



Notice of a public meeting of Planning Committee

To: Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre,

B Burton, J Burton, Clarke, Cullwick, Melly, Steward,

Watson and Whitcroft

Date: Thursday, 9 October 2025

Time: 4.30 pm

Venue: West Offices - Station Rise, York YO1 6GA

AGENDA

1. Apologies for Absence

To receive and note apologies for absence.

2. Declarations of Interest

(Pages 7 - 8)

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

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

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

3. Minutes (Pages 9 - 26)

To approve and sign the minutes of the Planning Committee A meeting held on 19 June 2025 and Planning Committee B meeting held on 9 September 2025.

4. Public Participation

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

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at meetings. The deadline for registering at this meeting is 5:00pm on Tuesday 7 October 2025.

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

Webcasting of Public Meetings

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5. Plans List

This item invites Members to determine the following planning applications:

a) Site to the West of the A1237 and South of (Pages 27 - 92)North Lane, Huntington, York[23/02257/REMM]

Reserved matters application for appearance, landscaping, layout and scale of 314 houses ('Redrow Northern' Phase 1A and 1B) pursuant to outline planning permission 18/00017/OUTM. [Huntington and New Earswick Ward]

b) Spark York, Piccadilly, York [25/01151/FUL] (Pages 93 - 116)

Continued use of multi-unit mixed-use development, including commercial, business and service uses (Class E), food and drinking establishments and multi-purpose event space (Sui Generis) for a temporary period of 5 years (until September 30 2030). [Guildhall Ward]

6. Urgent Business

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

Democracy Officer:

Contact details:

Angela Bielby

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

(Urdu) یه معلومات آب کی اپنی زبان (بولی)میں ہی مہیا کی جاسکتی بیں-



Declarations of Interest – guidance for Members

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

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

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

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

City of York Council	Committee Minutes
Meeting	Planning Committee A
Date	19 June 2025
Present	Councillors Crawshaw (Chair), Ayre, J Burton, Coles (Substitute), Cullwick, Melly, Steward, Whitcroft, Merrett (Substitute), Orrell (Substitute) and Vassie (Substitute)
In Attendance	Sandra Branigan – Senior Lawyer Becky Eades – Head of Planning and Development Lindsay Jenkins – Senior Planning Officer lan Stokes - Principal Development Control Engineer (Planning)

The Chair reminded the Committee that application needed to be considered against the Local Plan.

7. Apologies for Absence (4:30pm)

Apologies for absence were received and noted for Cllrs Fisher, Ben Burton and Clarke.

8. Declarations of Interest (4:36pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. Cllr Coles noted her paid role as Deputy Mayor for Policing, Fire and Crime which was responsible for enforcing speed limits. Cllr Melly noted she that she undertook a small amount of freelance work for an organisation that had previously put in an objection to a previous application and that that objection was no longer relevant. Cllr Merrett noted that he sat on a Board that advised Yorkshire Water. Cllr Steward noted that he knew Tony Richardson and Cllr Gates.

9. Minutes (4:38pm)

Resolved: That the minutes of the last meeting held on 19 May 2025 were approved as a correct record.

10. Public Participation (4:38pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee A.

Election of Vice Chair

Due to apologies from Cllr Fisher (Vice Chair), Cllr Cullwick was elected as Vice Chair for the meeting.

11. Plans List (4:39pm)

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

Members considered an application from Mr L Tate and Mr M Elliot for the major Outline application with all matters reserved except for access for up to 700 dwellings (Class C3 with a potential element of C2 for older persons accommodation), self build plots, provision of open space including informal sports pitches and allotments, flood storage measures, Gypsy and Traveller pitch provision, early years nursery (Class E), landscaping and associated infrastructure (revised description) at Land to the South of Rose Cottage Farm and The Lodge, Moor Lane, Haxby, York.

The Head of Planning and Development gave a presentation on the application. The Senior Planning Officer gave an update noting that an additional representation had been received from the Public Rights of Way (PRoW) team requesting a developer contribution. She noted the officer response to the request and additional neighbour representations. She noted an amendment to condition 7 and updates to paragraphs 5.115 and 6.4. She detailed updates to the plans and the updated recommendation. She noted that additional information had been submitted by the applicant, requesting changes to a number of conditions. She detailed the officer response to the requests and suggested amendments to conditions. She was asked and noted the PRoW request for a developer contribution.

[The Chair paused the meeting from 4.55pm until 5.15pm to allow Members to read the committee update].

Public Speakers

Former Cllr Tony Richardson spoke in objection to the application and explained he took part in the Local Plan consultations. He noted that an area of land was missing from the application and he asked for a document to be circulated around the Committee, which was not allowed by the Chair. He noted his concerns about highways drawings being unacceptable and concerns regarding flooding. He was asked and noted that Rose cottage was part of the application.

Cllr Fisher on behalf of Haxby Town Council, spoke in objection to the application. He noted their reasons for objecting, and where the application did not meet Local Plan policy. He noted where Haxby Town Council disagreed with City of York Council over the cemetery. He was asked and explained:

- How the site could not cope with water because of the sewage works being very old and after heavy rain the storm tanks overflowed and increased demand would exacerbate the problem.
- The application should provide a different housing balance with a reduction from 4 bedroom houses to 2-3 bedroom houses.
- Regarding the site being allocated in the Local Plan, the problem was getting the site developed in the appropriate way.
- The extension of the cemetery was essential and there were ground water problems in Haxby. The problem was getting the housing mix right and mitigations were needed.

Cllr Gates on behalf of Wigginton Parish Council, spoke in objection to the application. He noted that residents attended the Parish Council meetings and were against the development due to concerns regarding Green Belt protection, omission of the cemetery extension, detrimental impact on traffic, strain on local facilities, and impact on water and sewage. He added that Yorkshire Water had confirmed that the pumping station could not cope. He noted the loss of priority species and impact on biodiversity. He asked for the application to be refused.

In answer to Member questions Cllr Gates noted:

- When the application was first proposed it addressed the seven areas of concern.
- Regarding the demography of over 60s in the Ward and the development attracting more people of working age to the Ward, the initial purchase of homes was welcomed but the Parish Council concerns remained.

Cllr Hollyer, Ward Cllr for Haxby and Wigginton, spoke in objection to the application. He was joined by Cllrs Cuthbertson and Watson, Ward Cllrs for Haxby and Wigginton. Cllr Hollyer noted there had been hundreds of local residents' letters of objection. He detailed the concerns of residents,

the application not meeting planning policy, concerns regarding the cemetery and parking and the impact on the road network. He also noted concerns regarding moving a curb, Usher Lane access and bus provision. He asked for the application to be refused.

Cllrs Hollyer, Cuthbertson and Watson were asked and explained that:

- In the north of York there was huge amounts of traffic and two roads were currently gridlocked in the Ward. The main issue was the lack of roads joining the ring road which was not likely to go ahead.
- The current journey time from Haxby to the centre of York was 40 minutes and the development would add 15 minutes onto the journey. There was potential for the bus route to be extended to Haxby station and it would be useful to have a hopper service.
- There was sufficient provision for affordable housing.
- The community facilities assessment wasn't completed and it could have identified a need to provide sports provision.
- Having a shop would negate the need for car journeys to shops. There was a small number of shops in the village.
- The housing mix was an issue because people in the community wanted more starter homes.
- The cycling infrastructure in Haxby was woeful and a proper infrastructure for cycling was needed. The cycle routes through Haxby were explained.
- Regarding the S106 obligations mitigating health and education provision, the health centre could be extended vertically and there was limited parking. The birth rate had reduced and the three schools were full. 700 houses would make the situation worse and health services were under huge pressure.
- Regarding the inadequacy of open space provision, in the original plan the area of open space was large and there was an under provision of open space in Haxby.

Stuart Natkus, planning agent for the applicant, spoke in support of the application. He explained that the site was an allocated site in the Local Plan and was in the neighbourhood plan and complied with Local Plan policies. He explained that the extension of the cemetery was included in the planning application but was objected to by the Environment Agency. He noted that sewage could be accommodated and that it was not true that the application was reliant on the ring road. He noted that the site was 3 hectares and had more open space than required. He explained that the housing mix would be dealt with at the reserved matters stage. He added the scheme delivered 320 affordable homes and was fully policy compliant. In response to Member questions, he explained:

• The site was in the Haxby and Wigginton neighbourhood plan.

- The design of the scheme allowed a change of bus route and a contribution was provided towards a bus service.
- If 100% N4 homes was applied, if there was a condition on it, the applicant would have to deal with the condition.
- Regarding paragraphs 5.79 and 5.244 regarding the Health Impact Assessment, childcare and community facilities had been audited. Policy didn't state that an audit needed to be carried out.
- Paragraph 3.50 regarding Haxby Town Council's objections were the comments of the community.
- An audit of what facilities were in Haxby was undertaken and there were shops and community facilities in Haxby.
- Regarding minimising the development on local people, colleagues had met with Haxby Town Council and Wigginton Parish Council and had well attended sessions. The scheme mitigated impact on peoples lives. There would be a traffic management plan that the Town and Parish Councils could be involved with and the applicant was about creating good working relationships.
- Solar panels could be put on the development depending on what government policy was.
- Regarding any scope for affordable housing, the number of affordable houses was noted. It was noted that two developers on other developments delivered more affordable houses and the application was delivering more affordable houses than the S106 required. Government policy would bring in a requirement for solar panels and they would meet building regulations.
- The possible Gypsy and Traveller areas were shown in orange on the site
- There was a condition for one car club pitch.
- Regarding the split of self builds between the two housebuilders, the applicant saw the site as one site.
- The house types were linked to the strategic housing markets assessment.
- Concerning not meeting housing density on site A, the scheme was
 policy compliant with a 5% reduction in housing. There were lots of
 constraints on site and the loss of 65 dwellings was due to the size of
 the land around the open space.
- The applicant had not objected to the strategic housing markets assessment and the application was policy compliant with 30% affordable housing. The contributions to be made were noted.
- Links had been provided for pedestrians and cyclists.
- The aim of the travel plan was to reduce car journeys and the applicant did not have issues with how the £637k contribution was spent.
- There was 5 years for the scheme and within a 5 year period they would not be near to delivering 500 dwellings.

 The applicant was not in a position to make a commitment to commit to a viability review at the end of the process to ensure that maximum amount of affordable housing was delivered.

[The meeting adjourned from 6.58pm until 7.11pm].

The Head of Planning and Development Services was asked end explained what was in the scope of the outline planning application. In response to questions from Members, Officers explained that:

- If approved the phasing strategy would be negotiated with Yorkshire. It was confirmed that Yorkshire Water knew about the site allocation.
- Ther Senior Lawyer explained that there was no need to have a formal Equalities Impact Assessment and there had to be due regard to equalities issues.
- The scheme was PSED compliant.
- The Traffic Management Plan was a condition to be discharged at outline consent.

[Following a comment from a Member the Chair noted the Committee could only determine planning applications under current planning policy].

- Regarding whether rerouting the bus route could be conditioned, there
 had been discussions with colleagues in the sustainable travel team and
 the site access was not sufficiently wide enough to route a bus service
 through the site. There would be a little change in travel time for bus
 route 1A.
- The applicant had not given any evidence of meeting capacity for additional bus passengers which was why they had been asked for a contribution. The applicant had offered each dwelling a £400 travel voucher per dwelling.
- The PRoW team had asked for the kissing gates to replace the styles. It
 was noted that there may be livestock to be considered. The Head of
 Planning and Development Services undertook to check if it was
 possible to not limit to kissing gates.
- The car club contribution was for the use of the car club by the first occupants.
- The £210,000 contribution for the monitoring of travel plan by CYC was offered by the applicant.
- If there was piling below ground a noise survey would be required for the dwellings and noise control came under the management plan.
- There were other alternatives to discounted sale and the 80% affordable housing social rented and 20% discount sale tenure would still be there.
- The Environment Agency objected based on paragraph 170 of the NPPF regarding the contamination of ground water.

- The open space provision provided a number of spaces for recreational activity.
- It was not reasonable to condition the interment of ashes.

[The Chair reminded the Committee that it could only determine the application before it].

- Officers had pushed to make the site as sustainable as possible and they noted areas of improved infrastructure for walking and cycling through the site. The approach to the travel plan was explained.
- There was a number of conditions regarding the applicant considering biodiversity. The biodiversity net gain was set out in the application.
- The monitoring of the development would be dealt with through planning enforcement, which was fully staffed.
- The consultation response to sports provision was provided through Sport England.
- Regarding whether New Earswick Sports Club would bet a contribution had not yet been determined.
- Officers had made a balanced view that the education contribution was acceptable.
- There was no named neighbourhood plan.
- Officers had made a balanced view on the viability of the district centre.
- The S106 contribution would be index linked.
- The application site was one hectare less than the site allocation and the applicant had increased density levels. The application delivered 5% less density than Local Plan policy and it was noted that a number of constraints had not been picked up at the Local Plan process.
- Officers had taken the view that the application would achieve the 30% affordable housing requirement.
- The extension of time to determine the application was the end of June, if determined beyond that date, the developer could go to appeal for non determination.
- Once there was agreement from Members to approve the application, detail of the S106 agreement would be negotiated.
- There would be different levels of indexing (RPI/CPI) for different contributions.
- Regarding amended condition 32, it could be conditioned that the statement was subject to approval in writing.
- In 2023 amendments to the Local Plan added in higher affordable housing provisions.
- There was no mechanism for the final assessment for viability to see it was Local Plan compliant as there wasn't agreement from the applicant for a planning obligation for a viability assessment.

- The applicant offered a contribution equating to circa £449,000 to deliver the mitigation measures, to enable capacity to be increased at these junctions including kerb realignment. The estimate from the council's consultants (AECOM) was over £1million.
- Under a section 278 agreement the applicant could undertaker work on highways.
- The Council was the Highways Authority for adopted highways and could ask the developer to undertake highways work on highways affected by the site.
- The plans if approved matched the red line on pages 136 and 137 of the agenda pack and there was no other parcel of land associated with the site.
- The outline application was for up to 700 dwellings and it would not go over that amount at reserved matters stage.

During debate Members were advised that the 80% social rent could be put in the heads of terms. A Member asked and was advised for an amendment to condition 6 regarding physical barriers had not been requested by the Ecologist.

Cllr Steward proposed the officer recommendations as detailed in the report and committee update, an increase in car club spaces to two, kissing gates being amended to appropriate gates and a minor amendment to condition 32. This was seconded by Cllr Whitcroft. Following a vote with seven Members voting in favour, three voting against and one abstention, it was:

Resolved:

- That the application be approved with the conditions in the report and committee update, an increase in car club spaces to two, kissing gates being amended to appropriate gates and a minor amendment to condition 32, and subject to the completion of a s106 agreement
- 2. That delegated authority to be given to the Head of Planning and Development Services to:
 - a. The completion of a Section 106 Agreement to secure the following planning obligations:
 - Affordable housing provision -(30% = 210 dwellings) are to meet the NPPF definition of affordable housing.
 - Self and custom build housing provision of 35 'serviced' plots 'Serviced' to include publicly accessible road and all

services (electric, water, gas (if on the site), surface water and foul water drainage) up to the boundary of the plots.

