporting the targets within the Travel Plan. During the course of ATE's involvement improvements have been made to the quantity and quality of cycle parking some issues remain, these can be addressed by planning conditions. Overall ATE's view is that the cycle parking has reached an adequate level, although further improvements as recommended would have resulted in a more positive cycle parking provision.

HISTORIC ENGLAND

20 March 2024

- 3.26 Historic England recognise the consistency of approach with the outline planning application adopted, in terms of massing and positioning of this building. We note the adherence to the maximum heights set out in the outline parameters and the retained views out to the Yorkshire Dales and this is welcomed.
- 3.27 We note the detailed comments on design and materials for the proposed new building provided by CYC Conservation Team. We are content to endorse and defer to these recommendations.
- 3.28 Similarly with regards to the archaeology of the site, we note the comments provided by the City Archaeologist. We are content to endorse and defer to their advice and recommendations.
- 3.29 Historic England have no concerns regarding the current proposals on heritage grounds. We consider the application meets the requirements of the NPPF, in particular paragraph 135 and 195.

4.0 REPRESENTATIONS

- 4.1 The application was advertised by neighbour letter, site notice and advertisement in the local newspaper resulting in one letter from YoCo being received, the comments raised are summarised as follows:
- a) We are pleased to see the inclusion of a commercial (café) at street level as the building needed to engage with the public square in some active way, plus the main entrance being on the same frontage is a positive response.
 - b) The unit is poorly sited, opening out mainly onto the traffic of Cinder Lane, rather than the pedestrianised square.
 - c) There is little space externally for commercial activity to engage with the public as most of the ground floor contact with Hudson Boulevard will be 'dead' especially problematic for public space at night.
 - d) The external materials and patterning are not unattractive, but the homogenous approach leaves the bulk very apparent.
 - e) The analysis of the site spells out the reading of the building, as base, middle then top, then completely ignores this in the repetitive design. The approach to the base and top simply omits the design articulation of the middle.

- f) There is plenty of precedent locally for the nearby railways to influence design of different levels, but the building does not pick up on it. A consequence is little local character.
- g) As a government building there is no attempt to spell out this civic role or to be in any way distinctive.
- h) It will be many years before street trees achieve anything like the presence shown and the roof seems to be a missed opportunity.
- i) The mean terrace at one end is no substitute for a landscaped roof level which gives something back to the environment, if the entire roof needs to be given to plant this suggests an unsustainable reliance on building services.
- j) The building provides secure cycle parking, but does not appear to go any further in encouraging sustainable travel.
- k) Concerns that the transport plan proposes to use site F2 as temporary parking. Establishing travel habits based upon driving into the city to park is contrary to the current thinking on reducing car use in the city core.
- l) The Transport Plan implies it will be there until a nearby multi storey car park is built, but there is no certainty this will see the light of day.
- m) Throughout the consultation there has been little clarity about who the building is for. It isn't clear how the building will bring thousands of jobs to the city as it appears it will largely relocate jobs already based in the region. A hub implies a place where the city engages but this is not yet clear.
- n) As a major public building, funded by public money, yet almost entirely non-public in its relationship with its valuable setting, the proposals do not yet convince.
- o) Would ask that the application be revised to address the issues highlighted.

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
- Highway Matters
- Heritage Impacts
- Ecology/Biodiversity
- Flooding and Drainage
- Environmental Protection

- Socio Economic Matters
- Public Sector Equalities Duty

CONTEXT WITHIN WHICH TO ASSESS THIS RESERVED MATTERS APPLICATION

- 5.2 The outline planning permission referenced 18/01884/OUTM granted consent for the principle of the redevelopment of York Central to provide a mixed-use development including between 70,000 m² and 87,693 m² of office use (Class B1a) and up to 11,991 m² GEA of retail and leisure uses (Classes A1-A5 or D2) with multi storey car parks, open space and associated vehicular, rail, cycle and pedestrian access improvements and included for demolition of and alterations to existing buildings. This reserved matters application seeks approval for an office building with a gross external area of 19,047sqm to be used as a Government Hub which is part of the Government Hubs Programme to invest in infrastructure in cities other than London. In addition a small self-contained cafe is proposed at ground floor with a gross external area of 285sqm. The level of development proposed therefore sits comfortably within the floor areas set out at outline permission stage.
- 5.3 The outline application was granted in the context of an Environmental Impact Assessment (EIA) 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 the cumulative impact from the development. The impacts and any necessary mitigation measures identified were considered and judged acceptable at outline application stage and hence consent was granted. Any subsequent reserved matters application therefore has to demonstrate that the proposals align with the EIA and that there are no new or additional environmental effects identified when compared to the assessments and conclusions presented within the EIA. This reserved matters submission is accompanied by an Environmental Compliance Statement which confirms that the environmental impacts accord with what was anticipated and any mitigation requirements set out in the EIA remain relevant and unaltered by the proposals. Having reviewed the submission against the outline consent Officers accept that the proposals align with the EIA.

- 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 buildings proposed for demolition and the limits of deviation within which new 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, proposed site levels and maximum development heights and basement levels. 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 design framework and it is accepted that the proposals accord with both the parameters and Design Guide.
- 5.6 This reserved matters site falls within the area identified in the York Central approved parameter plans and Design Guide as Plot F which has any permitted use up to 6m below ground and at ground floor and predominantly B1a or B1b (office or research and development uses at upper floors). The plot sits within the Station Quarter, more specifically referred to as the Cinder Yards. The Design Guide considers Station Quarter to be a new destination for businesses, for tourists and for local residents alike. The proposals submitted align with the Design Guide in that they propose a new office building with ancillary retail at ground floor, set within the approved design parameters. The principle of the intended end uses has therefore already been established by the outline permission and these are not able to be re-visited as part of this reserved matters application. Thus this application is concerned only with the detail of the development being its layout, appearance, access, scale and landscaping proposed as well as any technical matters where further information has been submitted.

SEQUENCING OF DELIVERY

- 5.7 Given that the site sits within the wider York Central development site it is useful to understand the proposed sequencing for delivery of the reserved matters schemes already approved and those that are to follow.
- 5.8 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 to the far south of the site and Park Street to the west leading through to the new junction at Water End, Foundry Way which spurs off from Leeman Road and links through to Hudson Boulevard which runs immediately to the north of the site and provides the main pedestrian and cycle route once Leeman Road is stopped up. The programme of infrastructure works to facilitate the stopping up of Leeman Road are due to be completed by late 2024/early 2025, with the remainder of the works to be completed by 2026.
- 5.9 A recent approval has been granted under reference 23/01494/REMM for the public realm known as The Square immediately to the north east and east of the site which provides space for outdoor seating for the café and incorporates hard and soft landscaping features including hostile vehicle measures, cycle parking and seating. It is expected that this area would be delivered alongside the approved National Railway Museum Central Hall (21/02793/REMM) during 2025. It is therefore expected that The Square would be delivered in advance of the Government Hub building which is anticipated to be constructed by 2026 with fit out and operation in 2027.
- 5.10 An improved pedestrian and cycle footbridge at Wilton Rise, improved accessible rear Station Access and proposed Cycle Hub are all referred to within the outline application and are conditioned accordingly (Conditions 42, 43 and 44), these are key infrastructure elements located 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, although it should be noted that the outline conditions require schemes for these to be approved prior to occupation of Plot F.

DESIGN MATTERS

Relevant policies

- 5.11 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.

- 5.12 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.
- 5.13 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.
- 5.14 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

- 5.15 The Design and Access Statement (DAS) submitted at outline application 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.

- 5.16 The outline application 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 vision in accordance with National Planning Guidance. In addition a series of parameter plans were also approved at outline stage (Condition 6).
- 5.17 Condition 7 states that each reserved matters application shall be accompanied by a compliance statement explaining how the proposals accord with the approved Design Guide and Parameters Plan. This application includes a compliance statement which confirms that the proposals accord with the Design Guide and Parameters Plans in all regards with the exception of a slight re-alignment of Hudson Lane resulting in an opportunity to open up views to the rear of the former Goods Station building which the applicants see as a benefit to the scheme. They highlight that at outline stage it was always envisaged that there would be flexibility in terms of the locations of these secondary routes. Officers accept this and agree that the change is justified and would be beneficial both in terms of being able to appreciate the former Goods Station Building which is grade II listed and also in terms of placemaking. The original design intent set out in the Design Guide is still achieved and this is supported by the Council's Design and Conservation Manager and Officers. A full assessment of other aspects of the design, which align with the Design Guide, are discussed below.

Layout

- 5.18 The application site sits within Development Zone F within the Station Quarter as defined in the Design Guide and Parameter Plans. The Station Quarter is envisaged as a new destination for businesses, tourists and local residents. More specifically, the plot sits within the Station Quarter's Cinder Yards which are intended to incorporate two to three 'yard' spaces to assist in daylighting and service access for adjacent buildings and to provide break out spaces for people working as well as publicly accessible space which form part of the pedestrian movement network.
- 5.19 The proposed layout of the site is largely dictated through the outline permission Parameter Plans which denote the indicative building blocks

and circulation routes. The building has also been positioned so that it allows a direct view from the proposed station exit to the first arch in the side wall of the former Goods Station building, this was seen as an important aspect guiding the layout of the plot set out at outline stage.

- 5.20 The northern edge of the building would be set back from the edge of Hudson Boulevard. The Council's Design and Conservation Manager notes that the footprint is tight and regular with the edge of street which he considers will help make regular well defined and legible future streets as York Central builds out in the future. He considers the approach makes sense in the long term as other plots become built out, completing street enclosure. He notes that the interest of city centre buildings are often their inner spaces, primary street façade treatments and cumulative effects of townscape. He considers the layout proposed is similar to urban patterns in the historic city centre.
- 5.21 In addition Officers note that other key design intents for the Cinder Yards set out within the Design Guide are followed, including access requirements for future adjacent plots, spaces being well overlooked, active ground floor frontages, access and egress points being considered as part of the elevation design and 'snicket's being incorporated into the layout.
- 5.22 The Council's Design and Conservation Manager comments that ground floor uses are space planned to reflect the degree of public activity of surrounding streets. The most active uses of the building entrance and café follow the more public Cinder Street. The relationship of entrances has been designed with consideration of the external public realm at The Square being developed under approval 23/01494/REMM. The Council's Design and Conservation Manager considers that the café element feels a bit boxed in by street equipment and hostile vehicle protection measures including planters, however notes the wind comfort study suggests wind blockers are required here. He suggests that a more detailed study is required with potential simplification of this area, which could be conditioned. It should be noted that final details of hard landscaping, including street furniture and hostile vehicle protection measures would be dealt with through a discharge of condition application and as such Officers consider that these concerns can be addressed through this process.
- 5.23 The layout of the building itself is set over six floors with a basement and provides a private terrace at the fifth floor overlooking public squares and

the wider City. This gives some beneficial private outdoor space to office users and is supported by Officers as a design concept.

- 5.24 The red site boundary encompasses Plots F1b and part of Plot F2, however the application confirms that these would be developed in future phases and would be demarcated by temporary fencing details of which are to be agreed through the discharge of Conditions 17 (boundaries) and 24 (site specific landscaping) of the outline consent.
- 5.25 Overall the layout of the site is considered an appropriate response having regard to the outline parameters and design guide and the relationship of the site to the approved infrastructure and public realm schemes.

Scale

- 5.26 The proposed building is set over six stories with a basement level sitting under part of the northern section of the plot. The building proposes a uniform height, varied on the eastern side with the incorporation of a roof terrace at level 5. The overall height of the building would be 43.25m Above Ordnance Datum (AOD) which is below the maximum of 43.5m AOD specified at outline stage. In the context of other buildings on site this compares with The Former Goods Station (Station Hall) at 24.095m AOD, Central Hall at 26.0m AOD and Great Hall at 34.0m AOD. It is recognised that the height of the building may initially appear at odds with the existing buildings surrounding it. However Officers note this will be alleviated over time through the building out of other buildings of a similar height within the wider York Central. It is also recognised that the proposals sit within the approved parameters for the site which anticipated a building of this height on this Plot. Overall the height, scale and massing of the building is as envisaged within the outline consent and is therefore supported.

Appearance

- 5.27 The Design Guide suggests that Plot F1, would at least in part be designed as a foreground building which may depart from the appearance that it suggests background buildings must generally obey. It notes that the building may use different façade materials, different forms, façade emphasis may be horizontal rather than vertical and colour palette may vary. The Design Guide also states that new buildings shall use a range of brick details to articulate and enrich the facades in two and three dimensions and in a contemporary manner.

5.28 In terms of the façade treatment the Council's Design and Conservation Manager comments that it is more varied than first apparent and has a robust weighty gravitas which is appropriate in this railway context. He considers that the deep recesses and angled reveal components should give an interesting play of light. He notes the top floor treatment is stretched to encompass a roof parapet and he considers this gives a nice bottom, middle, top balance to the composition with the ground floor generally being simpler with bigger façade openings. In general the long elevation of Hudson Boulevard is more a repeated rhythm and the end elevation facing the public squares is more varied and complex. Both are appropriate for this context. The only criticism the Council's Design and Conservation Manager has of the elevation approach is a feeling of undifferentiation for some elevations, however he accepts that this is not unusual or illogical for contemporary office buildings with central service cores and flexible space making on all sides. Overall the façade design approach is supported and considered appropriate to its railway heritage context.

5.29 With respect to material and colour palette, this is proposed as brown/red brick and the exploration of material palette is explained through the design and access statement. The inspiration for this colour choice is accepted and is appropriate for its railway context. The Council's Design and Conservation Manager considers that it may be a little too monotone chocolate as it doesn't have the counterpoint of a prominent different roof material as older buildings do, however it is accepted that the final material selection and tone will be agreed through the discharge of condition 16 (material samples). Overall Officers consider the design response accords with the design guide and gives an appropriate appearance within the railway context of the site.

Landscaping

5.30 The area to the north adjoining Hudson Boulevard does not propose any soft planting as part of this scheme, however it should be noted that street trees and planting beds are provided along Hudson Boulevard as part of the approved infrastructure works. The areas immediately outside the proposed office building to the east and south would be hard landscaped with some soft landscaping to be provided by shrub and tree planting within planting beds along Cinder Snicket with a small number of street trees continuing the street trees from Cinder Street to the start of Cinder Snicket. In addition to this further soft landscaping would be provided within raised beds on the proposed roof terrace.

- 5.31 The submitted Sustainability Statement states landscaping should include native species, including shrubs/trees providing food year round, a combination of planting and basking areas, and shelter which allow for all lifecycles of invertebrate species, native wildflower mixes, planting of common birds-foot trefoil being of particular importance for a range of priority invertebrate species. Other key floral species are recommended where possible and include red clover, red fescue and yarrow.
- 5.32 Officers raised some concern that the proposed soft landscaping scheme submitted did not align with the recommendations within the Applicants Sustainability Statement in terms of supporting priority invertebrate species. In response to this the Applicants have clarified that whilst the external landscaping is predominantly non-native, scrub and flowering species may still provide some nectar resources for local invertebrates and their larvae. They explain that non-native trees have been chosen due to their amenity/appearance and tolerance for urban settings which are often more drought resistant. Street trees have been amended to a cultivar of the only native maple. The Applicants also explain their reasoning behind the species chosen for the roof terrace, which need to be hardy and robust species.
- 5.33 The Council's Ecologist has reviewed the soft landscaping proposed and has raised no objections based on the revised information presented. The Council's Landscape Architect has commented that the soft planting is very limited however the planting proposed, although ornamental, provides a good food source but notes this is probably not as good as a wildflower meadow. It is however accepted that wildflowers are generally better over a larger and more open area. The use of the 3no. Acer Campestre for the street trees are supported. She notes that native plants may prove to be the best choice on the roof terrace and the flowering native content could be improved here. In terms of the biodiverse roof she accepts the proposed mix. She also notes that there is potential to include species such as yarrow within the herbaceous layer and there are plenty of other native perennials that can be included to aesthetically fit with an otherwise non-native ornamental planting scheme. It is noted that the final planting species mix can be addressed further through the discharge of Condition 24 (site specific landscaping) of the outline consent which requires a detailed scheme for hard and soft landscaping and as such the Landscape's Architects comments can be taken into account further once the discharge of conditions application is submitted and as such no further landscape conditions are required.