- Gypsy and Traveller pitch provision transfer of land equating to roughly 1,350m, (0.135ha) as a maximum.
- NHS
- £566,714 to create additional floorspace at Haxby Health Centre
- Education

Primary = £2,639,630 Primary Review = £2,639,630 Secondary = £3,793,408 SEND = £1,111,028 SEND Transport = £40,500 Total = £10,224,196

- Early years on-site (50 place nursery) nursery 1,000sqm (0.1ha) of suitable and usable land and contribution for the cost of the build
- £1,609,590 contribution for the rest of the steady state yield
- Outdoor Sport (off-site)
 - £210,444
- Promotion of sustainable travel
- Upgrade to Public Rights of Way (Crooklands Lane) = £40,000

(£35,000 - Replacement Bridge and £2,500 - Kissing gates (installation of x2 two kissing gates))

- Bus service contribution = £450,000
- Travel Plan (inc monitoring) = £637,000 which includes a breakdown of:
- welcome pack (£400 cycle/public transport voucher per dwelling) - £280,000
- Car club membership £147,000
- Monitoring of travel plan by CYC £300 per dwelling £210,000
- TRO Process / speed limit amendment (Moor Lane and Usher Lane) = £12,000
- Management and maintenance of public open space

- Monitoring fee = £14,860

Reasons:

- The Council has an adopted Local Plan. The application site is allocated as a strategic housing site (ST9) to which policy SS11 relates. The southern parcel of the allocation is identified in the policies map and to which policy GI6 relates, as open space (OS9). The application boundary excludes an area to the north of Cyprus Grove, although this is within the boundary of the ST9 allocation.
- 2. The application seeks outline consent with all matters reserved except access for residential development for up to 700 dwellings. Open space, informal sports pitches, allotments and play spaces, along with a 50-place early years nursery, landscaping and drainage infrastructure will be provided within the site. During the consideration of the application, a number of changes have been made, with key areas of infrastructure changes resulting in the removal of an on-site primary school.
- 3. The applicant has now sought to provide on-site gypsy and traveller provision amounting to 3no. pitches, in line with policy H5. In addition, the applicant is now proposing an increase in the quantum of residential development of up to 700 dwellings. This is reduced from an original (circa) 800 dwellings, but an increase from 640 dwellings (December 2024 proposals). The Local Plan allocation outlines that approximately 735 dwellings are expected to be delivered. This number is reduced to 704 to take into account the smaller application site than the Local Plan allocation. Alongside these changes, the density has also been increased, and whilst not complying with the required 40dph, 38dph is an improvement on the previous proposals, and the proposed development, on balance, would make optimal use of the potential of the site.
- 4. Highways matters, particularly in respect of public transport provision has now been addressed, with a bus service contribution agreed to provide additional frequency (half hour service) and capacity on a bus service that would be re-routed and looped into the site, allowing at least 85% of the dwellings being within 400m of a bus route, ensuring that the modal split targets outlined in the applicant's Travel Plan are much more achievable, whilst also aligning with the Council's aspirations and policies in respect of sustainable travel. Further, the

proposals would optimise pedestrian and cycling integration, connection and accessibility in and out of the site, encouraging more active forms of transport to enable prospective residents to access the range of facilities and services located in Haxby town centre and beyond to York city centre and beyond. A commitment (through a s278 condition) to undertaking off-site highway works to improve the capacity of the four junctions of the A1237 with result in the proposal having neither an unacceptable impact on highway safety nor a cumulative impact on the highway network. There will be further enhancements to the public right of way, that runs through the site (north to south).

- 5. Updates and clarification have been provided in respect of ecology and landscaping and the proposals have considered and would reflect local character and the existing framework or field patterns and hedges/trees. There is the provision of open space to the south of the site, which will provide facilities in the form of allotments and paying pitch along with informal amenity greenspace and play provision throughout the site. The SANG footpath is a key element to the proposals and is required in order to mitigate the impact to Strensall Common SAC.
- 6. The approach to education provision has been revisited during the assessment of the application, arising from the variation in the number of dwellings. The provision of an on-site primary school has been agreed to be less viable in the long-term. Whilst the yields for the development justify a request to expand primary provision the approach that secures developer contributions for education infrastructure via \$106 legal agreement, is agreed. Early years provision is also accounted for, with an on-site nursery to be delivered and financial contribution for the rest of the steady state yield is also agreed.
- 7. Overall, and on balance, it is demonstrated that the proposal would achieve sustainable development in providing housing, supporting strong and healthy communities whilst making efficient use of land and enhancing the natural environment. As detailed above, the proposals, are broadly in line with the relevant Local Plan policies, particularly SS11, DP2, SS1, GI6 and H3.
- 8. Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and in this context, this means approving development proposals that

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accord with an up-to-date development plan without delay. Approval is recommended subject to the completion of a S106 agreement and the imposition of conditions.

Cllr J Crawshaw, Chair [The meeting started at 4.30pm and finished at 9.41pm].

City of York Council	Committee Minutes
Meeting	Planning Committee B
Date	9 September 2025
Present	Councillors Merrett (Chair), Cullwick (Vice- Chair), Moroney, Orrell, Vassie, Warters, Wilson, Widdowson (Substitute) and Melly (Substitute)
Apologies	Councillors Fenton and Nelson
Officers Present	Gareth Arnold, Development Manager Jodi Ingram, Lawyer

17. Apologies for Absence (4.30 pm)

Apologies were received and noted from Cllrs Fenton and Nelson. Cllr Fenton was substituted by Cllr Widdowson and Cllr Nelson was substituted by Cllr Melly.

18. Declarations of Interest (4.32 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

In relation to Item 5a, St Olaves School, Cllr Moroney noted, for transparency, that he had relatives who attended St Olaves.

19. Minutes (4.33 pm)

Resolved: That the minutes of the last meeting held on 15 July 2025 were approved as a correct record, subject to a correction to the text at minute 15, paragraph 11, where it should have said 'Following debate, the Chair **formally** proposed the officer recommendation to **refuse** the application.'

20. Public Participation (4.34 pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

21. Plans List (4.35 pm)

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

22. St Olaves School, Queen Annes Road, York, YO30 7AA [24/00703/FUL] (4.35 pm)

Members considered a full application by St Peters School for the erection of 8 no. 15metre-high sports flood light columns.

The Development Manager gave a presentation on the plans and provided an update which contained a revision to planning condition six, the lighting design, and also removed informative two.

In response to questions from members, he confirmed the picture included in the lighting assessment was a visualisation provided by the applicant. He explained that the lighting design must conform to the guidance note contained in the update and the informative had been removed as the regulations did not apply to proposals below 25 square metres; the calculation had been provided by the agent for the applicant. The location of the tree line planting was also confirmed to members.

Public Speaker

Jeremy Walker, the applicant and Headmaster of St Peter's School, explained that the floodlights would provide more opportunities for students of the school and members of the public to take part in sport, noting that it would also reduce the number of coach journeys currently undertaken, thus reducing traffic in the area. He stated that there had been no complaints regarding the existing temporary flood lights and that they were keen to make the ecological improvements to the site with the tree planting.

In response to questions from members, he confirmed that they had not received any complaints in relation to the flood lights or related generators. His associates confirmed that onsite parking was available for those members of the public using the pitches and the hours of use had been agreed up to 8pm. They also explained that the new lights would be 15m tall, to reduce light spill and meet the requirements of hockey's national governing body.

Following debate, Cllr Warters proposed the officer recommendation to approve the application, subject to the tabled amendment to condition six

and the deletion of informative two as outlined in the update. Also, a variation to condition five was required to specify that the bat boxes were sited on existing trees with the trigger point for this to be delegated to the Development Manager. Condition two also required amendment to include reference to the floodlighting plan and the floodlight elevation plan. The Chair seconded the proposal. On being put to a vote, members voted unanimously in favour, and it was:

Resolved: That the application be approved, subject to the

amendments outlined above.

Reason:

The proposal would provide sport and curriculum benefits to students of the school in line with Policy HW3 of the Local Plan enabling students and visiting teams to play hockey into the early evening as part of the school curriculum and as part of local leagues. The proposal would also potentially free-up pitch use at other sites currently used by St Peters School which is of minor benefit. There is not considered to be any harmful impacts on the setting of the conservation area or the listed buildings within the school estate. Regard has been given to the withdrawal of the proposed floodlights when originally considered in 2008, however there is no written appraisal of the harm that they identified by the then Conservation Officer. The current application is accompanied by a Heritage Impact Assessment. The floodlights would introduce 15m high engineered columns into the area of the school estate which is a sensitive location forming part of the landscaped river corridor of the River Ouse flood plain which is characterised by its sense of openness. The location is adjacent to existing school buildings, and the existing pitch and fencing has an engineered appearance. The lighting is designed to be limited to the pitch to limit light spill and skyglow. On balance whilst there would be some harm to the landscape character of the River Ouse corridor and erosion of the open character of the site, the impact of the floodlights would not be so harmful as to justify the refusal of the application.

Other matters including ecology, impact on residential amenity and highways and access are considered to be acceptable and where necessary mitigated by recommended planning conditions.

23. Hemplands Kids Club, Burnholme Youth Centre, Bad Bargain Lane, York, YO31 0LW [25/01168/GRG3] (5.15 pm)

Members considered a general regulations (Reg3) application by City of York Council for the erection of a boundary fence of 2.4 metres high.

The Development Manager gave a presentation on the plans and confirmed that there was no update to the officer's report.

Public Speaker

Jon Webb, a resident, spoke in objection to the application stating that the space at the entrance of the kids' club was not an appropriate space for dropping off and collecting children, the position of the space did not allow for a safe route for the children to the car or the building. The clash of closing time for both the football and kids' club meant that there were often cars parked on the pavement at 6pm, this was likely to worsen once Burnholme Green housing development was fully occupied. He also stated that the fence was out of keeping with the area.

In response to questions from Members, he explained that it would not be safe for children to have to squeeze past parked vehicles to exit on to a busy road.

For member's benefit, the Development Manager showed the pedestrian gate on the plans. Following a discussion on the siting of the pedestrian gate, and the location of the fence, he confirmed that the decision on the application, following a discussion with the applicant, could be delegated to officers, in consultation with the Chair and Vice-Chair, under delegated powers.

Cllr Warters moved that the formal decision on the application should be delegated to officers, in consultation with the Chair and Vice-Chair, with the view to achieving a safer location of the pedestrian entrance and situating the fence behind the existing hedge. This was seconded by the Chair.

Members voted unanimously in favour of this proposal, and it was therefore:

Resolved: That the application be approved in principle, with the

decision delegated to the Development Manager, in consultation with the Chair and Vice-Chair, for the

reasons outlined above.

Reason: The proposal would have an acceptable impact on visual

amenity and highway safety. The proposed scheme complies with The City of York Local Plan, and The

National Planning Policy Framework.

As the meeting came to a close, the Chair took the opportunity to thank members of the committee for their service, noting that the committee was unlikely to be meeting again, following proposals to be voted on at the next meeting of full council.

Cllr D Merrett, Chair [The meeting started at 4.30 pm and finished at 5.35 pm].

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COMMITTEE REPORT

Date: Ward: Huntington/New

Earswick

Team: East Area Parish: Huntington Parish

Council

Reference: 23/02257/REMM

Application at: Site To The West Of The A1237 And South Of North Lane

Huntington York

For: Reserved matters application for appearance, landscaping,

layout and scale of 314 houses ('Redrow Northern' Phase 1A

and 1B) pursuant to outline planning permission

18/00017/OUTM.

By: Redrow Homes Limited

Application Type: Major Reserved Matters Application

Target Date: 5 November 2025

Recommendation: Approve

1.0 PROPOSAL

Application site

1.1 The wider site relating to the outline consent relates to two parcels of land on either side of the Monks Cross Link Road (MCLR). The western parcel of land is for the built development with the eastern parcel proposed for the creation of a country park and drainage infrastructure. To the north, the site abuts North Lane although the commercial workshop at First Place is excluded from the outline consent site. Within the western parcel of land, this reserved matters application relates to an area encompassing the northwestern corner, which bounds the Monks Cross Link Road (MCLR) and its new northern roundabout to the east, as well as North Lane to the north.

The approved outline consent

- 1.2 Outline planning permission for residential development of the site was granted at appeal (and subsequently recovered for the Secretary of State's determination) (Ref: 18/00017/OUTM details provided in the planning history section of this report).
- 1.3 The application is supported by a S106 agreement secured at the outline permission stage which covers the following matters:
- affordable housing
- education Plan 'A' or Plan 'B' (early years/nursery and secondary education contribution and transfer of land on the site for a primary school)
- highways and sustainable transport (including bus service contribution, travel plan contribution, off-site highways mitigation measures contribution)
- on site public open space and landscape management scheme (including sports pitches, play areas, amenity open space and country park)
- contribution for Gypsy and Traveller pitch provision
- 1.4 The approved outline permission secured the following parameters which this reserved matter application shall adhere to:
- delivery of up to 970 dwellings (across the whole application site) (including appropriate provision of self and custom build housing and affordable housing)
- design principles of a garden village
- building heights shall not exceed 12m and shall be in general conformity with the Building Heights Parameter Plan (Ref: PL1377-VW-016-2 Issue 04)
- community facilities and social infrastructure including retail provision
- playing pitches and amenity open space
- provision of country park to avoid increased use of Strensall Common for recreation (dog-walkers) – referred to as SANG – Suitable Alternative Natural Greenspace

Reserved Matters - Proposals

- 1.5 This application is for reserved matters (siting, design, external appearance and landscaping) seeking permission for 314 dwellings including 8no. self build dwellings, pursuant to outline consent (with the proposed means of access) (18/00017/OUTM), which was for residential development (up to 970 dwellings) and associated infrastructure.
- 1.6 This reserved matter application relates to the area of land in the northeastern corner (coloured 'purple' on the planning submission documents). To distinguish it from other reserved matters/development areas, it is referred to as 'Redrow Northern Phases 1A and 1B'.

- 1.7 It has been agreed that Redrow will also develop the central southern areas (identified as Phases 3A and 3B), although reserved matters have not been forthcoming for these areas to date. The central southern areas will contain the community hub/retail and Neighbourhood Equipped Area for Play (NEAP). Bellway are the appointed second developers, who have submitted two reserved matters applications relating to the central north (3C) area as well as the southern areas (2A and 2B); these applications are currently pending consideration. There is a fifth area referred to as northern 1C, and the developer and the timeframe for the reserved matters relating to this area is uncertain.
- 1.8 Access to the residential development will be taken from new access off North Lane and the new northern roundabout off Monks Cross Link Road, both of which were approved in detail as part of the outline consent and for the avoidance of doubt are not for review as part of this reserved matters application.
- 1.9 The application was originally submitted in December 2023; however, discussions and negotiations have been undertaken with the developers in respect to the reserved matter proposals during this period. Additionally, during this period, discussions were also undertaken in respect to the agreement (discharge) of the Development Framework Document and Masterplan, which sets the location for infrastructure and key principles that the development should follow.
- 1.10 It is noted that during this period, there have been policy changes including an updated National Planning Policy Framework (NPPF) (December 2024) as well as the adoption of the Local Plan (27 February 2025), which the revised proposals have taken account of.
- 1.11 Following significant discussions and negotiations, the application has been amended since its initial submission, with the main matters concerning a reduction in the number of dwellings proposed in this reserved matter application. This phase of the development will provide 314 dwellings, which is reduced from 323 dwellings. There have also been amendments to the layout and internal access arrangements, housing schedule including affordable housing provision and landscaping.
- 1.12 Specifically, those amendments include the increase in the size of the greenway which splits the northern parcel in two and runs north to south and incorporates an additional Local Area of Play (LAP) to the southern end of the parcel. The quantum of trees along the street frontages have been increased to break up where the built form was previously a prominent feature and to help accord with the NPPF (para 136) which sets out that planning decisions should ensure that new streets are street-lined. A further change is that the pathways and crossing have been updated so that they are Local Transport Note 1/20 (LTN1/20) compliant along with appropriate cycle infrastructure. The provision of apartments has also been reduced. The original proposals sought two apartment blocks within the northeastern corner of the site, both providing affordable accommodation. The

revised layout now provides only one affordable apartment block (providing 6 x 2-bed flats) along with cycle and bin stores. The apartment block has been replaced with two rows of terraces, still providing affordable housing.

- 1.13 There is a Yorkshire Water (YW) easement in the northeastern corner of the site, and following consultation response from YW the site layout has been updated with all LAP (Local Areas of Play) features and trees removed from this easement strip.
- 1.14 One of the features of this northern parcel is the provision of the central greenway which shall run north to south through the site and provided a range of landscape typologies and play areas. Different types of grassland will provide benefits to local wildlife, improving biodiversity within the site and adding seasonal interest. Within the greenway, there will be 2no. Local Area of Play (LAP) positioned at the northern and southern ends of the greenway with a Local Equipped Area of Play (LEAP) positioned more centrally. The central greenway also helps to act as a modal filter, as it prohibits vehicular traffic movement from the North Lane access crossing the central greenway.
- 1.15 Dispersed throughout the development will be 83no. (approx.) vehicular visitor spaces, based on a ratio of one visitor space for every four dwellings. The plans provide indicative locations of and details of the proposed cycle stores for the dwellings. These have been updated with the widths of the opening for the stores increased to 1200mm wide. The cycle store for the apartment block has been extended to accommodate a non-standard cycle. Other amendments have been made to highway design following consultation responses and include cycle links (between plots 299-118 and 219-164) to increase permeability for cyclists, road radius (adjacent to plot 7), access for shared plots amended (plots 176-182) to accommodate a future bus stop south of the site, and visibility splay to plot 250.
- 1.16 Along with revised site layout and drawings of each house type and updated schedule, plans of the following have also been provided: landscape masterplan (incorporating play area locations and equipment); boundary treatment (including details as to how hedgehog passages will be incorporated within it); materials and surface treatment. Elevations and floor plans of the apartment building have also been provided including its cycle store. Additional revised documents have been provided:
- Supplementary supporting statement (JM070001) Dated 23 May 2025
- Sustainability Statement
- Self and Custom Build Housing Statement (JM070001) Dated 23 May 2025
- Design Code (for Self Build plots)
- Affordable housing Statement (JM070001) (Dated 23 May 2025)
- Market Assessment Report Housing Mix
- Highways Statement (July 2025)

- Health Impact Assessment (December 2024)
- 1.17 Further, the applicants have submitted additional drainage information, to address objections and matters raised under this application (in conjunction with matters raised under other applications including AOD/25/00219, 24/00621/REMM and 24/00622/REMM) and specifically this information includes a drainage strategy (August 2025) by Fortem, details of existing and proposed drainage design, topographic surveys and responses to planning consultations, including from Yorkshire Water, the LLFA and Foss Internal Drainage Board. A result of the drainage strategy is that hedgerow (H7) is required to be removed to allow for the drainage easement however the existing tree adjacent to plot 234 will now be retained.
- 1.18 Further information has been provided by the applicant, including the layout plan to show a 3m easement to the open watercourse on the western boundary of Phase 1B and a 3m easement to the culverted watercourse on the northern boundary (phase 1A and 1B) and shows that any new buildings, fences, walls, play equipment or planting is to be provided outside of the easements, to address the objections of the Foss Internal Drainage Board (IDB). The landscape masterplan has also been updated to reflect this. The applicant has also confirmed that the drainage pipes (SW10 onwards) were solely only for the previous building and will be removed at development stage.
- 1.19 Overall, this phase of development will provide housing accommodation ranging from 1-bed to 5-beds with a range of house types including 2-bed apartments, 1-bed maisonettes as well as terraces, semi-detached and detached house types. The dwellings will range in height from 2 to 3 storeys, and in accordance with condition 25 of the approved outline consent, building heights shall not exceed 12m and shall be in general conformity with the Building Heights Parameter Plan (Ref: PL1377-VW-016-2 Issue 04).
- 1.20 Of the 314no. dwellings proposed in this parcel, 212no. dwellings will be market homes (including 8no. custom build dwellings), 94no. dwellings will be affordable housing (equating to 30%) along with the provision of 8no. self-build plots. Self-build and custom build housing includes housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual (NPPF Annexe 2: Glossary). Self-house builders will directly organise the design and construction of their new home, with custom build projects can include someone who works with a specialist developer to help deliver their new home (such as they may secure the site and manage the build).
- 1.21 The overall schedule of accommodation across this phase of development is outlined in the table below. The custom build house has been identified as 3-bedroom dwellings as they relate to the house types that provide 3-bedrooms,

however the number of bedrooms delivered by this type may fluctuate given the different customisation options available.

	1-bedroom	2-bedroom	3- bedroom	4+- bedrooms	Unknown	Total
Affordable	10 maisonettes	33 houses 6 apartments	33 houses	12 houses	-	94
Market	-	44 houses	94 houses (inc 8no. custom build dwellings)	74 houses	-	212
Self Build	-	-	-	-	8	8
Total	10 (3%)	83 (26%)	127 (40%)	86 (27%)	8 (3%)	314

1.22 The principle and overall quantum of the proposed development and the matter of access to the site have been approved through the granting of the outline planning permission. Therefore, this application is limited to consideration of outstanding details of the design, i.e. the reserved matters of layout, scale, appearance, and landscaping, and within the scope and parameters of the outline permission and the conditions attached to it.

Environmental Impact Assessment

1.23 Officers are satisfied that the environmental information already submitted in respect of the residential development at this site is sufficient to assess the environmental effects of this development. As such, no addendum to the Environmental Statement has been sought. Nor does the submission include further information or any other substantive information that would require further publicity under the Environmental Impact Regulations 2017.

Planning History

18/00017/OUTM Outline planning application with full details of means of access for residential development of circa 970 dwellings with associated demolition, infrastructure works, open space, primary school, community facilities and convenience store on land west of Monks Cross Link Road and a country park with drainage infrastructure east of Monks Cross Link Road; Application Permitted on appeal on 14 December 2022

1.24 The outline consent is subject to a number of conditions and the details below include the applications submitted to discharge those conditions:

AOD/23/00059 Condition 10 (archaeological site investigation) of 18/00017/OUTM; details discharged 06.03.2023

AOD/24/00066 Conditions 4 (Phasing Strategy), 5 (Development Framework Document) and 27 (strategy for self or custom build plots) of 18/00017/OUTM; details discharged 07.04.2025

1.25 It is noted that the Development Framework Document (DFD) provides statements within it of the overarching strategy for the site including: statement of health impact assessment, cultural wellbeing plan, emissions strategy, report on sustainable construction, statement of crime prevention and site wide design coding.

AOD/24/00215 Condition 7 (Preliminary Ecological Appraisal) of 18/00017/OUTM; details discharged 08.04.2025

AOD/24/00068 Condition 8 (Strategic Biodiversity Management Plan) of 18/00017/OUTM; details discharged 13.08.2025

AOD/24/00219 Condition 20 (site wide strategy for foul and surface water drainage) of 18/0017/OUTM; Pending Consideration

1.26 A further two RM applications have been submitted which relate to the southern phases of development. The applicant for these applications are Bellway and officers are continuing negotiations with the developer. The details include:

24/00621/REMM Reserved matters application for appearance, scale, layout and landscaping of 166no. dwellings (Central North Phase 3C) pursuant to 18/00017/OUTM; Pending Consideration

24/00622/REMM Reserved matters application for 271no. dwellings (Southern Phases 2A and 2B) relating to scale, layout, appearance and landscaping pursuant to 18/00017/OUTM; Pending Consideration

1.27 It is noted that a planning application has been determined relating to the site excluded from the application site, at First Place:

25/00278/FUL Erection of 5no. dwellings after demolition of workshop; Application Refused 11.04.2025

2.0 POLICY & LEGISLATIVE CONTEXT

Planning and Compulsory Purchase Act 2004

- 2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that an application is determined in accordance with the development plan unless material considerations indicated otherwise.
- 2.2 The development plan is the City of York local Plan and the Huntington Neighbourhood Plan.

Local Plan

2.3 The Local Plan was adopted on 27 February 2025. The Local Plan policies relevant to the determination of this application are:

H3 Balancing the Housing Market
H4 Promoting Self and Custom House Building
H10 Affordable Housing

D1 Placemaking

D2 Landscape and Setting
GI4 Trees and Hedgerows
T1 Sustainable Access

2.4 Also of relevance to this application is the Local Housing Needs Assessment by Iceni (July 2022), which is an evidence base to the Local Plan.

Huntington Neighbourhood Plan

2.5 The Huntington Neighbourhood Plan is adopted (July 2021) and covers the period 2017 to 2032/33. Policies most relevant are:

H1 Meeting Housing Need

- The policy states that as appropriate to their scale, nature and location development proposals for new residential development should:
 - provide for a mix of housing sizes, tenures and types specifically to meet identified and evidenced current housing needs, in accordance with policies H2 and H3
 - provide for a range of recreational, sporting and community facilities, including children play areas where appropriate, to meet existing and future needs
 - promote and accommodate transport links for pedestrians, cyclists and public transport
 - provide safe pedestrian and cycle links to Huntington village, local schools and the existing network of pedestrian and cycle routes, including through green infrastructure where this would not have an adverse impact on biodiversity

- result in development of the highest quality design and highly energy efficient, with appropriate low carbon technologies
- H2 Housing mix in new housing development proposals

Developments should provide for a mix of housing types, sizes and tenures to meet identified housing needs in the Parish and the City of York. Development proposals that deliver smaller homes (one or two bedrooms) suitable for young families and young people as well as older people (including those who wish to downsize) to meet an identified need will be particularly supported.

- H3 Affordable housing provision and mix

Housing development proposals should comply with, and wherever possible exceed, City of York Council requirements with regard to the provision of affordable housing. The focus for the delivery of affordable housing should be on the provision of social housing and affordable homes that are suited to the needs of older people and young people and families.

- H4 Design Principles

Development proposals should respect the character of their local environment having regard to scale, density, massing, height, landscape, layout materials and access, as appropriate to their nature and location. Development proposals should also take into account the amenity of neighbouring occupiers. Where appropriate, development proposals should provide safe and attractive public and private spaces, and well defined and legible spaces that are easy to get around, especially for older people.

National Planning Policy Framework (NPPF)

- 2.6 The NPPF sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).
- 2.7 The sections of the NPPF that are considered to be of relevance to this planning application include: 5) Delivering a sufficient supply of homes, 9) Promoting sustainable transport and 12) Achieving well-designed and beautiful places.

3.0 CONSULTATIONS

INTERNAL

Community and Self Build Officer

- 3.1 Custom build plots- happy with the location of these and the proposed flow chart demonstrating how the custom build offering will work.
- 3.2 Self-build plots happy with the location of these. There appears to be a reasonable mix of sizes. There is very little details as to how they will be servicing the plots and presume this will be provided in the plot passports associated with the individual plots.
- 3.3 As these plots will be accessed from a shared driveway that will be constructed to base course and the self-builders will be responsible for completing the final surfacing works, it is expected to see this additional responsibility on the purchasers reflected in the sale price for the plots.
- 3.4 As the applicant has not provided timescales for when these plots will be available, I would ask that there is either an extended time for the Reserved Matters to be submitted for these plots or the LPA would need to accept that these plots will require a detailed planning application once they are sold. If the latter is accepted, I would hope that the design code and any plot passport submitted as part of this RM could be honoured.

Design and Conservation (Ecologist)

- 3.5 Initial comments (received December 2023) outlined that the application needed to demonstrate biodiversity enhancements such as bat and bird boxes with such features being integrated rather than add-ons and considered as part of design. Similarly, the provision of hedgehog access points through new fencing should be considered as part of boundary treatment.
- 3.6 Updated comments were received August 2025 following information provided by the applicant that specific details regarding biodiversity enhancements (including bat and bird boxes, and hedgehog gaps in fences) would be submitted as part of discharging condition 9 (Biodiversity Management Plan) as their location is usually determined by an Ecologist.
- 3.7 Most types of bat and bird boxes (in the case of swift/swallow boxes) can either be integrated or mounted externally and there is no technical preference for either choice, just a mater of aesthetics for the houses. Tree mounted boxes will be a different specification to the building mounted ones, if there are any proposed for the retained existing trees.

3.8 The hedgehog specification (passages within fences and brick walls) looks fine. Concerns are raised to securing these features long-term for private gardens and whether there was a way to enforce against a homeowner sealing it up. The detail would be in the exact locations proposed.

Design and Conservation (Landscape Architect)

- 3.9 There are some areas of the site that could have been improved; LAP within the heart of the NE quarter of the phase which would benefit orientation and sense of place and be more accessible for this most dense part of the site; a greater set back from the northeast boundary would have had a more robust context and softer relationship with the outer ring road.
- 3.10 There are many merits to the proposed site layout and landscape masterplan such as the central green corridor, the areas of equipped play, the street tree planting within grass verges (on the whole), the set back from North Lane.
- 3.11 Safe crossing is created at the proposed northern roundabout but the quantity and speed of traffic on MCLR will create a barrier between the two, to a degree. Any additional landscape measures that would assist in slowing traffic down and giving an impression of driving through a residential area rather than along a branch of the outer ring road could help to reduce this effect. Tree planting in the centre of the roundabout should be included.
- 3.12 Details for tree planting particularly within very narrow planting beds and at road junctions would preferably be provided now to be sure that they are deliverable. I strongly recommend that the crossovers within the verges be surfaced in small paving units, or at least a contrasting finish, to provide visual continuity of the verges containing the street trees and reduce the visual harm of the cumulative extent of tarmac across carriageway, cross over, footpath and driveways.
- 3.13 I would encourage the replacement of the mass of close-boarded timber fencing at the bottom of the back-to-back rear gardens with a greener solution, such as instant hedging, or at least with the provision of climbers.
- 3.14 The proposed development manages to retain a large proportion of existing trees and hedgerows throughout through the incorporation of green corridors. Nonetheless there is a loss of existing hedgerows and some trees, so those that are retained should be robustly protected (a pre-commencement condition to secure appropriate measures should adequately cover this item).
- 3.15 All play areas should be 'inclusive' in the broadest sense of the word; their location and general approach and the landscape which they sit is supported. The detail would need altering and agreed under the conditions attached to the outline approval.

3.16 The planting schedule is largely supported; there is scope for change within a detailed planting plan, which is also to be submitted and agreed through a landscape conditions attached to the outline approval.