5.34 With respect to hard landscaping the submitted hardworks layout sets out the intended hard surfacing materials to tie in with the materials used within the adjoining infrastructure works. It also shows indicative locations for benches. Condition 24 of the outline consent requires locations and details of public art, hard landscape works, including walls, steps ramps, paving materials and hard surfacing, details of street furniture and boundary treatments. It is therefore accepted that whilst the indicative details shown are acceptable in principle these will be finalised through the discharge of Condition 24 (site specific landscaping) which can also address the concerns raised by the Council's Design and Conservation Manager regarding the outdoor seating area being boxed in by street furniture/planters.

Sustainability measures

- 5.35 Condition 50 of the outline consent requires sustainability measures relating to energy, water and waste to be incorporated. Condition 51 of the outline consent expects development to achieve at least a BREEAM rating of Excellent.
- 5.36 The application is accompanied by a Sustainability Statement in line with Condition 50 of the outline consent. The statement confirms that the building would generate 24% less carbon emissions than a building designed to Building Regulations 2021 Part L and this would be achieved through a combination of energy efficiency measures including air source heat pumps for heating and photovoltaics for renewable energy generation. It states the proposed building is also targeting an Energy Performance Certificate A rating.
- 5.37 In terms of water consumption it is expected that the Government Hub would deliver a 65% improvement over a baseline building. It is intended that a rainwater harvesting system would provide water for flushing toilets and serving irrigation systems. Material efficiency and the use of recycled and sustainably sourced construction materials is also intended. The building has also been designed with consideration of climate change in terms of passive cooling measures (external shading, cool materials, green roof), ventilation and air conditioning, maximising permeable outside spaces and suitable drainage.
- 5.38 The Sustainability Statement advises that the proposals are targeting a BREEAM rating of Outstanding and explains how the development has been designed to achieve this. An achievement of Outstanding would

exceed the required 'Excellent' standard which York Central aspires to achieve.

- 5.39 The Council's Carbon Reduction Project Officer has confirmed that the Applicant has demonstrated that at least a 28% reduction in carbon emissions can be achieved which will meet the requirements of Condition 50 and Policy CC1 of the Draft Local Plan. In addition they confirm that the applicant has demonstrated that a BREEAM Outstanding score can be achieved and will therefore exceed the requirements of Condition 51 and Policy CC2 of the Draft Local Plan. The Council are therefore satisfied with the contents of the Sustainability Statement which demonstrates that the proposals comply with policy and meet the requirements of Conditions 50 and 51 of the outline consent.

Designing Out Crime

- 5.40 With respect to designing out crime, the application considers matters such as movement, active surveillance, lighting and hostile vehicle measures within the design. North Yorkshire Police Designing Out Crime Officer has confirmed that the proposals are acceptable from a crime and disorder perspective. The Council are satisfied that designing out crime has been and continues to be considered and it will be addressed in further detail prior to commencement through the discharge of condition 19 (secure by design measures) of the outline consent which requires further detail of CCTV, security lighting, secure vehicle and cycle parking amongst other measures.

Townscape and Visual Impact

- 5.41 In terms of the townscape and visual impacts arising from the proposals these were assessed at outline stage as part of the Townscape Visual Impact Assessment (TVIA) based on the maximum height and massing parameters set within the Parameter Plans. This reserved matters application sits within the limits of deviation and height parameters set out at outline permission stage. The application confirms that the development will be visible above York Station from the City Walls, as anticipated at outline stage, however the development allows the visual permeability and views through the site towards the Yorkshire Dales and key views of historic features of York to be retained. The application confirms that in designing the building consideration has been given to the composition, materiality and the appearance of the top floor parapets with plant enclosure concealing any plant elements to lessen any visual impacts. Officers are satisfied that based on the plans submitted, there

are no new townscape or visual impacts beyond those identified at outline stage as such the Environmental Statement remains valid and the proposals are acceptable.

- 5.42 Overall in terms of all design aspects discussed above, the proposed building accords with the design parameters set out at outline permission stage and is a good design quality benchmark which should positively contribute to the townscape of York Central and the wider city.

HIGHWAYS MATTERS

Relevant Policies

- 5.43 The NPPF paragraph 96 states that planning decisions should aim to achieve healthy, inclusive and safe places which a) promote social interaction 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 and c) enable and support healthy lifestyles for example through layouts that encourage walking and cycling.
- 5.44 Paragraph 108 states transport issues should be considered from the earliest stages so that patterns of movement, streets, parking and other transport considerations are integral to the design and contribute to making high quality places. Paragraph 114 advises that 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 give priority first to pedestrians and cycle movement, 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.
- 5.45 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

Access

- 5.46 The main pedestrian access to the building for staff and visitors is located on the north-eastern side, accessed via either Hudson Boulevard or The Square, both of which are being built out under separate reserved matters consents. A further access to the independent retail unit is on the eastern side of the building. Officers consider the accesses are within the most logical position off the main pedestrian access route through York Central when approaching from the City Centre. The submitted sustainability statement confirms that key elements of the building have been designed with access in mind including the main entrance doors having easy access for a range of users, there is dual entrance to cycle stores, ease of general circulation on all levels, internal doors on main circulation routes are minimised, accessible passenger lifts, accessible toilets at all levels and step free access for the roof terrace.
- 5.47 Externally the pedestrian footways to the north and east of the building would be constructed up to those works approved on Hudson Boulevard and The Square which have already gained planning consent. New routes for access for pedestrians and cyclists would be provided through the construction of Cinder Snicket and Hudson Lane. Following initial discussions with the Council's Access and Highway Officers some layout amendments to footways, kerbing, bollards and guarding around the blue badge parking have been submitted in order to take into account accessibility for people with mobility issues and in order to ensure pedestrians are appropriately prioritised. Highway Officers comment that the design is now generally acceptable, however note that within the discharge of conditions application we will require further detail of the HVM bollards and barrier/boundary to the car parking areas. In addition appropriate tactile surfacing and dropped kerbs to allow users to safely access the building will need to be shown as the extent of these is not clear on the submitted plans. It is accepted that the discharge of Conditions 17,19 and 24 of the outline consent would address this.
- 5.48 Highway Officers have previously advised the Applicant of concerns that the width of Cinder Snicket is not LTN 1/20 compliant as it would require

a minimum of 3m for shared use by pedestrians and cyclists with additional width of 2.5m if there are vertical features in the way. The Applicants highlight the fact that LTN1/20 is guidance and that the overall width of Cinder Snicket is 7.4m with a central landscape strip with pathways either side and opportunities to move between the landscaping strips. Officers note that Cinder Snicket is 2.4m on the northern side and 2m on the south side, which should be a sufficient width to accommodate the low level pedestrian and cycle usage envisaged, particularly given that the majority of pedestrians and cyclists would be using Hudson Boulevard as the primary route.

- 5.49 With respect to cycle access, cycle parking would be contained within three separate rooms accessed via doors at the rear (south) of the building off Cinder Snicket. Active Travel England have raised some concern that the cycle parking is within three separate rooms, however CYC Highway Officers do not agree with these concerns and consider smaller cycle stores are generally safer to use, they are therefore satisfied with the Applicants approach. In terms of accessing the internal cycle parking Officers raised concerns that the natural desire line for cyclists, if coming from the City Centre, would be across a small section of pedestrian area off Cinder Street and along Cinder Snicket. The Applicants consider this will not be the used and access will either be along Hudson Boulevard and Hudson Lane or via Cinder Street and along Hudson Lane. Whilst this may be the route the users will be encouraged to take they are likely to take the quickest route. It is however noted that this could be effectively managed through surfacing, street furniture or signage to dissuade users from this route. All of these details are covered by existing conditions which will come forward for discharge in future and as such there are mechanisms to ensure that this is safely managed.
- 5.50 In terms of servicing access there would be a new vehicular access created off Cinder Street, referred to as Hudson Lane, this would provide an off-street service area and access to an internal loading bay within the western side of the building. Waste collection and emergency vehicle access would also be via this route. A rejection loop would be created at the entrance to the site access so that unauthorised vehicles can safely re-enter Cinder Street. The rejection loop has been amended in design following discussions with the Council's Highway and Access Officers.
- 5.51 Overall with respect to the layout, positioning and treatment of access and circulation routes and how these fit into the surrounding access

network Officers are satisfied that the proposals are acceptable subject to minor details coming through future discharge of conditions.

Car Parking

5.52 The application has been amended from the original submission to remove all staff and visitor car parking which was shown to be provided on a temporary basis within areas of the site already granted approval at outline stage. Officers support the removal of temporary car parking spaces in principle subject to appropriate measures being included within the Travel Plan which is discussed further below.

5.53 With respect to blue badge parking, following a meeting with the Council's Highway and Access Officers they advised that the level of blue badge parking needed to be increased from the two spaces originally proposed to between eighteen and twenty one. Highway Officers based this figure on data regarding the number of blue badges held locally in the working age population. The Applicants advise that there are various methods of calculating the required number of blue badge spaces and demonstrate that using each of their methods of calculation results in a requirement for around six spaces. They maintain that six spaces is an appropriate level of blue badge parking for an office of this size however have revised the scheme and accommodated sixteen spaces to satisfy the Highway and Access Officers concerns. Eight spaces would be within the service yard off Hudson Lane and eight would be to the south of the plot. Given the Applicants consider this an over provision they have requested that a suitably worded condition be added to any decision notice which enables them to monitor the use of blue badge spaces once the building is occupied and if there is an over-provision that these spaces could be later removed. They anticipate that the eight spaces which form part of Plot F1b are unlikely to be required, based on their experience of other office buildings. Officers and CYC Highways have agreed that this is an appropriate way forward and a condition is therefore recommended.

Cycle parking

5.54 Following initial comments from CYC Highways and Active Travel England the Applicants have increased their cycle parking provision to secure a minimum of 230 long stay spaces within the building, with 10 of these spaces being for non-standard cycles. For short stay use there would be 20 short stay spaces to the east of the plot which includes 8 spaces for adaptive bicycles. A further 16 short stay spaces are to be

delivered as part of The Square located east of the main entrance. There is also a requirement as part of Condition 44 of the outline consent that prior to occupation of Plot F details of a cycle hub to provide a minimum of 330 spaces is to be submitted and approved, this would provide opportunities for further cycle parking. Active Travel England and CYC Highway Officers have confirmed that they are satisfied with the level of cycle parking provision proposed, which has been increased since the original submission. A condition is however recommended so that the final layout and design of the internal spaces is agreed.

Travel Plan/Encouraging Sustainable Transport Modes

- 5.55 The outline planning application was supported by a Framework Travel Plan (FTP) which provided an initial site-wide structure for a proposed 15 year sustainable travel strategy to be implemented. The FTP contained a limited level of detail however it was accepted that this would be developed further at reserved matters stage. Condition 37 of the outline consent also sets out that each reserved matters application for a building shall include a development specific Travel Plan to be approved prior to occupation and this must thereafter be adhered to.
- 5.56 The application site itself is within an excellent location in close proximity to York Railway Station which operates regular train services to London Kings Cross, Edinburgh, Leeds and Newcastle. With respect to bus services, it is intended that the bus services serving the existing residential area to the north-west will be diverted into the York Central site. The Poppleton P&R Service would stop on Cinder Street close to the building with Askham Bar P&R, Designer Outlet P&R and Monks Cross P&R stops outside the front of the Railway Station.
- 5.57 The application is accompanied by an Outline Travel Plan (OTP) which will inform a Full Travel Plan. The long term aim of the Travel Plan is to reduce reliance on car and increase use of public transport or other sustainable modes of travel such as walking and cycling. The Outline Travel Plan identifies the accessibility of the site to local amenities by foot and bicycle and sets out the variety of public transport networks available and their frequency. The OTP suggests that the Full Travel Plan will seek to decrease the mode share of car drivers accessing the site to 5%, CYC Highway Officers consider that to achieve a car free development this needs to be reduced further to 1.5% through the increase in use of other transport modes. They agree this can be dealt with through a robust Full Travel Plan submitted through the discharge of Condition 37.

- 5.58 The OTP suggests all employees are to be provided with a Travel Welcome Pack to influence travel choice, reduce employees and visitors travelling by solo car and increase use of public transport. In addition it encourages efficient and organised deliveries and servicing for the office and retail uses through implementation of a Delivery and Servicing Strategy. The OTP references accessibility for employees to Enterprise Car Club and potential for a Car Share club. Other incentives are suggested to encourage use of walking and cycling such as discounted equipment, folding bike trials, maps etc. CYC Highway Officers have highlighted the need to make sure the Full Travel Plan provides firm commitments, particularly in terms of staff resourcing and budget to strongly incentivise sustainable modes of transport to achieve the car free development proposed. They consider the Outline Travel Plan is currently too modest in its commitments and as such the Applicant will need to ensure that this is fully addressed in the Full Travel Plan to satisfy these concerns and to discharge Condition 37 of the outline consent.
- 5.59 The Outline Travel Plan envisages that the low level of parking provision together with a requirement that future office occupiers will comply with a Full Travel Plan should encourage the use of sustainable modes of travel. If staff do choose to travel by car the OTP identifies where car parking provision is within the City Centre and how accessible this is to the site by foot. The submission anticipates that staff and visitors to the building would either park in existing City Centre car parks or within the City's Park and Ride sites. The application states that there are 975 public car parking spaces within 1.1km of the site, accessible on foot via existing walking routes. Within 1.5km of the site there are 2,000 public car parking spaces accessible by foot. A further 5020 spaces are provided across the six park and ride sites located on the outer ring road. These are accessible by the park and ride bus services.
- 5.60 CYC Highway Officers have expressed concern that as the City Centre car parks are intended to accommodate visitors rather than commuters, a reliance on these by staff may result in displacement of vehicles onto residential streets. Officers consider that the City Centre car parks should not be considered as a valid option for use by commuters on a daily basis. Furthermore, they raise concerns that there is currently no analysis of available capacity at the car parks to show that parking could be accommodated without displacement. The Applicants response to this is that the Section 106 monies already secured as part of the outline consent allow for residential parking measures to be brought forward on

those streets deemed at risk. CYC Highways note that current residential parking measures included in the Section 106 agreement would not be sufficient to cover all residential areas within walking catchment. Despite reference to use of City Centre car parks, the Applicants anticipate that the majority of day-to-day parking demands would be taken up by Park and Ride, particularly given that there will be a bus stop very close to the proposed office building with other stops near to the site. CYC Highways comment that there are significant bus capacity issues which will need to be addressed on the Poppleton P&R service. They also note that no additional contribution is sought to address this as the S106 was agreed at outline approval stage on the basis that multi storey car parks would be provided and that Rawcliffe Bar P&R would also service the site, which is no longer possible due to the types of vehicles used on this service and height restrictions on Leeman Road Tunnel. Highways Officers therefore advise that taking this into account as well as the significant P&R mode share the Applicants will be relying on, more will need to be done to improve the A59 Poppleton P&R service which will stop closest to consider additional vehicles, more frequent service and longer operating hours. Highway Officers consider this can be addressed through the Full Travel Plan and its targets which will need to be agreed with the Local Authority.

- 5.61 Officers note that there are a number of ways in which the outline consent envisaged controlling travel and parking. Firstly the Outline Travel Plan states that a detailed phasing strategy for car parking which includes all existing, any temporary and proposed short and long stay public car parking and car parking associated with approved commercial uses and the number of spaces available for use at all times is required in order to discharge Condition 12 of the outline consent. In addition Condition 37 requires a detailed development specific Travel Plan to be submitted prior to occupation. Condition 48 of the outline consent relates to site wide parking management, the first part of this condition requires a strategy to be approved prior to first use (i.e the road being brought into use) this will need to be discharged accordingly. The second part of the condition requires a site specific strategy to be approved. The Applicants intention is that measures within the Full Travel Plan would encourage use of Park and Rides or other public transport modes. CYC Highways remain concerned regarding any parking displacement and impacts on existing P&R services, but accept that there is an opportunity through discharge of conditions to address this in detail.