Education

3.17 Accept the revised plans on the understanding that safe, paved and lit footpaths will provide access to Huntington primary and secondary schools prior to first occupation.

Highways Network Management

- 3.18 Observations include:
- paths through the landscaped areas seem narrow and below 2m wide. Material (crushed aggregate is not an inclusive material)
- visitor car parking spaces are shown within the drives which are proposed to remain private
- missing links and crossing facilities in some locations
- there is car dominated sections
- the main shared cycle/walking route on the spine road appears to conflict with many driveways
- Cycle stores the sheds won't be sufficient size for the quantum of bikes required and the door sizes will make access to the bikes really awkward
- access routes to the cycle storage is generally too narrow for bikes to be taken in and out comfortably
- the apartment cycle storage shelter is too small (requires 1m spacing between Sheffield stands) and LTN1/20 requires some parking spaces for adapted cycles and cargo bikes
- we still have the issue of poor Public Transport coverage for the North West of the site; the site is supposed to deliver a 15% public transport mode share.

Housing

- 3.19 306 homes (excluding self-build units) are proposed in this reserved matters application. 94 of these, or 30% would be affordable meeting the requirement for a greenfield site required by Policy H10 and within the S106. Also set out in the S106 agreement is that 80% of the affordable housing should be social rented and 20% discount sale tenure.
- 3.20 The layout of the proposals reflects the principles of distribution throughout the site.
- 3.21 Affordable housing mix and types the overall proposed mix and types are accepted. It is welcomed that 2-bed affordable homes are provided as family houses

with individual access, curtilage and gardens. The housing mix is supported as it reflects the LHNA expectations for a suburban site of this typology.

3.22 The application should make clear the approach to meeting the expectation of Policy H9 and appropriate provision of accommodation types for older persons.

Lead Local Flood Authority

- 3.23 The amended and/or new information does not include any further flood risk and/or drainage information beyond what was assessed before making comments in January 2025, and therefore our comments and recommendations remain the same.
- 3.24 We have been in discussions with the Applicant with a view of agreeing an 'in principle' foul and surface water drainage strategy for the site. This has not yet been submitted as part of this application and are therefore unable to make any further comments.

Lifelong Learning and Leisure

3.25 Any response will be verbally reported.

Public Rights of Way (PRoW)

3.26 No comments to make as there are no recorded PRoW in the vicinity of the development boundaries.

Public Protection Unit (PPU)

- 3.27 No information has been submitted in respect to the conditions pertaining to noise on the outline consent (conditions 13 and 14) nor has any information been submitted in respect to a condition pertaining to a CEMP on the outline consent (condition 12).
- 3.28 Contaminated Land Further investigation of the former farmyard and commercial areas of the site is required and if unacceptable risks are identified, then remediation and verification work required, as required by conditions 15, 16, 17 and 18 on the outline consent.
- 3.29 Air Quality Electric Vehicle (EV) Charging PPU welcome the installation of EV charging points for all residential units (dwellings and apartments). They will be either externally mounted on dwellings or mounted on a post. Condition 23 requires full specification and timescales for the delivery for the EV charge points.

Strategic Planning Policy

- 3.30 Initial comments received in February 2024, with the most recent comments received July 2025, which cover the revisions in the latest version of the planning application.
- The revised scheme includes provision of 94 affordable units equating to 30% as set out in Policy H10 (Affordable Housing). Further guidance should be sought from the Council's Housing Team regarding the split of tenures ad distribution to ensure compliance with the Council's overall affordable housing requirements.
- Inclusion of self and custom build which equates to 2.5% self-build and 2.5% custom build.
- The application is supported by a Health Impact Assessment a view on it should be sought from the Council's Public Health Team. The Assessment concludes that all issues have positive impacts, except for Air Quality & Noise, some elements of Transport and some elements of Environment, which were neutral impacts. No issues were considered to have negative impacts.
- 3.31 Other issues the DM officer should consider:
- Policy SS10 (Land North of Monks Cross) provides the overall key principles for delivery
- Cultural wellbeing plan demonstrate how the stated criteria in Policy D3 (Cultural Provision) have been addressed
- open space provision and assessment against Policy GI6 (New Open Space Provision)
- Emissions strategy assessment against policy ENV1 (Air Quality)

EXTERNAL

Huntington Parish Council

- 3.32 Objection comments received December 2023 raising the following:
- we insist that prior to the first reserved matters application being approved, the DFD is approved. It is unfair to ask the Parish Council to comment in such a short timescale without sight of the final and approved DFD. The Phasing Strategy can be agreed prior to development starting, but realistically is required before the application can be properly considered by Councillors.
- North Lane is not adequate for the proposed increase in volume of the traffic (accommodating approximately a third of the sites traffic). The North Lane improvements should be delivered before any houses are occupied.
- Education when will the new Primary school be built, and by whom. How will children be accommodated in the meantime.

- Lack of Garth Road route (contrary to what was promised on the first Parish briefing with the Developers) making it difficult for pedestrians and cyclists to get to school
- If these dwellings are constructed first, will there be an access created to the Woodland Way link or will the entire pedestrian/cycle traffic be expected to use North Lane.
- All construction traffic must be banned from using North Lane and site traffic and site work hours must be within an agreed time period (e.g. 08:00 17:00) and strictly enforced.

Active Travel England (ATE)

- 3.33 Conditional approval recommend approval subject to the agreement and implementation of planning conditions including
 - a suitable quantum of cycle storage and associated provision in accordance with Chapter 11 of LTN1/20. This supports the applicant's 'Proposed Cycle Store Plan'
 - ATE also advise that this phase of the development ensures that the proposed pedestrian and cycle links and the updated landscape masterplan are in alignment with relevant policy guidance including LTN1/20 and inclusive mobility.

Environment Agency

3.34 No objections or comments to make.

Foss (2018) Internal Drainage Board (IDB)

- 3.35 Objection: on site it is evident that there are a lot more watercourse and pipes than have been noted by the developer on their existing drainage plans. We require a full site investigation before we will review any drainage strategy or reserved matters applications as we need to understand where there are watercourses or pipes so we can decide what needs an easement. Therefore, we cannot agree a proposed site plan.
- 3.36 Following submission of amended drainage plans and information, it has been agreed there are watercourses/culverts that will need a 3m easement:
 - 1. Open watercourse on the western boundary of phase 1B this will need a 3m easement from the bank top
 - 2. Culverted watercourse on the northern boundary of Phases 1A and 1B this will need a 3m easement from the edge of the culvert.

- 3.37 For both of these watercourses, the Board requests that there are no new buildings, structures, fences, walls, planting or hardstanding to ensure that there is sufficient room for maintenance works to the watercourse by the riparian owner, and to try and prevent subsidence/movement to the water course. The Board therefore maintains their objection although outline that they are awaiting the updated landscaping plan, which may facilitate removal of their objection. The Foss IDB have been re-consulted on the updated landscape masterplan, and Members will be updated of any response at the meeting.
- 3.38 The Board agrees to the principle of access roads crossing over the watercourses.
- 3.39 Agreement to the applicant's assertion that the drainage pipes (SW10 onwards) were solely for the previous building and will be removed at development stage.

National Highways

3.40 No objection.

Natural England

- 3.41 Insufficient information provided please provide:
- phasing strategy
- final version of DFD (containing details of the Country Park)
- Preliminary Ecological Appraisal
- Suitable Alternative Natural Greenspace (SANG) Management Plan
- 3.42 Officers note that Natural England are not statutory consultee on reserved matters applications. The requested information are matters that will/have been addressed through the conditions of the outline consent, where there is not usually third-party involvement. It is noted that the agreed Development Framework Document (DFD) (which includes the phasing strategy) has now been submitted to accompany the application documents.

Police Architectural Liaison Officer

3.43 The overall design and layout of the prosed scheme is considered acceptable.

Yorkshire Water

3.44 No objection. Adequate provision for the protection of the existing 1200mm diameter ductile iron raw water main which crosses the northeast red line site boundary has been addressed. The inclusion of a 30m protected strip over the line

of the water main with no change in levels or planting other than wildflower meadow is acceptable.

4.0 REPRESENTATIONS

Ward Councillors (Cllr Orrell, Cllr Runciman and Cllr Cullwick)

- 4.1 Updated comments received May 2025 citing the following concerns:
- the housing development should be community led and local support was for all access to the site should be from Monks Cross Link Road; this has been ignored
- the Inspector allowed access from/to North Lane (which is a narrow lane unsuitably for the large number of vehicles that is proposed to use it) but did not specify the number of dwellings that this access should serve, and it is now in the power of our Council to do so now
- the application should not come to Committee until the critical conditions are detailed
 - Condition 31 relates to the access to the access arrangements for North Lane and these details should be available for the Planning Committee (as well as a site visit) to consider whether North Lane is suitable to allow access for over 300 houses.
 - these details should also show that the applicant controls all the land needed to facilitate the changes we are not convinced that this is the case
- Lack of regular engagement with Ward and Parish Councillors and therefore we believe that this should be conditioned
- School still doubt about the need for a new primary school due to birth rates falling
 - what happens to the S106 money if a school is not built
 - what would happen to the community facilities that the school was to provide and the land that was allocated for the school, if it was not built
 - children will have to travel to other schools in the area and inevitably involve car journeys or dangerous trips along North Lane.
- 4.2 Initial comments that were raised in December 2023 that are not mentioned above include:
- Inspector's report is silent on the sustainable building standards of the housing; it is important that the committee condition the most stringent measures possible
- the biodiversity requirements need to be carefully monitored over the duration that the development takes
- the social and affordable housing requirements are monitored closely to ensure that they are met in full
- Garth Road access route the developers went to considerably lengths at the Public Inquiry to argue that this route was not necessary the failure to provide this route will inevitably result in more car journeys

- Buses will not use North Lane as an exit it is unclear in relation to the layout of the properties how far from the bus stops the houses will be it may make it very difficult for people with disabilities to access buses.
- Construction Access allowing non-HGV vehicles to use North Lane which is already congested, and additional vehicles cause more problems.

Officer response

4.3 As this is a reserved matters application, a great deal of the issues have been previously considered and are covered by conditions imposed upon the development by the Planning Inspector. It is not appropriate to seek to reconsider these as part of the current reserved matters application.

Officer comments in respect to some of the matters raised above, not covered elsewhere in this report:

- 4.4 The outline application was submitted for access via a new junction off North Lane, as well as two new roundabouts on the MCLR. The plans of these access arrangements were accepted and are 'approved' plans. Condition 31 requires further details to be submitted in respect to works to pedestrian and cycling facilities to link to existing facilities and speed management measures, although they shall generally accord with the approved plan relating to North Lane. Additionally, these details are only required prior to the commencement of the works to North Lane, which the phasing strategy has outlined will commence in Year 2 following the northern and southern roundabouts.
- 4.5 In regard to the number of dwellings the North Lane access should serve, it was agreed in the appeal (public inquiry) that the access could serve up to 300 dwellings. A modal filter has been applied to the access road from North Lane, which prohibits vehicular traffic movement across the central greenway which runs north-to-south centrally through the northern parcel. As a result, only 217 dwellings of the 314 to be delivered through this reserved matter shall be served by the North Lane access. The northern roundabout on the MCLR would provide access to the remaining dwellings within this northern parcel. It is noted that this North Lane access would also serve the dwellings in a separate reserved matter area identified as 'Northern 1C', and whilst plans have not been forthcoming yet, initial discussions indicated that this area could provide circa 45 dwellings, and therefore cumulatively would still be below the 300 dwellings threshold. The inspector did not consider that the proposed access would be harmful to highway safety and did not consider it necessary to specify the number of dwellings this access could serve. Officers note that the outline consent (including means of access) is the grant of planning permission and matters that have already been decided in principle at the grant of outline planning permission cannot be re-visited when considering the reserved matters.

- 4.6 Further, in respect to the Councillor's assertion regarding the ownership/ control of land, this would have been dealt with under the outline application, through the serving of notice on landowners, where the land required for the development is not within the applicant's ownership. It is the responsibility of the applicant to ensure that they have the necessary agreements/ownership matters in place prior to start of construction. Where any land is public highway, the applicant and Highway Authority may enter into a S278 agreement which enables works to be undertaken within the public highway.
- 4.7 The applicant has included a Statement of Community Involvement which outlines that a meeting has been held with the Parish Council to provide them with an update on the proposals for the next stages and an agreement was reached to set up a 'Steering Group' and that steering group meetings have taken place with further to be scheduled. There is no requirement for regular engagement agreed under the outline consent, via conditions or within the S106 legal agreement, and such conditions cannot be now placed on this reserved matters approval.
- 4.8 School within the Section 106 legal agreement, it was agreed that there were two options relating to the primary school; Plan A for on-site provision and Plan B relating to alternative educational facilities (contributions for expansion at an existing primary school). The presumption is that the development should include a 1.5fe primary school and adjoining early years nursery (Plan A). However, there is a clause contained within the S106 meaning that prior to occupation of more than 200 dwellings, the Local Authority is able to review Plan A (should new provision be deemed in future years, by the Local Authority, or changes in legislation, to be unviable and undesirable) meaning that Plan B could be implemented. A decision in respect of the Council's alternative provision is to be made prior to occupation of 301 dwellings. The S106 outlines the contributions required by the applicant if Plan B is agreed.
- 4.9 In terms of the community facilities that the school was to provide, if Plan A is not implemented, the Local Planning Authority will negotiate with the developer how best to deliver the community facilities, which could be forthcoming through future reserved matter applications. Condition 36 of the outline content requires a scheme of community use prior to the occupation of the school site.
- 4.10 In terms of a lack of sustainable building standards, the DFD has sections contained within it setting out an emission strategy and report on sustainable construction (section 13 and 14). There is no condition within the outline consent relating to achieving higher environmental standards than those contained in the current Building Regulations (other than non-residential buildings achieving BREEAM 'Excellent'). This is because the Inspector (Para. 122, Report APP/C2741/W/21/3282969) made it clear that such a condition would have no purpose because the Building Regulations will have changed, requiring higher standards, by the first time the first houses could be constructed.

- 4.11 In respect of biodiversity requirements being monitored over the duration of the development, conditions 8 and 9 require submission of a site-wide Strategic Biodiversity Management Plan and detailed Biodiversity Management Plan for each phase, in order to protect habitat and species within the site and to achieve biodiversity net gain.
- 4.12 Condition 12 of the outline consent requires a Construction Environmental Management Plan (CEMP) to be submitted for each phase and within it include details of HGV routes that avoid the main existing Huntington settlement. Any further restrictions beyond would access by HGVs would be unreasonable, failing the tests of a planning condition.

Neighbour Notification and Publicity

- 4.13 The application has been advertised by site and press notice and neighbour notification. 3no. letters of representation have been received from the occupiers of No's 44 and 46 North Moor, and 7 Pollard Close during the initial publicity period (January 2024) and cite the following concerns/objections:
- the proposed walking and cycle route on Garth Road would negate vehicle access to the rear of properties on North Moor - this access has been used for over 30 years and provides the only off-road parking for property
- no objection to the building of proposed new houses
- application should be withdrawn without sight of the final/approved DFD
- clarity required over phasing of school; school places over the construction period
- has school demand been adjusted to take into account the different mix of housing
- how will the children get to school
- reference made to vehicle/pedestrian access to Garth Road which is incorrect
- delivery of pedestrian and cycle links along North Lane prior to construction of houses?
- what work has been done to establish bus provision and how services will be delivered over the lifetime of the development
- has the impact on local Doctors and health services been assessed?
- are local shops included within the scheme?
- will all construction traffic be banned from using North Lane?