Servicing

- 5.62 Condition 49 of the outline consent requires each reserved matters application to include a site specific servicing strategy which will need to be discharged through a discharge of condition application. The OTP states that an off street service area will be provided from Hudson Lane, accessed via Cinder Street. The layout accommodates a rejection loop should vehicles not be allowed into the service yard which enables them to safely rejoin the highway. The Applicants advise that a pre-booking system would be in place to ensure the servicing bay is used effectively during typical daily usage in order to manage demand on space. The site provides for a holding area to offer some resilience should another vehicle turn up unscheduled, so that they can be held until the service yard is clear or turned away if they have not pre-booked. Delivery and servicing for the retail space would be either on-street or using the yard accessed from Hudson Lane. A waste store would be provided at ground level so outgoing waste could be consolidated and readily collected from the kerbside.
- 5.63 Following initial comments from Highways and the Council's Access Officer amendments have been made to this loop to address any concerns. CYC Highways are now satisfied with the layout proposed.

Construction Traffic Impacts

- 5.64 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

- 5.65 Having had regard to all the highway related issues CYC Highways confirm that overall the reserved matters pertaining to the layout and access is acceptable in highway terms. It is acknowledged that the development being zero parking, except for blue badge spaces with greater reliance on sustainable transport modes is a shift from what was anticipated at outline stage, however it accepted in principle on the basis that discharge of conditions, particularly with respect to a robust Full Travel Plan being submitted can further address any concerns regarding parking and travel behaviours. The proposals are therefore in accordance with the NPPF and Local Plan Policies set out above. Furthermore the Environmental Compliance Statement confirms that the

there are no additional effects than were reported in the traffic and transport chapter, and as a result the conclusions of the ES remain valid.

HERITAGE IMPACTS

Relevant Policies

- 5.66 Applications should also 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.
- 5.67 Chapter 16 of the NPPF sets out how LPAs should approach determining applications that affect heritage assets. Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including the contribution made by their setting. It goes on to state that where a site on which development proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk based assessment. Paragraph 208 states that where development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 5.68 Policy D5 of the Draft Local Plan states that harm to the significance of a Listed Building or its setting will be permitted only where this is outweighed by the public benefits of the proposal. Policy D6 relates to archaeology and sets out the instances when development proposals that affect archaeological features and deposits will be supported.

Assessment

Impact on Designated and Non-Designated Heritage Assets

- 5.69 The impacts on heritage assets are assessed in the context of whether the detailed proposals submitted accord with the outline design parameters, dictated through a heritage assessment and whether the conclusions of the ES remain valid. The outline consent ES included a Heritage Statement which set out the baseline description of key heritage assets within and around the site. The report recognises 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 buildings being the former Goods Station, which sits north of the site, with its unusually intact sequence of Goods Station, Weigh Office and entrance Gateposts all of which are Grade II listed and still associated with a surviving Coal Office and a remnant of the Coal Depot. 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. The outline consent ES acknowledges that the multiple lines of railings and fencing together with the significant levels of parking currently detract from the setting of these buildings. Therefore at outline stage it was recognised that the York Central development offered positive opportunities for the setting of heritage assets.

5.70 This reserved matters application is accompanied by a Heritage Statement which considers the impact of the development on the setting of the grade II listed group of former Good Station buildings, Grade II* listed York Railway Station and the preservation of key views from the Grade I listed City Walls and York Minster as well as the setting of the historic core conservation area in line with the assessments undertaken at outline stage.

5.71 The existing site somewhat detracts from the setting of the listed buildings given the extensive hardstanding and parking, this was acknowledged within the outline consent. Despite this the Heritage Statement acknowledges that the site is still readable as a former railway siding which may become less legible following the proposed development. It also recognises that approaching the complex from the south, there will be a considerable change in experience given the low density area punctuated by former railway ancillary structures to that of a high density commercial district. The report considers that the impact of the taller building has been minimised through the design response which carefully considers the surrounding historic environment. It is acknowledged that the change to the site will result in a degree of harm to significance, however it is considered that this will be limited by the mitigation embedded within the building design. The report concludes that there will be less than substantial harm to the significance of the former Goods Station and would fall at the lower end of the spectrum. It considers that the proposals would not harm the setting of the other listed structures within the Goods Station complex. This assessment is accepted by Officers and Historic England.

- 5.72 The report also considers the proposals would also not harm the significance of the setting of York Station and York Historic Core Conservation Area which are within the setting of the site. With respect to the wider setting consideration is given to the impact on views from York City Walls and how views towards York Minster and Clifford's Tower will be affected. The report notes that the maximum height parameters contained in the outline consent ensure that the viewing corridor from the City Walls across the York Central site towards the Yorkshire Dales are preserved and the design accords with these parameters. The report concludes that the proposals would not result in harm to the significance of the City Walls and will preserve identified key views. The proposals will provide a terrace at roof level to frame views towards the Minster which building users will be able to appreciate. There would be minimal visibility from Clifford's Tower towards the site due to existing buildings almost entirely obscuring views. The report confirms there would therefore be no harm to the significance of these important buildings.
- 5.73 Officers agree with the level of harm identified in the heritage statement and that the proposals in respects of all heritage assets results in less than substantial harm. Historic England have raised no concerns on heritage grounds and note the comments from the Council's Conservation Team. It should also be noted that no objections have been raised from the Council's Design and Conservation Manager with respect to conservation or heritage.
- 5.74 In accordance with the NPPF the less than substantial harm to the setting of the heritage assets identified has to be weighed against the public benefits of the proposal. The Applicants identify these public benefits as:
- Provision of a flagship building of very high architectural design quality occupying a key position on the proposed public square and alongside a new public boulevard;
 - A building targeting BREEAM Outstanding;
 - High quality regeneration of a brownfield site;
 - Economic benefits and employment opportunities for York and the surrounding area;
 - Providing vitality in the new Station quarter contributing to increased public access to the Former NER Goods Station Complex.
- 5.75 The application clearly sets out the public benefits derived from the scheme as referenced above and the economic benefits in particular are

articulated in the response from the Council's Economic Development Team. Officers consider that the less than substantial harm to the setting of the heritage assets identified within the Heritage Assessment is outweighed by the public benefits comprising the significant economic, social and environmental benefits the proposals will bring not only to the City of York but also as a cornerstone of the York Central development. The proposals align with the Environmental Statement submitted at outline and as such are accepted.

Archaeology

- 5.76 The area around York Central has produced significant archaeological remains and the wider site is a complex landscape that has significant potential to preserve locally, regionally, nationally and internationally significant archaeological features and deposits. Despite the York Central site being heavily impacted by the construction of the railway infrastructure in many areas it is believed that there will be pockets of in-situ undisturbed archaeological remains in areas where the natural topography was built-up as part of the 19th century levelling works.
- 5.77 The application is submitted with an Archaeological Remains Management Plan (ARMP) as required by Condition 68 of the outline consent. The ARMP contains a summary of all archaeological monitoring and evaluation work which has taken place, particularly where relevant to this scheme. The investigation that has taken place across the site over the past 5 years, particularly over the past 2 years has further defined where pre-railway archaeological layers are likely to be encountered.
- 5.78 The City Archaeologist notes that the northern part of Plot F1 has been subject to 19th century ground reduction and landscaping. The archaeological layers across the proposed government hub building footprint have been removed. Therefore the City Archaeologist has no issues with the creation of a basement at this location and has confirmed that the proposals accord with Condition 69 of the outline consent in terms of the extent and location of the basement. The southern half of plot F1 has the potential to contain further Roman deposits remaining on the periphery of the cemetery area where landscaping has not fully removed the archaeological layer at the base of the original slope which extended into this area. While there are no known organic deposits in the development area there is a chance of survival beneath 19th century landscaping in the southern part of the plot. Therefore in line with the

recommendations of the ARMP further evaluation is required in the southern half of the plot. This will confirm whether any:

- In-situ organic remains
- Elements of the Roman cemetery
- Of the structure shown on the 1st edition OS plan survive beneath 19th century landscaping.

5.79 The results of the evaluation will determine whether any further, specific mitigation measures are required and will help inform future archaeological management decisions in the Plot F area. This will be determined following evaluation exercise and confirmation of the impact depths required for any services, attenuation, landscaping and road construction. It is noted that whilst included in the red site boundary, there is currently no proposed new build within the southern half of the plot.

5.80 In the northern area, archaeological monitoring will take place as a precaution during the excavation of basement level. The Council's Archaeologist has therefore confirmed that an archaeology condition is required to secure this.

5.81 Historic England have noted the comments provided by the City Archaeologist and are content to endorse and defer to their advice and recommendations. The proposals are therefore considered acceptable with respect to the approach to archaeology which align with the recommendations within the ES.

ECOLOGY/BIO-DIVERSITY

Relevant Policies

5.82 The NPPF paragraphs 180 to 188 relate to conserving and enhancing habitats and biodiversity. In particular Paragraph 180 states that planning decisions should contribute to and enhance the natural and local environment by (amongst other criteria) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. 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 Habitats and Protected Species

- 5.83 The York Central site as a whole contains extensive areas (9.18ha.) of ephemeral habitat (e.g. the limestone ballast of railway sidings). This is considered to be the most ecologically significant habitat on site due to the invertebrate assemblage it supports, and in part as there are unlikely to be any other sites supporting this extent of habitat elsewhere in York and North Yorkshire. The Ecological Impact Assessment submitted within the outline Environment Statement (ES) concluded that the loss of this habitat will result in a permanent moderate adverse effect on ephemeral vegetation and minor adverse effect on scrub and tall ruderal and broadleaved woodland. The ES set out mitigation which would be embedded into the design which comprised of planting 0.43ha of woodland, provision of 0.95ha of ephemeral vegetation, 2180m of green corridor consisting of hedgerow with minimum planting of 80+ trees, creation of 465m of SuDS and 0.4ha wetland waterbody habitat with retained habitats fenced off with a buffer zone, sitting alongside a LEMP outlining maintenance post construction. Following this mitigation it was accepted at outline consent stage that there would be a significant impact on habitat loss arising from the York Central scheme as a whole.
- 5.84 Whilst this habitat loss was accepted at outline stage, given the extent of this loss it is extremely important that each reserved matters scheme brought forward includes appropriate mitigation and habitat retention/enhancement.
- 5.85 A number of ecological surveys on specific species were also 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 each 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.
- 5.86 This application is accompanied by a Preliminary Ecological Appraisal (PEA) Report dated November 2023. The report recognises that there is limited habitat within the site suitable for bats and that any tree and scrub clearance is to be undertaken as part of the approved

infrastructure works. Whilst the former LNER Traders Store for Associated Biscuit Manufacturers Building is the only building on site which may have moderate bat roost potential it is recognised that the demolition of this and other buildings found to have negligible potential would be undertaken through the outline consent granted and the ecological surveys which informed this consent. The report therefore advises that there is no necessity in this instance for further surveys. With respect to nesting birds and invertebrates whilst there is limited vegetation present on the site, there are some suitable habitats within and adjacent and as such consideration is given to the potential impacts on these species.

- 5.87 The PEA Report also considers the presence and potential impacts on habitats for amphibians, badger, reptiles, red squirrel and establishes that there is no evidence on site of habitats suitable to support these species and as such no further survey or recommendations are made.
- 5.88 The PEA Report sets out a series of mitigation measures for habitats lost which includes the planting of native trees and shrubs within the soft landscaping scheme and the incorporation of bird boxes. The report notes that although habitats present are of low biodiversity value a relatively high number of plant species were recorded including suitable habitat for the priority species dingy skipper (butterfly species). It therefore recommends that a greater number of plant species are incorporated in the landscaping plans to ensure a diverse range of floral species are available for invertebrate species as food plants. It also recommends that species planting should be tailored towards retaining suitability for dingy skipper and other notable invertebrates.
- 5.89 The PEA Report notes that there is potentially non-invasive species on the site it advises this will be cleared as part of the infrastructure works. The report advises that the Applicants seek specialist advice on its removal. Condition 29 of the outline consent requires that should any invasive species, as identified under the Wildlife and Countryside Act 1981, be identified on-site, an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority. The protocol will detail the containment, control and removal of the invasive non-native species and the measures shall be carried out in accordance with the approved scheme. This will need to be discharged should all the invasive species not be cleared as part of previous consents.

5.90 The Council's Ecologist has considered the Preliminary Ecological Appraisal Report and impacts on protected species and habitats and has raised no objections to the proposals. The report submitted is in line with current guidance and does not raise any further concerns regarding ecological receptors. Impacts during construction can be covered by Condition 15 of the outline consent which requires a Construction Environmental Management Plan to be submitted and approved prior to commencement. On the basis of the above the proposals accord with the outline consent ES in that there have been no significant changes with respect to the habitats or species within the site and as such ecological impacts remain as originally envisaged.

Biodiversity Enhancement

- 5.91 With respect to biodiversity enhancement, Condition 30 of the outline consent 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. It advises that these will include bat roost, bee bricks and bird nesting features within new buildings and structures, native species-rich landscaping and incorporation of 'open mosaic habitat' including green/brown biodiverse roofs.
- 5.92 The application is supported by a BEMP which sets out the proposed biodiversity enhancement measures which includes tree and pole mounted bat and bird boxes and an insect hotel, indicative locations for these are provided with precise locations to be agreed once the lighting strategy has been finalised. The Preliminary Ecology Appraisal also sets out measures of biodiversity enhancement which can be incorporated into the site which include the planting of native species including plants/shrubs to provide year round food to provide foraging for birds, bats and insects. A green biodiverse roof will have the benefit of providing planting areas which are particularly favourable with invertebrates, provided that a diverse range of native wildflower is provided. As well as planting it recommends that pebbles or substrate be provided to allow invertebrates to bask. Deadwood or logs or artificial refugia features are also recommended. Wildflower together with birds-foot trefoil is recommended as particular importance for a range of invertebrate species. Key floral species recommended are: birds-foot trefoil, red clover, red fescue, yarrow, betony and horseshow vetch.
- 5.93 The Council's Ecologist and Landscape Architect have reviewed the soft landscaping scheme proposed and have made some recommendations

on plant species, noting the final scheme will be discharged through Condition 24 of the outline consent. The Council's Ecologist expressed concern that the siting of the bat and bird boxes are to be installed in areas which will receive high footfall and high light levels, and there were concerns that these features are unlikely to be used by wildlife and are likely to be damaged or removed. The Applicants responded to advise that whilst it is recognised that external lighting could negatively impact the success of pole mounted habitat boxes, they have identified locations within Cinder Snicket (a secondary route) where they could be located. The Council's Ecologist and Officers accept this approach and agree that further details could be secured by conditions, in a similar way to the approach taken at The Square.

Landscape and Ecological Management Plan (LEMP)

- 5.94 In line with Condition 31 of the outline consent, the application is supported by a Landscape and Ecological Management Plan which sets out the intentions for habitat creation including the variety of tree and plant species intended to be incorporated into the scheme, together with a regime for how these habitats would be managed. The contents of this report are noted and no objections have been raised by the Council's Ecologist.
- 5.95 With respect to the impacts on habitats and species and securing biodiversity net gain the proposals are considered acceptable, given the limitations of the site in terms of external areas available for soft landscaping. The proposals align with the ES and no new impacts have been identified.

FLOOD RISK AND DRAINAGE

Relevant Policies

- 5.96 Section 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraphs 165 to 175 set out the approach to assessing flood risk and drainage. Paragraph 175 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
- 5.97 Policy ENV5 of the Draft Local Plan sets out the approach to achieving sustainable drainage.

Assessment

Flooding

- 5.98 The application site is located within flood zone 1 and as such is at low probability of flooding. Flood risk matters relating to the wider site were addressed as part of the outline consent and as such no further assessment is required.