Officer response

- 4.14 Officer comments in respect to some of the matters raised above, not covered elsewhere in this report because they are not for consideration as part of this reserved matters application:
- 4.15 In respect to Garth Road (which has also been raised by the Ward Councillors (Cllr Orrell, Cllr Runciman and Cllr Cullwick)) there are no plans for Garth Road to be formally used as a pedestrian/cycle path to serve the development. Therefore,

there will be no impact upon existing residents having access to the rear of their properties on Garth Road.

- 4.16 In terms of bus provision, the S106 legal agreement has secured a developer contribution to fund an extension to an existing bus service for five years.
- 4.17 Within the Secretary of State of Inspector's decision no reference was made to health infrastructure and planning obligations were deemed not to be necessary nor secured. The current reserved matters application is supported by a Health Impact Assessment, in line with LP policy HW7, which are a means to assess the potential health risks and benefits of new development, promoting the development of actions and mitigate negative impacts and maximise community benefit, they are not solely focussed on medical facilities.
- 4.18 The outline consent includes the provision of community facilities and social infrastructure including retail provision. A condition on the outline consent requires a scheme to be submitted. It is also noted that the location of these facilities are within the central southern area (3A and 3B) thus details will be forthcoming at a later date.
- 4.19 Matters concerning the school, access to local school(s) delivery of pedestrian/cycle links to North Lane and construction traffic using North Lane have been addressed above in response to the Ward Councillors objections and have already been addressed in the outline consent. Such matters cannot be reviewed as part of this reserved matters application.

5.0 APPRAISAL

- 5.1 This application is for consideration of reserved matters, following an outline planning permission, which included details of site access. The only issues under consideration for this application are regarding the following reserved matters only –
- Site allocation
- Internal circulation routes
- Appearance
- Scale
- Layout
- Landscaping
- Schedule of accommodation
- Ecology
- Public Sector Equality Duty

- 5.2 The following matters were dealt with in the outline application determined at appeal which is subject to its conditions and planning obligations covering the following matters –
- Impact on the wider highway network
- Promotion of sustainable travel
- Archaeology
- Design approved parameter plans informing the general layout and distribution of land uses and building heights
- Ecology increase in site wide Biodiversity Net Gain (BNG) and an associated landscape and ecological management plan
- Drainage
- Public Protection noise, land contamination, air quality
- Residential amenity
- Sustainable Design and Construction
- Construction management
- Phasing / delivery of development
- Planning Obligations affordable housing, education, highways and sustainable transport, on site public open space and landscape management and Gypsy and Traveller pitch provision (contribution).
- 5.3 National guidance states that "the only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those reserved matters. Conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted".
- 5.4 The assessment covers each of the reserved matters that are the subject of this application appearance, landscaping, layout and scale. Access was a reserved matter in the outline permission with the vehicle access points into the site (an access from North Lane and two new roundabouts off the Monks Cross Link Road), as well as the pedestrian connections via Woodlands Way, North Lane and Monks Cross Link Road fixed by the outline permission.

Site Allocation

- 5.5 Policy SS10 and Policy H1 of the Local Plan states that the Land North of Monks Cross (ST8) will deliver approximately 968 dwellings at this urban extension development. In addition to complying with the policies within this Local Plan, the site must be master planned in accordance with the following key principles:
- i. Protect and, where appropriate, strengthen existing boundary features that are recognisable and likely to remain permanent. Where the site's boundary is not defined by recognisable or permanent features it should be addressed through the

masterplan and design process in order for strong and defensible Green Belt boundaries to be created and secured.

- 5.6 The site has three permanent and recognisable physical boundaries; North Lane / hedges (to the north), Monks Cross Link Road / post and rail fence (to the east) and Monks Cross Retail Park to the current edge of the main urban area (to the south). The western boundary follows a hedge line along the northwestern side. South of this however there are some areas with no physical boundary. The western boundary has been stepped and is generally one or more field boundaries away from the existing built-up residential boundary of Huntington.
- 5.7 This reserved matter application generally sites within the northeastern corner of the site where the site incorporates the North Lane and Monks Cross Link Road boundaries. These boundaries will continue to be protected and strengthened through the landscape proposals and green infrastructure including buffer strips.
- ii. Create strategic landscape buffering along the existing road network that borders the site. This will retain key views towards the Minster, as well as to the north, that should be preserved.
- 5.8 The landscape masterplan shows buffer strips along both North Lane and MCLR. The northeastern corner will also provide an informal pedestrian access around the edge of the site's boundary within these buffer strips. The landscaping buffers will allow for well-designed views through the development at key points rather than attempting to screen the whole development. The set back from the MCLR provides enough space to create a treed frontage, with dwelling addressing this main road.
- iii. Include an appropriate landscape treatment adjacent to the link road, with landscaping where appropriate, to protect the setting and character of York.
- 5.9 As above, the landscape masterplan for the northern parcel indicates landscaping adjacent to the MCLR, which will protect the setting and special character of York.
- iv. Provide a new green wedge to the west of the site, south of Garth Road, to play an important role in protecting ecological assets, safeguarding the historic character and setting of the city and conserving on-site heritage assets including Ridge and Furrow, archaeology, hedgerows and trees that contribute to the setting of Huntington. It should be linked into the development at Windy Ridge/Brecks Lane. The provision of the new green wedge to the west of the site will also create an appropriate setting for the existing village of Huntington, allowing Huntington to maintain its identity and not sprawl outwards, with ST8 forming a new contained neighbourhood within the main urban area.

- 5.10 The masterplan indicates a green wedge to the west of the site, in the form of playing fields and amenity open space. There will be a new pedestrian and cycle link to Woodland Way with the southwestern corner of the site indicated to be open, providing a link to the Windy Ridge/Brecks Lane development, however these areas fall outside the scope of this reserved matter application.
- 5.11 In terms of archaeology, hedgerows and trees, conditions 7, 8, 9 and 10 of the outline consent would protect habitats and species within the site as well as protecting the significance of as yet unidentified archaeological remains which may exist on the site.
- v. Increase biodiversity and connectivity with the natural environment. The site intersects with local green infrastructure corridors and contains some trees with protection orders. There are opportunities for this site to interconnect with existing green infrastructure corridors, and to integrate a scheme throughout the site, which should be exploited.
- 5.12 The northern parcel will provide the majority of the greenway, running north to south through the site providing a range of landscape typologies and play areas. Different types of grassland will provide benefits to local wildlife, improving biodiversity within the site and adding seasonal interest. Conditions 7, 8 and 9 will also assist in increasing biodiversity and the natural environment throughout the site and in individual reserved matters.
- vi. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include:
- Creation of a new open space on additional land to the east of the Monks Cross Link Road (as shown on the Policies Map as allocation OS8). This land remains in the Green Belt. Traffic calming measures should be provided along Monks Cross Link Road alongside the provision of pedestrian footways and safe crossing points. Ecological mitigation is also required on land to the east of the Link Road.
 - Open space provision that satisfies policies GI2a and GI6.
- 5.13 Within the wider development there will be a new country park (informal open space) to the east of the Monks Cross Link Road in accordance with the parameters set out at outline (including S106 legal agreement) and the policy map within the Local Plan. It would reduce the impact of recreational pressures on Strensall Common Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).
- 5.14 Within the northern parcel related to this reserved matter application, the greenway will provide open space for recreation and amenity. Across the remainder of the site, and outside the boundary of this application for approval of reserved

matters, there will be other open spaces for recreation and amenity including playing pitches, NEAPS and other playing areas (LAPs and LEAPs) and pocket parks.

- 5.15 The Council's Landscape Architect has outlined that it would be helpful if additional speed-reducing landscape measures could be applied to MCLR to change the character of this road to one that passes through a residential area, rather than an extension of the outer ring road. A Traffic Regulation Order (TRO) is agreed as part of the design which will see the vehicles speeds along the MCLR reduced to 40mph, and along with the planting, will assist in changing the character of the road, within this setting.
- 5.16 Formal foot and cycle links to the country park are to be provided from both roundabouts approved under the outline consent and a further informal link adjacent to plots 83 and 92 shall be provided, although this does not offer attractive nor safe transitions for pedestrians or cyclists. The applicant has advised that they are unable to introduce any additional formal crossings across MCLR, with formal crossing points kept to a minimum to prevent people crossing the full width of the road.
- 5.17 Additionally, the Council's Landscape Architect has outlined that the landscape proposals for the centre of the new roundabout should not be overlooked. Officers and applicant have agreed that this falls outside of the current and potentially other reserved matters boundaries. Condition 6 of the outline consent sets out landscaping details that require approval and this condition can be used to agree to the landscaping details for this roundabout.
- vii. Provide new social infrastructure which meets the needs of future residents of ST8 and, where viable, surrounding communities, including local retail, health, community space, educational facilities and sports provision.
- 5.18 Social infrastructure has been secured via conditions attached to the outline consent, although it is acknowledged that the majority of these shall be delivered in other areas of the site. The central southern area (3A and 3B) will contain the community hub/retail and NEAP.
- viii. Deliver a new primary school in an accessible location (to be assessed further based on generated need) as well as providing appropriate contributions for nursery and secondary education.
- 5.19 The masterplan identifies a suitable location for an on-site primary school and the S106 legal agreement provides for plan A (on-site provision) and plan B (alternative educational facilities including contributions for expansion at an existing primary school). The presumption is that the development should include a 1.5fe primary school and adjoining early years nursery (Plan A). However, there is a clause contained within the S106 meaning that prior to occupation of more than 200

dwellings, the Local Authority is able to review Plan A (should new provision be deemed in future years, by the Local Authority, or changes in legislation, to be unviable and undesirable) meaning that Plan B could be implemented. The S106 outlines the contributions required by the applicant if Plan B is agreed.

- ix. Provide new site access from Monks Cross Link Road with no new direct access to the A1237.
- 5.20 This is adhered to; two new vehicular accesses will be from the Monks Cross Link Road.
- x. The transport and highway impacts of the development should be assessed individually and cumulatively with sites ST7, ST9 and ST14. Where necessary proportionate mitigation will be required.
- 5.21 This has been achieved through the outline consent. The S106 agreement includes provisions to address the possibility that the York Outer Ring Road (YORR) dualling scheme does not happen. Mitigation works and financial contributions have been identified at each four roundabout junctions, including the Monks Cross Link Road roundabout junction.
- xi. Deliver high quality, frequent and accessible public transport services through the whole site including facilitation of links to local employment centres and York City Centre. All measures proposed to support public transport use should be identified and agreed as part of a Sustainable Travel Plan which has an overall aim to achieve upwards of 15% of trips by public transport.
- 5.22 The outline consent secured funding (secured via the S106 legal agreement) to extend an existing bus route to pass through the centre of the site, along a spine road linking the two proposed roundabout on the MCLR. The funding has been agreed for a period of 5 years, by which time it is anticipated that the service would become self-sustaining.
- 5.23 Highway officers have however continued to raise concerns that there is an issue of poor coverage of public transport for the northwestern part of the site, which may impact upon the delivery of achieving upwards of 15% of trips by public transport. These general matters regarding the promotion of sustainable transport and public transport, in line with the NPPF have already been covered by the Inspector's decision and the decision of the Secretary of State. Para. 168 of the Inspector's report (APP/C2741/W/21/3282969) concludes that the "proposal has identified and pursued opportunities to promote walking, cycling and public transport use, through attractive and well-designed pedestrian and cycle links, off-site pedestrian and cycle facilities, off-site traffic calming measures to support sustainable transport choices by new residents."

- 5.24 It is the requirement of the reserved matters applications to ensure that focus is on securing features/measures that encourages the modal shift and promotes the opportunities presented in the Travel Plan i.e. shelters and stops on the bus route, two-way bus route and ensuring that the pedestrian and cycle links within the site (to encourage use of the bus route) are attractive and well-designed.
- 5.25 The Development Framework Document sets out that the bus route shall have capacity for buses to go in either direction, with the carriageway wide enough for two buses, unless otherwise agreed through subsequent reserved matters applications. The appendix to the DFD provides indicative bus stop locations and design principles. Accessibility to the bus stops will be covered under the 'access' section below.
- xii. Provide enhanced safe and integrated pedestrian and cycle routes to the existing available facilities at Monks Cross to maximise the site's sustainable location. The site is bordered by existing road infrastructure to enable access onto the site but further strategic connections for pedestrian and cycle routes would be required.
- 5.26 As well as providing a pedestrian /cycle link from the southern MCLR roundabout to Monks Cross Drive there would be an extension to the pedestrian and cycling facilities along Monks Cross Drive from the site, past Alpha Court to and existing crossing near Sainsbury's. The Inspector (para. 170, Report APP/C2741/W/21/3282969) outlined that the proposal would "provide access from the MCLR, ...and provide safe and attractive pedestrian and cycle routes to Monks Cross."
- xiii. Maximise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding areas creating well-connected internal streets and walkable neighbourhoods.
- 5.27 The Inspector (para. 176, Report APP/C2741/W/21/3282969) in the appeal discussing transport concludes that "Opportunities for travel on foot, cycle, or bus have been considered and appropriate provision has been made, consistent with those policies in the Framework that seek to promote sustainable travel."
- 5.28 In addition, the Inspector (para147, Report APP/C2741/W/21/3282969) considered that it is important to take into account the facilities that would be provided on site; the application is in outline so walking and cycling routes within the sites are not fixed at this stage. However, walking and cycling routes will be considered in more detail in a proposed Development Framework Document and revised masterplan, and would provide for a comprehensive design framework as a basis for detailed reserved matters submissions for individual phases. Subject to the design process, the facilities within the site should be reasonably accessible to new residents by walking and cycling.

5.29 Cycle routes are provided through the site along the primary and secondary streets including the access from North Lane and the spine road, which links the two new roundabouts on the MCLR, as well as further within the southern part of the site to Woodland Way. The cycling infrastructure has been designed to follow and achieve LTN1/20 principles. The pedestrian routes include provision along primary and secondary streets as well as tertiary streets, which are laid out as typical 'shared spaces'. This is further explored within the access section.

Access – the accessibility to and within the site,in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network

- 5.30 The location of the three vehicle access points, including an access from North Lane and two new roundabouts off the Monks Cross Link Road were fixed at outline stage. This is in addition to three pedestrian and cycle links to the site and includes along the site frontage from the North Lane access to the edge of Huntington, along the site frontage from the southern Monks Cross Link Road roundabout to Monks Cross Drive and from the southwest corner of the site to Woodland Way
- 5.31 The Inspector's report (para. 168, Report APP/C2741/W/21/3282969) outlined that the proposal has identified and pursued opportunities to promote walking, cycling and public transport use, through attractive and well-designed pedestrian and cycle links, off-site pedestrian and cycle facilities, off-site traffic calming measures and measures to support sustainable transport choices by new residents."
- 5.32 Within the site, there is a clear hierarchy of street types; the northern part of the spine road (connecting the two roundabouts on MCLR) form a formal boulevard and the access off North Lane an informal avenue, then there are a number of residential /shared streets coming off these and providing access to private drives. Roads are generally designed to meet 20mph off the spine road.
- 5.33 Cycle links are generally provided north to south, from the North Lane access, through to the greenway towards the spine road, with the routes designed to LTN1/20 standards, which will prioritise cyclists and pedestrians over vehicles. The access to North Lane will connect to upgraded cycle facilities that will provide improved access to Huntington, and to alternative bus stops on North Moor Road.
- 5.34 Vehicle access is provided to the northern parcel via two new access points, one from the northern MCLR roundabout and the other from North Lane. Vehicular access connecting both is restricted, via a modal filter, although pedestrian and cycle movements are allowed and encouraged through the links provided. Matters concerning the modal filter and restriction of through access have already been covered in the report above (para. 4.5).