Drainage

- 5.99 At outline approval 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 (73 to 82) were attached at outline stage which require formal discharge prior to commencement.
- 5.100 The application confirms that the drainage system has been designed to ensure there is no on site or off site flooding, it explains that the site has been carefully graded to facilitate natural drainage away from the building during heavy rainfall events and the rainwater harvesting tank proposed is sized to handle expected rainwater volume from the roof. An overflow is positioned to connect to the surface water drainage network below ground in events of heavy rainfall.
- 5.101 The site falls within two drainage catchment areas one discharging to Yorkshire Water Surface Water Sewer and the other to Holgate Beck, the surface water drainage networks are being delivered as part of the approved infrastructure works and associated discharge of conditions applications. The submitted Drainage Strategy confirms that peak flows will be limited using viable SuDs features including rainwater harvesting, green roofs, tree pit drainage, attenuation storage tanks, linear raingardens and proprietary treatment systems which will improve water quality before surface water leaves the site. The Drainage Strategy sets out how each of the measures would be maintained and operated accordingly. The submitted Drainage Strategy also confirms that foul water would be discharged to a foul manhole on Cinder Street.
- 5.102 The Council's Flood Risk Management Team have commented on the application and have raised no objections, noting that further drainage details will need to be submitted through relevant discharge of condition applications.

5.103 Yorkshire Water have been consulted on the proposals and have raised no objections to the surface or foul water drainage proposals.

5.104 Having had regard to the consultation responses from the relevant Drainage Bodies, the Council 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 outline consent ES.

ENVIRONMENTAL PROTECTION

Air Quality

Relevant Policies

5.105 Paragraph 192 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.

Assessment

5.106 The outline consent Environmental Statement confirmed that taking into account 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 of the outline consent 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 outline consent Environmental Statement 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.

5.107 Condition 53 attached to the outline consent requires 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 with each reserved matters application requiring a statement to cover the specific measures which will be implemented.

5.108 The Applicants have provided a Plot Specific Emissions Mitigation Statement. This states that a number of design measures have been incorporated to reduce pedestrian exposure to emissions including provision of a roof terrace with planting, pedestrian footways separated from road traffic, inclusion of street trees and outdoor café seating separated from Cinder Street through raised planting beds. With respect to encouraging low emission vehicles two parking spaces on site would be provided with rapid electric vehicle charging points as required by Condition 52 of the outline consent and 23 chargers would be provided for electric bicycles. Sustainable transport options would also be encouraged and measures to encourage this are set out. With respect to building emissions the report states that there would be a 44% improvement of building emission rate compared to the target emission rate, the building is designed with low and zero carbon measures compliant with BREEAM to achieve an outstanding rating, an EPC A rating is targeted and a combination of air source heat pumps and photovoltaics would reduce energy demand.

5.109 The Council's Public Protection Team have confirmed that the design measures, building emissions, measures to encourage modal shift to walking/cycling and traffic management outlined are all acceptable and no off-site mitigation is proposed. The proposals therefore accord with the requirements of Condition 53. The Public Protection Team have requested a condition relating to electric vehicle charging, however this is already required as part of Condition 52 of the outline consent and this would need to be discharged accordingly. The proposals as presented therefore do not give rise to any additional impacts beyond those set out in the outline consent Environmental Statement and accord with relevant policies.

Noise and Vibration

Relevant Policies

5.110 Paragraph 191 of the NPPF states that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life. 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.

Assessment

5.111 Condition 64 of the outline consent requires that details of all machinery, plant and equipment to be installed at non-residential properties which is audible outside those premises shall be submitted for approval prior to installation. The Council's Public Protection Officer is therefore satisfied that there are sufficient controls in place with respect to noise as this condition would need to be discharged accordingly. A site specific Construction Environment Management Plan is required as part of outline consent Condition 15 and this will require discharge prior to commencement. This is accepted by the Council's Public Protection Officer. The proposals align with the outline consent Environmental Statement and comply with policy with respect to noise and vibration.

Contamination

Relevant Policies

5.112 Paragraph 189 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.

Assessment

5.113 Whilst a contamination assessment is required pre-commencement as part of Condition 55 of the outline consent, this application is accompanied by a Ground Investigation Report which concludes that the site is suitable for the proposed use. The Council's Public Protection Officer accepts this, however notes that conditions within the outline consent (Conditions 55 to 57) require a full investigation to be undertaken and therefore no further conditions need to be imposed as it

is expected that the outline conditions would be discharged in due course.

- 5.114 Following the implementation of mitigation there will be no new or different construction effects than were reported in the outline consent ES and as a result the conclusions remain valid. The proposals therefore accord with policy with respect to contamination.

Light Pollution

Relevant Policies

- 5.115 Paragraph 191 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.

Assessment

- 5.116 Condition 22 of the outline consent requires that a lighting strategy be submitted with any reserved matters application. The proposed lighting strategy is set out within the submitted Design and Access Statement which states that the design utilises layers of light to help create a balanced night time environment, amenity lighting to provide safe and secure environments, accent lighting to reinforce wayfinding and provide architectural definition and feature lighting to add character. The lighting strategy takes into account various factors including legibility and wayfinding, sustainability and ecology. The report also considers the approach to lighting with regard to the lighting proposed within The Square and the public realm and road lighting provided as part of the York Central infrastructure works.
- 5.117 The Council's Public Protection Team have noted the submission details with respect to lighting and advise that a lighting condition should be attached to ensure that the final lighting details can be considered further, particularly with respect to any impacts on amenity. The proposals accord with the outline consent ES which accepted any impacts subject to mitigation. The proposals are therefore in accordance with the outline consent ES and accord with national and local policies.

Wind Comfort

5.118 Condition 21 of the outline consent requires reserved matters applications to include an assessment of wind conditions. The application is accompanied by a Wind Assessment which considers the impacts from wind with only the proposed building in place and then within the context of York Central being complete. The outcomes of the assessment have informed the external landscaping design and outdoor seating areas. It is anticipated that the trees and planting proposed as part of the external landscape design will help improve pedestrian comfort conditions by decelerating the wind under the canopy. The extrusions on the facades of the building, compared to a flush façade will also assist in decreasing wind speeds. The report confirms that the proposals meet the required comfort criteria for pedestrians and confirms the findings of the wind assessment are in line with the outline consent Environmental Statement.

Overshadowing

5.119 Condition 20 of the outline consent requires a daylight and sunlight assessment for existing and proposed residential dwellings. The submitted Daylight and Sunlight Assessment considers the impact on existing residential properties through overshadowing. It confirms that the closest residential properties on Bishopfield Drive are located 163m to the north-west and therefore they should be unaffected by the proposed building through overshadowing due to the separation distance. This is accepted and the proposals should therefore not give rise to detrimental impacts with respect to overshadowing existing residential properties.

5.120 With respect to light levels within the proposed Government Hub itself, the assessment shows that adjacent plots will impact on daylight performance once developed and this has been taken into account within the internal layout of the building. Similarly the building of Plot F1a has potential to overshadow plot D, Plot F1b and Plot F2 however it is accepted that this is inevitable given the approved design parameters of the site.

5.121 With respect to all environmental impacts identified above the proposals are acceptable and there are no further impacts beyond those identified within the outline consent ES.

SOCIO ECONOMIC FACTORS

Relevant Policies

- 5.122 The NPPF Paragraph 85 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Assessment

- 5.123 The proposed Government Hub supports the Government's drive to increase job opportunities for local people in York. Together with the consolidation of existing Government departments in York and new roles coming into the area, the proposed Hub is providing accommodation capable of hosting multiple Government departments. The indicative space requirements comprise 2,600 full time employees and the Hub is expected to operate with a maximum occupancy between 1,100 and 1,350 people at any given time.
- 5.124 The Applicants consider the proposed Government Hub would be an anchor for wider development. Public investment in the infrastructure and the Government Property Agency's interest in building a Government Hub mean that parts of the York Central Masterplan, such as The Square, would be delivered earlier than anticipated. The development of the infrastructure works and the Commercial Quarter will enable the subsequent development of residential properties and finance the provision of new connections between York Central and the neighbours that surround it. Enhanced connectivity is linked to economic uplift. The Council's Economic Development Team support the proposals recognising that the development is a key enabler in growing the city's economy and contributing to the delivery of the York Economic Strategy. Officers support the economic benefits the scheme will bring to the City.
- 5.125 Condition 54 of the outline consent requires that prior to commencement a detailed employment, skills and training method statement be submitted and approved in order to maximise local employment and training opportunities. This should outline opportunities for unemployed York residents in the construction phases, target on site work experience for apprenticeship opportunities for York residents, detail how the Developer and Contractors will co-ordinate with the Council, Job Centre Plus and other Partners to develop a partnership approach to pre-recruitment and work placement, detail how the

Developer will work with end users to offer employment and training opportunities and set out initiatives to build community linkages in priority areas such as curriculum development activities with local schools. Through this it ensures that the proposals maximise opportunities for local employment which in turn benefit the local economy.

5.126 Overall with respect to the impacts on the economy Officers support the scheme in terms of the contributions it will make to the local economy both during the construction period and in the long term once the building is occupied.

PUBLIC SECTOR EQUALITY DUTY

5.127 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.

5.128 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.

5.129 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.

5.130 The Applicants have given regard to equalities within the design and

have submitted an Accessibility Note setting out their approach. The Applicants have liaised with the Council's Highways and Access Officers who have assessed the scheme and advised of the potential impacts on those with protected characteristics. The Council have therefore given due regard to the equality implications of the proposals in making this recommendation.

6.0 CONCLUSION

- 6.1 The principle of development of the site for an office building with ancillary retail as part of the York Central development was approved at outline stage and the reserved matters application aligns with the parameter plans and Design Guide approved through Conditions 6 and 7 of the outline consent.
- 6.2 In terms of all design aspects, the proposed building accords with the design parameters set out at outline approval stage and offers a good design quality benchmark which should positively contribute to the townscape of York Central and the wider city. Material samples will come forward through the discharge of Condition 16 of the outline consent.
- 6.3 The proposals would have a less than substantial impact on the setting of heritage assets, however the harm is significantly outweighed by the public benefits arising from its contribution to the economy together with the social and environmental benefits the proposals will bring not only to the City of York but also as a cornerstone of the York Central development.
- 6.4 In terms of highway impacts the layout and access is acceptable in highway terms. It is acknowledged that the development being zero parking, except for blue badge spaces with greater reliance on sustainable transport modes is a shift from what was anticipated at outline approval stage. However, it is accepted in principle on the basis that discharge of conditions on the outline consent, particularly with respect to a Full Travel Plan being submitted can further address any concerns regarding parking and travel behaviours.
- 6.5 Impacts on habitats and ecology have been appropriately assessed and any outstanding matters addressed by condition on the outline consent.
- 6.6 There are no additional impacts identified with respect to drainage and flooding and it is noted that conditions attached on the outline consent

would need to be discharged.

- 6.7 The proposals are in accordance with the outline consent 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.
- 6.8 The proposals have been assessed in liaison with the Council's Highways Officers and Access Officer, taking into account the Council's duties under the Public Sector Equality Duty (PSED)

7.0 RECOMMENDATION:

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

- To determine the final detail of the planning conditions below then APPROVE the application subject to planning conditions.

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

Location Plan with Existing Context YRK-ATK-ZZ-XX-PL-A-021201 P01

Red Line Boundary Plan YC-RMA04 001

Block Plan and General Arrangement Roof Level YRK2-ATK-ZZ-R1-PL-A-011205 P01

General Arrangement Ground and First Floor Level YRK2-ATK-ZZ-00-PL-A-011201 P03

General Arrangement Second and Third Floor Level YRK2-ATK-ZZ-02-PL-A-011202 P01

General Arrangement Fourth and Fifth Floor Level YRK2-ATK-ZZ-04-PL-A-011203 P01

General Arrangement Sixth and Basement Floor Level YRK2-ATK-ZZ-06-PL-A-011204 P01

Proposed North and South Elevations YRK2-ATK-MB-XX-PL-A-012201 P03

Proposed East and West Elevations YRK-ATK-ZZ-XX-PL-A-012202 P01

Site Elevations YRK2-ATK-ZZ-XX-PL-A-023201 P03

Proposed Entrance Study YRK2-ATK-ZZ-00-PL-A-012203 P01

Proposed Colonnade Bay Study YRK2-ATK-ZZ-00-PL-A-012204 P01

Proposed FOH Bay Study (North) YRK2-ATK-ZZ-00-PL-A-012205 P01

Proposed FOH Bay Study (South) YRK2-ATK-ZZ-00-PL-A-012206 P01

Proposed BOH Bay Study YRK2-ATK-ZZ-00-PL-A-012207 P01

Proposed Typical Bay Study YRK2-ATK-ZZ-XX-PL-A-012208 P01
Proposed Terrace Bay Study YRK2-ATK-ZZ-05-PL-A-012209 P01
Proposed Façade Top YRK2-ATK-ZZ-05-PL-A-012210 P01
Proposed Façade Details YRK2-ATK-ZZ-ZZ-PL-AR-012211 P01
General Arrangement Sections YRK2-ATK-ZZ-XX-PL-A-013201 P01
Landscape Layout General Arrangement BHA_23_1010_L_001 Rev L
Hardworks Layout BHA_23_1010_L_002 Rev L
Indicative Levels BHA_23_1010_L_004 Rev G

Reason: For the avoidance of doubt.

2. Notwithstanding the soft landscaping shown on Landscape Layout Planting Plan BHA_23_1010_L_003 Rev H, the final plant species shall be determined through the discharge of Condition 24 of outline consent 18/01884/OUTM.

Reason: To ensure that the final soft landscape scheme provides an appropriate level of plant species, including native species to support priority wildlife species and biodiversity.

3. Prior to the commencement of construction above ground level details of the layout, design and type of cycle storage for both internal cycle parking areas and external cycle parking areas shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be brought into use until the cycle parking areas have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles throughout the lifetime of the development.

Reason: To promote use of cycles by both staff and visitors in the interests of sustainable travel.

4. Details of the height, type, position, angle and spread of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby permitted being brought into use. The external lighting shall be erected and maintained in accordance with the approved details to minimise light spillage and glare outside the designated area.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area and in the interests of designing out crime and ecology so as to ensure that lighting will not be mounted

where it would directly impact on bat boxes, bird boxes or surrounding tree cover.

5. A programme of post-determination archaeological evaluation is required on this site. The archaeological scheme comprises 3-4 stages of work. Each stage shall be completed and agreed by the Local Planning Authority (LPA) before it can be approved.

- A) The site investigation and post-investigation assessment shall be completed in accordance with the programme set out in the F1 RMA ARMP v1 (in discussion with the City Archaeologist) 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 ARMP.
- B) A copy of a written 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.
- 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 update to the ARMP. It should be understood that there shall be presumption in favour of preservation in-situ wherever feasible.
- D) No development in the southern part of the site 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.

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

Reason: The site lies within an Area of Archaeological Importance. 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.

6. Prior to occupation of the office building the 16 blue badge spaces shall be laid out in accordance with the details as shown on the Landscape Layout General Arrangement Plan referenced BHA_23_1010_L_001 Rev L and made available for use by occupiers of the office building. The precise number of blue badge spaces being used shall be recorded daily for a continuous 12 month period commencing from the date the building is fully occupied. The Local Planning Authority will be notified of the occupation date in writing within one month from full occupation. At the end of the 12 month recording period the results shall be submitted to the Local Planning Authority. If it can be demonstrated that a reduced level of blue badge parking would be sufficient to cater for all occupiers of the building, the Council will confirm in writing the number of blue badge spaces that can be removed. The development shall thereafter retain the approved number of blue badge parking spaces as so confirmed by the Council for the lifetime of the development.

Reason: To ensure that the level of blue badge parking is appropriate for the end use.

7. The development shall be undertaken in accordance with the recommendations and mitigation set out in Preliminary Ecological Appraisal dated November 2023 and the measures set out within the Biodiversity Enhancement Management Plan dated October 2023 by Pell Frischmann, unless otherwise first 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 to the Council for approval in writing 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.

7.0 INFORMATIVES:

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:

Worked with the Applicant during the course of the application to seek clarity and amendments where necessary in order to ensure that the overall layout and design was satisfactory and accords with the design parameters established at outline stage.

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