- 5.35 Pedestrian and cycle routes have been designed so that they are attractive to users, being segregated from the roads by verges and street planting or within the open space. Where there are shared pedestrian and cycle footpaths these will be defined through the use of white lining. Also, the plan has been updated so that there are three intersections of the central greenway which offers both pedestrian and cycle crossing points. The LEAP within the central greenway offers only pedestrian access through it; concerns were raised by highway officers that given its position within the site it would encourage cyclists to cut through this area. Officers and the landscape architect have been keen to retain this area free from cyclists, to ensure that the LEAP offers opportunities for play and recreation and to avoid potential conflicts with cyclists. The formal cycle route along the informal boulevard is more appropriate for cyclists, offering suitable facilities and accessibility and is more direct towards the spine road.
- 5.36 There is an informal perimeter circulation pedestrian route, which offers an alternative to the internal residential development, which joins the northern roundabout and runs along the edge of the eastern and northern boundary to North Lane and set within the landscape buffer area. As set out, this is an informal footpath, so has a width of 2m and would be constructed using crushed aggregate. Highway officers have outlined that this is not an inclusive material, however there are more formal/inclusive materials for internal networks within the development which can be used, and this route is primarily to offer an overall variety to the footpaths and routes within a landscaped setting. It is noted that it links to the informal crossing adjacent to plots 83 and 92, to the country park, and it is therefore envisaged that it is likely to be used by dog walkers and provide enhanced public open spaces.
- 5.37 In terms of car parking, the DFD sets out an anticipated provision, related to the size of the dwelling, with a ratio of 1 dedicated parking space per 1 bed, 1 dedicated parking space per 2 beds with 1 visitor space per 2 dwellings, and 2 parking spaces for 3 and 4+-bedrooms. There are a variety of parking typologies that are utilised including upfront parking, detached garage parking, integral garage parking, tandem and courtyard parking along with street parking, which is primarily for the visitor parking.
- 5.38 As part of the sustainable construction of the dwellings, electric vehicle recharging points will be installed on or within the curtilage of each of the dwellings. This will be via externally mounted charging points or charging points mounted on a post or wall. The EV chargers and capacity therefore complies with condition 22 of the outline consent.
- 5.39 The DFD outlines that cycle parking will be provided through curtilage parking within associated garages and private gardens, communal cycle store for apartment residents and secure street-level cycle parking featuring cycle shelters across the development. Across the northern parcel, where cycle storage is not provided within

a detached or integral garage, two different sized cycle sheds are to be provided; 2m x 1.4m for 1- and 2- bed dwellings with 2.2m x 2m for 3- and 4- bed dwellings and complies with the dimensions provided in the York Cycle Parking Guide v3. The door sizes have been enlarged to 1.2m wide to allow for easier access.

- 5.40 The apartment block will have a communal bike store providing 12 cycle spaces per 6 apartments (2 bikes spaces per 2- bed apartment). The apartment cycle store has been enlarged to accommodate 1.8m to one cycle space to allow for the storage of a non-standard cycle. LTN1/20 seeks a proportion of the cycle parking (typically 5%) to be provided for non-standard cycles to accommodate people with mobility impairments. The apartment cycle store is considered the most appropriate location for these, given that the dwellings would have greater capacity for storage with their residential curtilages. Additionally, the apartment communal cycle store demonstrates that it can accommodate the appropriate spacing (of 1m) between the Sheffield stands.
- 5.41 As detailed above, the bus route will be through the heart of the development, with two bus stops on the spine road (the bus stop within this northern spine road located within the Northern parcel). The Chartered Institute of Highways and Transportation (CIHT) guidance sets out that the maximum acceptable walking distance to bus stops is 500m. Other guidance ('Guidelines for Planning for Public Transport in Developments' (1999) by the Institution of Highways and Transportation) outlines that there is a desire for houses to be no more than 5minutes walking time i.e. 400m from a bus stop.
- 5.42 The applicant's supporting Highways Statement demonstrates that the majority of the Phase 1A/1B dwellings (approx. 79%) lie within 400m of the proposed bus stop. This increases to 96% of the dwellings being within 500m of the bus stop. Whilst the remaining 4% are positioned greater than 500m from the bus stop, the maximum distances for these dwellings are between 520m and 545m, which has a negligible impact upon additional walk time (of between 15 to 35 seconds).
- 5.43 The site layout has been updated along with summary within the applicant's Highway Statement to take account of highway comments regarding swept path analysis addressing how refuse vehicles can be accommodated within the adopted highway and turning heads and that visibility splays are achievable at all internal junctions.
- 5.44 Overall, it is considered that the access within the site for all vehicles, pedestrians and cyclists as well as providing suitable access to public transport, is considered acceptable, reflecting and enhancing the arrangements already made at outline stage, and into the detailed design of this northern phase. The proposals comply with policy H1 of the Huntington Neighbourhood Plan.

Appearance – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development.

- 5.45 Policy D1 of the Local Plan supports development proposals where they adhere to design principles, with regards to suitable density, massing, spacing, scale and appearance.
- 5.46 Policy H4 of the Neighbourhood Plan outlines that development proposals should respect the character of their local environment having regard to scale, density, massing, height, landscape, layout materials and access, as appropriate to their nature and location.
- 5.47 Across the development there will be a number of materials including 3no. different types of brick (Ibstock Weston, Ibstock Marlborough and Ibstock Parkhouse) render, and two roof tiles (Russell Highland cottage red and slate grey). The use of each brick is contained within the clusters within the site's layout although the different coloured tiles are much more mixed. There is a condition (No. 21) requiring samples of external material (including texture and bonding of brickwork and mortar treatment as well as the colour and texture of render) to be viewed and agreed, prior to development commencing in any phase. Due to timings, the relevant AOD has not yet been submitted.
- 5.48 Boundary treatments are suitable for the residential setting; 1.8m high close boarded fencing reserved to the rear of dwellings and for corner plot properties, 1.8m high screen wall or a screen wall with a lapped boarded fence. The Council's Landscape Architect has suggested that some of the close-boarded timber is replaced with a greener solution, such as instant hedging, or climbing plants. Officers consider that there remain options for prospective occupiers to plant greening options if these are preferred and it would be difficult to enforce the retention of such features. The applicant has outlined that the Land Registry require physical boundaries to identify plot boundaries.
- 5.49 Residential properties to the front will generally have hedging, which is shown on the landscape proposals. The Council's Landscape Architect supports the use of hedges to reinforce front garden boundaries, private drives and open space, which will play a significant role in the amenity and character of a street along with the proposed tree planting.
- 5.50 The central greenway is an attractive and inviting space and includes varying play features (LEAP and 2no. LAPs and trim trail), pathways and landscaping including a range of grassland. To the eastern and northern boundaries, there is also an informal footpath/loop to within the buffers to the MCLR and North Lane, which will improve the setting of much of the development.

5.51 Overall, the appearance of the built form of the residential properties within this northern parcel is considered acceptable.

Scale – the height, width and length of each building proposed within the development in relation to its surroundings.

- 5.52 Local Plan policy H2 supports development that delivers densities that make efficient use of the land. The overall number of dwellings on the wider site is informed by the outline consent which granted the total number of dwellings to be no more than 970. The DFD sets a density level, which is consistent with the principles established in the outline consent and identifies that the northern part of the site (from the northern spine road above) shall have a combined density of between 25-35dph. The northern parcel will have a net density of 30dph.
- 5.53 This northern parcel will deliver 314 dwellings, reduced from the initially proposed323. The reduction in the number of dwellings is attributed to increasing the size of the central greenway.
- 5.54 The outline consent stipulates via condition no. 25 that building heights shall not exceed 12m and shall be in general conformity with the Building Heights Parameter Plan (Ref: PL1377-VW-016-2 Issue 04). Within this parameter plan and in the context of the northern parcel, there are generally two areas which permits 2.5 3 storey homes which are the northeastern corner and the area in the immediate vicinity around the northern roundabout/access from MCLR. Within the northeastern corner of the parcel is where the 3-storey apartment building is located as well as three storey terraced townhouses (house types MCGV R111 and R112). Elsewhere, the remaining areas are indicated to be predominately 2 storey, although it does include some 2.5 storey housing, which is allowed on the parameter plan. The 2.5 storey dwellings (house type MCGV R18) (which there are 8no. in total) are dotted throughout the site but primarily would be positioned on the western boundary of the northern parcel with two positioned either side off the northern spine road and access into the site.

5.55 The scale of the development in this northern parcel is considered acceptable and accords with condition 25 of the outline consent.

Layout – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

5.56 Policy HW7 of the Local Plan relates to healthy places and requires developers for major residential development to provide to provide a statement showing how health design principles have been followed. The application is accompanied by a Health Impact Assessment (HIA). The conclusion of the HIA outlines that other than air quality & noise, some elements of transport and some elements of environment,

which have neutral impacts, the remaining issues all have positive impacts. No issues were considered to have negative impacts. There is general agreement with the HIA.

5.57 Policy D1 of the Local Plan expects that development proposals should adhere to the following detailed design points, which in respect to layout of this reserved matters, includes:

iii. Streets and spaces

- promoted ease of public pedestrian and cyclist movement and establish natural patterns of connectivity with the fabric of the city. Spaces and routes must be attractive, safe, and uncluttered and clearly prioritise pedestrians and cyclists over vehicles
- promote legibility through the development by providing recognisable routes, hierarchy or routes, intersections, incidental spaces and landmarks
- providing a pattern of continuity and enclosure, dependant on circumstances, to reflect the need for different types of space for different types of activity including clearly defining private from public space, and mediate between the two
- designed to reduce crime and the fear of crime and promote public safety throughout the day and night.
- 5.58 The applicant identified in the early stages of masterplanning, that the development would align with the principles of garden villages, as a means of providing a sustainable urban extension. The principles include providing healthy lifestyles, high quality landscape-led, active travel, distinctive character, community-led and local buy-in.
- 5.59 The access section above has provided detail assessment in respect to the hierarchy of street types, cycle and pedestrian links and routes to be provided within the northern parcel. It is considered that there is a high degree of legibility of these routes with incidental spaces and landmarks.
- 5.60 The NPPF (para. 136) emphasises the need for street trees in new developments and the quantum of street trees along street frontages have been increased, which help to break up the built form and areas of hardstanding. Additionally, the streets help to promote legibility and provides recognisable features for wayfinding.
- 5.61 A key part of this northern phase is the greenway, which provides different spaces for different activities. Dwellings front the greenway, to assist in providing overlooking of the public spaces, although there is a clear definition of public and private spaces.

5.62 The play spaces to be provided include a LEAP, and 3no LAPs. With the exception of one LAP, these will all be provided within the central greenway, with routes leading to this area. A trim trail will also be provided throughout the central greenway. A LAP is provided within the northeastern corner of the site, avoiding the Yorkshire Water and the northern boundary drainage easement. Access to the LAP will be enabled via the informal perimeter footpath but updates are recommended at condition stage to include a direct footpath from the apartment block. The Council's Landscape Architect has suggested that this LAP could be relocated within the heart of the northeastern quarter to benefit orientation and sense of place and to be more accessible for this most dense part of the overall site.

5.63 Since the agreement of the DFD, which detailed the play space strategy within the site, this LAP is an additional play space and is thus generally welcomed. Officers note the concerns regarding the more dense arrangement in the northeastern corner, which has probably come about due to the loss of one of the apartment block and replaced with terrace housing, however, the relocation of a LAP in this area, would probably have a detrimental impact upon housing numbers across this phase, putting greater pressures on the delivery of more housing in other phases or overall across the development. Officers were also more supportive of affordable housing residents to have their own curtilages and private outdoor amenity space.

5.64 The Council's Landscape Architect has raised concerns regarding the inclusivity and accessibility of the play equipment. For the purposes of this reserved matters application the Landscape Masterplan details indicative play equipment. The applicant has outlined that they are committed to ensuring that their play spaces are accessible to wheelchairs and children with accessibility difficulties and includes providing some elements of accessible play equipment along with lightweight gates and accessible surfaces. There is a condition on the outline consent (No. 29) relating to equipped areas of play which can agree final details of equipment, and other landscape matters including seating and planting.

5.65 The dwellings have a reasonable set back from North Lane, which provide opportunities for frontage planting. However, generally, the opportunities for such tree planting are restricted by the Foss IDB requirements for a 3m easement to the culverted watercourse on along the northern boundary with North Lane. The Landscaping Masterplan has been updated to demonstrate the planting opportunities that can be achieved outside this easement.

5.66 The DFD provides a statement of crime prevention and the Police Architectural Liaison Officer outlines that the overall design and layout of the proposed scheme is considered acceptable.

Landscaping – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is

situated and includes: (a) screening by fences, walls and other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and e) the provision of other amenity features.

5.67 Policy D2 of the Local Plan supports developments which protect or enhance the landscape quality and the public's experience of it. Proposals should include sustainable, practical and high quality soft and hard landscape proposals that make a positive contribution to the street, spaces and landscape. LP policy GI4 relates to trees and hedgerows and states consideration should be given to both existing and new trees to ensure overall tree cover is sustained and maintained.

5.68 Condition 6 of the outline consent sets out landscaping details that would require approval, in the interests of achieving good design and enhancing biodiversity. These include: a) a detailed landscaping scheme which shall show the number, species, height and position of trees and shrubs; b) details of earthworks in connection with the formation of all landscaped areas; c) details of the position, design and materials of all means of enclosure; d) details of surface materials for all roads, footpaths and hard landscaped areas; and e) a lighting scheme for ecologically sensitive areas, cycle routes, public footpaths and public areas.

5.69 In terms of assessing the landscaping proposals, officers have amalgamated the requirements defined by article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 with the requirements of condition 6.

a) a detailed landscaping scheme which shall show the number, species, height and position of trees and shrubs

5.70 The reserved matters application is supported by a Landscape Masterplan, which details the number, species, height and position of trees and shrubs. Comments have been received from the Council's Landscape Architect who outlines that within the open space and green realm ornamental shrubs and herbaceous planting, some native herbaceous planting could be added. In respect to tertiary street planting, the Carpinus betulus is probably too large for this situation, and recommend smaller species varieties, where they can stand out and would have more room to develop. Additionally, magnolia spp. are a useful small tree/ large shrub. For residential core (on plot ornamental hedgerow planting) the 'red Robin (Photina fresh) can make a useful and robust hedging plant, although it should be applied cautiously; it has large leaves and requires regular pruning and requires a reasonable amount of space. The final planting details can be agreed under condition 6 of the outline consent.

- 5.71 The proposed development manages to retain a large proportion of existing trees and hedgerows through the incorporation of green corridors. Of note, the landscape masterplan demonstrates the retention of the Oak tree (T17) which has also been set around incidental green space in the southwestern corner of this northern parcel.
- 5.72 There is a loss of existing hedgerows and some trees, so those that are retained should be robustly protected and a pre-commencement condition to secure appropriate measures would adequately cover this. It is noted that a small section of hedgerow (H7) along the boundary with North Lane would be removed to allow for the required drainage easement following detailed design. In contrast however, an existing tree adjacent to plot 234 is now able to be retained.
- 5.73 Further comments are made in respect to the tree planting details, and how trees that are planted within very narrow planting beds may have difficulty in achieving the necessary volumes of medium growing and space for root growth to sustain a tree into maturity. The key area identified by the Council's Landscape Architect that demonstrates where this is a particular concern is the northeastern quadrant, which remains rather car heavy, with the success of tree planting being critical to reduce the dominance of cars and hardstanding. Experience, and hard evidence, has shown that these very narrow planting beds often end up being paved over due to the very tight space between backs of kerbs and the presence of compacted hardcore and lack of growing medium. The result is a rather bleak looking street.
- 5.74 The Landscape Architect advises that specialist solutions will be required, partnered with porous paving materials for the adjacent driveways, all of which would ultimately be the responsibility of the private owner. In places where the planting beds are particularly tight, the Council's Landscape Architect recommends that it would be better to rearrange the parking bays to create fewer but larger beds, or better still to reduce the number of parking spaces to create larger beds for tree planting, thus negating the need for specialist construction details.
- 5.75 In response, the applicant sets out that they are committed to ensuring that their trees are planted in a way which allows them to mature and thrive. They further outline that the landscape masterplan does not provide all the details, but where planting beds are too narrow, they would look to introduce tree pit details or specify more appropriate tree species. The applicant has agreed to these details being provided; the Council's Landscape Architect recommends a pre-commencement condition.
- 5.76 In respect to the recommendation from the Council's Landscape Architect relating to the numbers of car parking spaces. The provision of car parking for dwellings are in addition to the provision of appropriate opportunities to promote sustainable transport modes. There is a balance between the provision of car

parking with green spaces and landscaping, and the car parking standards follow those that have been agreed under the DFD. The applicant outlines that the parking spaces have been grouped into small groups to achieve balance between the size of the green spaces and number of parking spaces in a row, and the proposed solution is the optimal one.

5.77 The Council's Landscape Architect has requested tree pit details and construction details for the feature tree locations, especially the ones at highway junctions, in consideration of surface treatments, sight lines, soil volumes, distances from kerbs and utilities, and to ensure the hardcore base for the carriageway and the pavement is not applied across the entire area, which can be dealt with via condition.

b) details of earthworks in connection with the formation of all landscaped areas

5.78 Officers are content that the details of earthworks required in connection with the formation of all landscaped areas can be agreed under condition 6 of the outline consent.

c) details of the position, design and materials of all means of enclosure

5.79 The details in respect to the position, design and materials of all means of enclosure have been assessed above under the 'appearance' section of this report.

d) details of surface materials for all roads, footpaths and hard landscaped areas

5.80 The application is supported by a surface treatment plan, which indicates that main carriageways will be tarmac, with some areas block paved and tarmac will be used for combined footway and cycleways. The perimeter path and the path through the central greenway and other green spaces will be constructed using crushed aggregate.

5.81 It does not include the cross overs and driveways, which the Council's Landscape Architect states that the plan does not give a true impression of the look of the verges, which in some places are more hard than soft. Continuing, due to the extent of forecourt parking, the resultant crossovers take up considerable lengths of the otherwise grades verge. To reduce the visual detriment of tarmac carriageway, cross over, footpath and driveway, the Landscape Architect recommends that the crossovers within the verges are surfaced in small paving units or at the very least a contrasting finish to provide visual continuity of the verges containing the street trees.

5.82 The applicant has set out that they are happy to explore the cross overs in a different material/colour, although discussions would have to take place with the highways team in regard to the changes to material in this area. The applicant is also considering surfacing the hardstanding in the verges with block paving with the private drives to the properties as tarmac, and if highways were not agreeable, they could be switched. Given that further discussions would need to take place with colleagues in highways and potentially as part of the S38 adoptions process, it is agreed that a condition could be imposed requiring that the hardstanding in the verges which facilities driveway crossings shall be in a different material to the driveway.

e) a lighting scheme for ecologically sensitive areas, cycle routes, public footpaths and public areas

5.83 The landscaping details do not include a lighting scheme; there is a requirement to consider cycle routes, public footpaths and public areas and these will only become fixed once the reserved matters application is agreed. There are also ecologically sensitive areas to consider, and given the timescale since the ecological surveys were last undertaken, it is more appropriate to consider the requirements once up-to-date surveys have been conducted. It is agreed that these details can be dealt with under condition 6 as well as through the ecological conditions (No's. 7, 8 and 9) of the outline consent, where relevant. The applicants will also be able to consider the above factors when liaising with colleagues in the highway team in respect to the position of street lighting columns prior to agreement and installation.

f) the laying out or provision of gardens, courts, squares, water features, sculpture or public art and the provision of other amenity features.

- 5.84 The main amenity features include equipped play areas, trim trails and incidental green spaces. Their position and use within the site have already been assessed above within the report.
- 5.85 Within the southwestern corner of the parcel, there is an incidental green space, which helps to protect the existing Oak tree, and adds variety to the wider amenity features across the parcel.
- 5.86 Water features, such as ponds have been designed to be multi-functional as attenuation SUDs and basins are located within the country park and lie outside of this northern parcel.
- 5.87 There is no provision for sculpture or public art, and it is considered that these are not necessary for a predominately residential development. The existing site comprises of agricultural land, with little historic features. A former railway line

bisected the site, although this is within other areas of the site, outside of this reserved matter parcel.

Schedule of Accommodation

5.88 Local Plan policy H3 states that it expects developers to provide housing solutions that contribute to meeting York's housing needs, as identified in the latest Local Housing Needs Assessment (LHNA) and in any other appropriate local evidence. New residential development should contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. Policy H2 of the Huntington Neighbourhood Plan requires a housing mix aligned with the local needs assessment. It advises that smaller homes suitable for younger persons and those who wish to downsize in particular will be supported.

5.89 The Local Housing Needs Assessment (LHNA) (July 2022) determines that the evidence suggests that new market provision will be on 2- and 3-bedroom properties. In terms of social rent (affordable) most need is for 1- and 2- bedroom homes. Analysis in the LHNA also suggests that the majority of units should be houses rather than flats, although consideration will need to be given to site specific circumstances (para. 5.51).

5.90 The LHNA Table 5.14 provides the following suggested mix by size and tenure:

	1-bedroom	2-bedroom	3-bedroom	4+-bedrooms
Market	5-10%	35-40%	35-40%	15-20%
Affordable				
home	15-20%	45-50%	25-30%	5-10%
ownership				
Affordable				
housing	30-35%	35-40%	20-25%	5-10%
(rented)				

- Affordable Housing

5.91 Of the 314 dwellings proposed, 94no. dwellings will be affordable housing (equating to 30%), which is in line with Policy H10 of the Local Plan. The S106 affordable housing obligations requires an 80% (social rented) / 20% (discount sale) split.

5.92 In terms of the discount sale tenure, this northern phase shall provide 23no. dwellings for discount sale equating to 6% of the northern phase and shall provide the following:

- 1-bed 10no. dwellings (which are in the form of maisonettes)
- 2-bed 13no. dwellings (which includes 6no. in the apartment block)

In terms of the social rented tenure, this northern phase shall provide 71no. dwellings for social rent equating to 24% of the northern phase and shall provide the following:

- 2-bed 26no. dwellings
- 3-bed 33no. dwellings
- 4-bed 12no. dwellings
- 5.93 There is general conformity with the combined affordable housing suggested mix of housing by size and tenure as outlined in the LHNA. However, 1-bedroom houses do fall below the suggested mix, although 2-, 3- and 4- bedroom houses fall above the combined suggested mix.
- 5.94 The applicant has outlined that consideration has been given to the different parcels/RM that will be delivered by them. Redrow will also be bringing forward the central southern areas (3A and 3B) although the reserved matters application has not been submitted to date. However, this area will provide the community hub/retail as well as being located adjacent to the area reserved for the primary school, the spine road and bus stops. The central southern area therefore would lend itself to smaller dwellings / apartments and this is reflected in the revised masterplan (agreed under the discharge of condition 5 (AOD/24/00066)). The central southern area therefore contrasts with the northern parcel, which will have more larger properties.
- 5.95 The applicant has however demonstrated how the property sizes provided in the southern central parcel could be balanced with those in the northern parcel, to ensure that a combined overall provision better achieves the suggested housing mix. This is outlined in the table below that the applicant has provided (para. 2.5 Barratt Redrow's suggested housing mix, Market Assessment report Housing Mix by Savills).

Tenure	1- Bedroom	2- Bedrooms	3- Bedrooms	4- Bedrooms
Northern Parcel (94)	10.6% (10)	41.5% (39)	35.1% (33)	12.8% (12)
Central Southern Parcel (Expected/ Unknown)	40-50%	20-30%	15-25%	7.5-12.5%
Combined (North and South)	22.5%	35.5%	30%	12%

- 5.96 Officers note that there is no mechanism under this reserved matter application to secure this (i.e. through condition), although this approach reflects the approved DFD and masterplan, and any further reserved matter application will have to comply with the relevant local plan policies (H3 and H10) as well as having regard to the LHNA.
- 5.97 The Council's Housing Strategy Officer has advised that the mix is supported, as it reflects the LHNA expectations for a suburban site of this typology. In terms of the layout, the affordable housing is pepper-potted evenly throughout the site and are visually indistinguishable from the open market dwellings. It is welcomed that the majority (33no.) of the 2-bed affordable homes are generally provided as family houses with individual access, curtilage and gardens.
- 5.98 Of the affordable housing, the proposals indicated that 23 (24%) of the dwellings will constructed to Part M(1) 'visitable dwellings' standard. The remaining 71 (76%) will be constructed to Part M(2) 'Accessible and adaptable dwellings' (Lifetime Homes Standard) standard. This is accepted.
 - Market dwellings

5.99 Of the 212no. market dwellings, these will be split to provide:

- 2-bed 44no. dwellings (20.8%)
- 3-bed 94no. dwellings (44.3%)
- 4+ bed 74no. dwellings (34.9%)
- 5.100 The market housing mix does not conform to the suggested housing mix as outlined in the LHNA; there are no market 1-bedroom dwellings, 2-bedroom properties are below, and 3- and 4- bedroom dwellings are above, the suggested provision.

Tenure	1- Bedroom	2- Bedrooms	3- bedrooms	4+- Bedrooms
Northern Parcel (212)	0%	20.8% (44)	44.3% (94)	34.9% (74)
Southern Parcel (expected/unknown)	10-20%	45-55%	20-20%	10-20%
Combined (North and South)	5%	31%	37%	27%

5.101 In support of the strategic approach to the housing mix, the applicant has submitted a Market Assessment Report – Housing Mix by Savills. The Market Assessment Report, which is not a Council produced report and therefore has not been adopted but is a material planning consideration albeit given limited weight in Application Reference Number: 23/02257/REMM

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the planning balance, provides an overview of the housing mixes on new build schemes, the profile of current housing stock and demographic trends as well as income levels within York to support the housing mix proposed through this reserved matter application. The report outlines that given the urban location and the intention of the development as a Garden Village it is expected to provide a more significant quantity of larger family dwellings. The report highlights that families often priorities good access to schools, parks and other amenities, with accessible green spaces that is ideal for families; the Greenways provide a range of landscaping typologies and play areas, which make it an ideal location for families who need larger homes. The report also highlights that there is a current oversupply within York's housing development pipeline of smaller units (1- to 2-bedroom units) and does not align with market demand.

- 5.102 The report concludes that by offering a broader range of housing options, the Northern Parcel development, in combination with current oversupply of 1- and 2-bedroom dwellings from both existing and upcoming developments, is well positioned to attract a diverse demographic. Collectively, the 2 phases (northern and southern central), which will both be delivered by the applicant (BarrattRedrow), create a diverse range of housing options within this location. The applicant asserts therefore that the proposed housing mix is a considered and strategic response to the local market conditions and demographic trends as well as addressing the oversupply of smaller dwellings and provides a compelling case for approval by the Council.
- 5.103 As with the affordable housing provision, consideration has been given to the different parcels/RM that will be delivered by the applicant (Barratt Redrow). The northern parcel is outlined in the masterplan and through the density parameters outlined in the Development Framework Document (DFD) (indicative density of 25-35 dph for the northern parcel of the wider site) as providing larger properties.
- 5.104 In terms of accessibility Local Plan policy H3 outlines that it will encourage developers to deliver an appropriate proportion of housing that meets the higher standards of Part M of the Building Regulations. Part M of the Building Regulations requires that all new dwelling to which is applies should be designed to a minimum of M4(1) 'visitable dwellings'. The applicant has confirmed that the market housing will be built to Part M4(1) standards with the exception of the house types (and number) MCGV R9 (19no.), R10 (16no.) and R14 (11no.) being built to M4(2) 'Accessible and adaptable dwellings' (Lifetime Homes Standard) standard, which equates to an overall provision of 46no dwellings. The outline consent was approved prior to the adoption of the Local Plan and with this in mind there is no policy requirement to go above this.

- Older Persons Accommodation

- 5.105 Local Plan policy H9 (Older Persons Specialist Housing) sets out that on strategic sites for residential development proposals should incorporate an appropriate provision of accommodation types for older persons in accordance with Policy H3.
- 5.106 The outline consent, which was permitted in December 2022, and prior to the adoption of the Local Plan only sought to provide residential development within the C3 use class. Some specialist accommodation falls within the C2 use class. As outlined above there are no dwellings within the Northern Parcel that are expected to be built above Part M4(2) standards, however there will be ground floor 1-bedroom maisonettes and ground floor 2-bedroom apartments that may be suitable as older persons accommodation. Bungalows are not provided as a specific house type in this phase of development. However, the reserved matters applications and current proposals that have been submitted relating to the central northern (3C) area as well as the southern areas (2A and 2B) where Bellway are the applicants/ developers, indicate that 8no. bungalows will be delivered across the two reserved matters (3no. in the central RM and 5no. in the southern RM). Whilst negotiation is currently continuing regarding these reserved matters applications, it is welcomed that bungalow/older person specialist housing will likely be delivered in other areas of the wider site.
 - Self and Custom Build Housing
- 5.107 The applicant agreed, and the requisite no. of self or custom build plots (equating to 5%) have been secured under the outline consent, in compliance with the requirements of Local Plan policy H4 for strategic residential sites. The self and custom build strategy required by condition 27 has been agreed under approval of details application. This strategy set out that across the reserved matters, up to 2.5% shall be custom build and a minimum of 2.5% shall be self-build.
- 5.108 In respect to the northern parcel and in line with the agreed strategy, the developer is proposing to share equally the overarching 5%, 2.5% shall be for self-build and 2.5% for custom build. Based on the revised quantum of development this equates to 16no. dwellings (8no. self-build and 8no. custom build).
- 5.109 The position of the self-build plots are shown on the revised site layout and are in two clusters, one a cluster of 5 plots and one a cluster of 3, both located to the southern boundary of the reserved matters area. There is no consideration at this stage of the scale, appearance and layout of the self-build dwellings. The new owners of the self-build plots must submit their reserved matters application for the detailed design of each dwelling and comply with the timescales set out in the design code (construction must be started within 1 year of plot purchase and complete construction within a maximum of 3 years for the purchase of the building plot. Overall, the location of the self-build plots can be supported.

5.110 The 8no. custom build dwellings have been included in the market housing numbers. They will be positioned at plots 50, 71, 78, 116, 227, 243, 252, 263 and relate to house types MCGV R6, R7, R8, R9 and R10. The custom build flowchart setting out all the choice for customisation is considered acceptable, and goes beyond homes built to a customer's specification by the housebuilder.

Ecology

- 5.111 The Council's Ecologist has sought details of how the proposed residential development will incorporate/integrate biodiversity enhancements. For this residential scheme and in this location, that includes bat and bird boxes and also ensuring that there are hedgehog gaps in the boundary treatment. The submitted boundary treatment plans for the screen fencing and free-standing brick walls show how hedgehog passages could be incorporated within the boundary treatment. The Ecologist has not raised any objections to the hedgehog specifications in this regard, however concern has been raised in how these could be secured in the long term for private gardens. The exact location of where the boundary treatment with these hedgehog features will be determined by an Ecologist and detailed under the discharge of conditions application relating to Condition 9 of the outline consent, which requires a Biodiversity Management Plan for each phase.
- 5.112 Additional biodiversity enhancements include the installation of bird and bat boxes. Most types of bat and bird boxes (in the case of swift/swallow boxes) can either be integrated or mounted externally. Tree mounted boxes will be a different specification to the building mounted ones. The exact locations and details of the different bird and bat boxes can also be dealt with under condition 9 of the outline consent.

Public Sector Equalities Duty

- 5.113 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.
- 5.114 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.
- 5.115 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.
- 5.116 Officers have given due regard to the equality implications of the proposals in making this recommendation. There is no indication or evidence (including from consultation on this application) that any equality matters are raised that would outweigh the material planning considerations.

6.0 CONCLUSION

- 6.1 The proposed layout, appearance, scale, access and landscaping of the residential development for 314 dwellings including 8no. self build dwellings at land to the north of Monks Cross is considered acceptable. The development provides a range of affordable and market house types and tenures, and the mix reflects the LHNA expectations for a suburban site of this typology. The density and building heights comply with the parameters agreed at the outline stage. Self and custom build housing plots are provided in accordance with the outline permission conditions and the s106 legal agreement for the site.
- 6.2 The layout provides an attractive, legible development which will help to promote active travel through the provision of infrastructure for walking and cycling as well as providing suitable access to public transport, reflecting and enhancing the arrangements already made at outline stage. There will be an extensive central greenway providing an attractive and inviting open space for recreation and amenity, with several different play features (LEAP, LAPs and trim trail). This will be further enhanced through an informal perimeter circulation pedestrian route, offering a route within a landscape setting.
- 6.3 In terms of landscaping, there are some areas of the site that the Council's Landscape Architect considers could have been improved, although this is balanced against the delivery of housing and appropriate infrastructure. Overall, there are many merits to the site layout and landscape masterplan. The planting scheme is largely supported, with scope for change within a detailed planting plan. Conditions are required in respect to details relating to the protection of appropriate measures to protect retained trees and hedgerows and to address matters in respect of tree pit

details and construction details for feature tree locations. Other matters are already dealt with via conditions on the outline permission.

6.4 The reserved matters therefore accord with the policies of the Local Plan, notably the site allocation (SS10) as well as the relevant policies of the Huntington Neighbourhood Plan. Approval is therefore recommended subject to conditions.

7.0 RECOMMENDATION: Approve

1 PLANS

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

- MCY-16-02-01 Rev F Proposed Site Layout
- MCY-16-02-04 Rev B Proposed Affordable Layout
- MCY-16-02-07 Rev B Proposed Custom and Self Build Plan
- MCY-16-02-05 Rev B Proposed Site Sections
- MCY-16-02-02 Rev C Proposed Boundary Plan
- MCY-16-02-03 Rev B Proposed Material Plan
- MCY-16-02-11 Rev B Proposed Surface treatment plan
- 4844-16-06-603 Rev D Proposed Finished Floor Levels Plan
- MCY-16-02-08 Rev B EV Charger Plan

Apartment details -

- 003 Proposed GF and FF Plan (Apartment)
- 004 Proposed SF and Roof Plan (Apartment)
- 006 Proposed elevations (Apartment)
- MCY-CS-001A Apartment Cycle Store Plots 98-103

Cycle Store details -

- MCY-16-02-09 Rev B Proposed Cycle store plan
- MCY-16-02-CS Rev A Cycle store details Cycle stores Type 1 and 2

Boundary Treatment details -

- EG-M5132 Typical horizontal railing fence
- EG-M5115 Post and Rail fence
- RHY-SD-806 Pier and Panel Detail
- EG-M5121 Rev A Screen Fencing 1.8m high, standard effect
- EG-M5108 Rev A Free Standing Brick Walls, 215mm wide

Landscaping -

- P20-2894_EN_10-01B Landscape Masterplan (Northern Parcel) Sheet 1 of 2
- P20-2894_EN_10-02B Landscape Masterplan (Northern Parcel) Sheet 2 of 2

- MCY-167-02-03 Customer Build Illustrative Flowchart
- Design Code (for Self Build plots)
- MCY-16-02-01C Accommodation Schedule/ Housing Mix (Dated 23.05.2025)
- Housetypes (May 2025)
- Housetype Measures schedule

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

2 ARBORICULTURAL METHOD STATEMENT

Before the commencement of development, an Arboricultural Impact Assessment (AIA), and Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), and scheme of Arboricultural supervision regarding protection measures for existing trees within and adjacent to the application site shall be submitted to and approved in writing by the local planning authority. This shall be based on an up-to-date tree Survey and report. Amongst the detail within the AMS, the statement shall cover a schedule of tree works where applicable, details and locations of protective fencing, ground protection, phasing of protection measures, site rules and prohibitions, site access during development operations, types of construction machinery/vehicles to be used, parking arrangements for site vehicles, locations for stored materials, locations and means of installing utilities (including drainage and street lighting) and any signage, location of site compound, showroom and car park where applicable.

The document shall also include methodologies and construction details where specialist construction techniques are required for a change in surface material and/or boundary treatment within the recommended root protection areas of existing trees.

The development shall be implemented in accordance with the approved details. A copy of the document shall be available on site for reference and inspection at all times.

Reason: To ensure every effort and reasonable duty of care is exercised during the development process in the interests of protecting the existing trees shown to be retained which are considered to make a significant contribution to the amenity and setting of the development and the natural environment pursuant to local plan policy GI4.

3 TREE PLANTING DETAILS

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority all tree planting details, to include (where applicable): a) the soil volumes - depth and area of growing media; b) specification

Application Reference Number: 23/02257/REMM Item No: 5a

of topsoils including additives and conditioners; c) proprietary structures such as structural soil cell systems to support paving over extended sub-surface rooting areas, and the corresponding paving detail, and locations of underground utilities; d) means of support; e) means of irrigation; f) means of drainage for the pits; g) maintenance regime and responsibilities.

Where trees are to be located within paved areas or planting beds of a restricted size due to adjacent hardstanding, the surface area of soil cell systems, soil volumes, tree species, stock sizes, and any utilities shall also be shown on a tree planting plan.

All trees shall be planted and thereafter maintained in accordance with the approved details.

Reason: The trees are a critical element of the landscape masterplan and are integral to the amenity and setting of the development. Suitable detailing and maintenance will ensure the cultural requirements for tree planting and establishment are met and will encourage the trees to survive and thrive as intended pursuant to the outline permission (18/00017/OUTM) and to accord with D2 and GI4 of the Local Plan.

8.0 INFORMATIVES: Notes to Applicant

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

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 39) 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:

Negotiations in respect of: highways, landscaping and planting, drainage easements and housing mix.

2. LANDSCAPING - NORTHERN ROUNDABOUT

The details in respect to the landscaping proposals related to the centre of the (new) northern roundabout in the Monks Cross Link Road shall be dealt with under condition 6 of the outline consent (18/00017/OUTM).

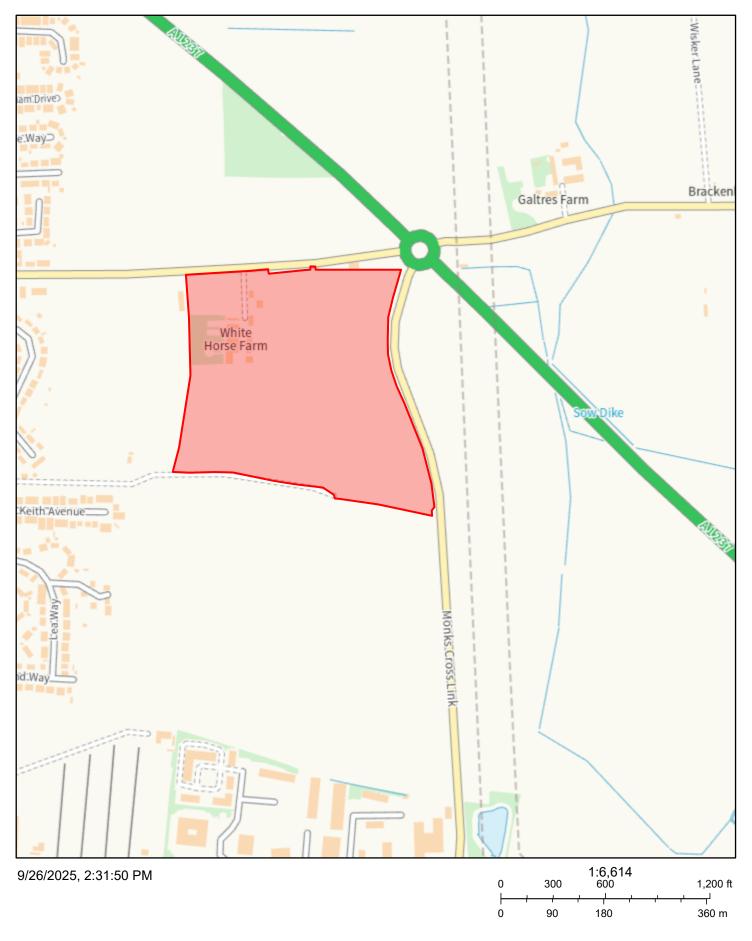
Contact details:

Case Officer: Lindsay Jenkins **Tel No:** 01904 554575

Application Reference Number: 23/02257/REMM Item No: 5a



23/02257/REMM - Land vv of A 237 & S of North Lane







Planning Committee

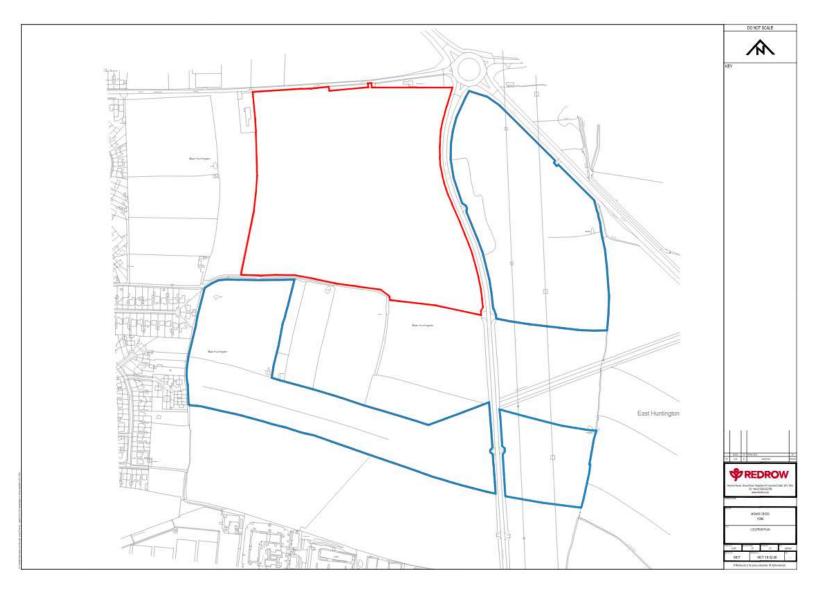
To be held on Thursday 9th October at 4:30pm

23/02257/REMM – Site to the west of the A1237 and south of, North Lane, Huntington, York

Reserved matters application for appearance, landscaping, layout and scale of 314 houses ('Redrow Northern' Phase 1A and 1B) pursuant to outline planning permission 18/00017/OUTM.

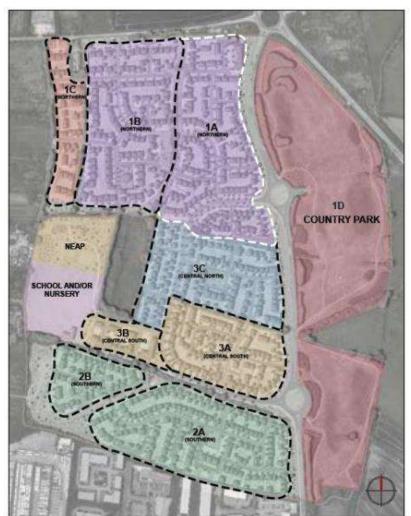


Site Location Plan





Reserved Matters Phasing Plan



Phasing Plan for Wider Site





Site Layout Plan





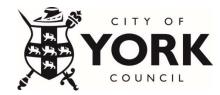
Site Layout Plan Colour





Landscape Masterplan 1 of 2





Landscape Masterplan 2 of 2





PEGASUS GROUP

Proposed Sections





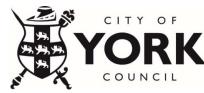
Proposed Custom and Self Build Plots











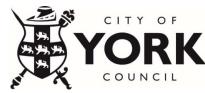
Proposed Affordable Housing Plan





INDICATES 3 BEDROOM AFFORDABLE HOUSING UNIT.

INDICATES 4 BEDROOM AFFORDABLE HOUSING UNIT.

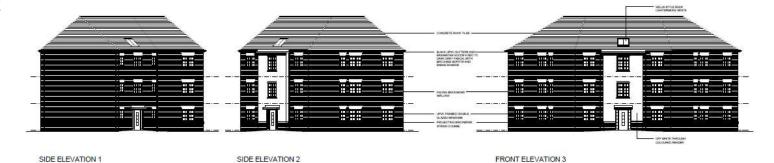


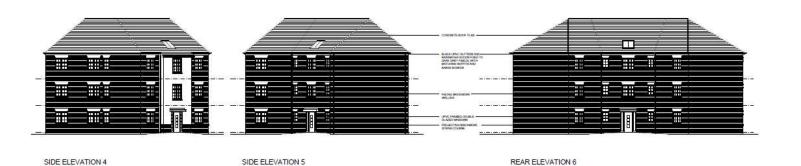
Proposed Materials Plan

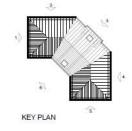




Proposed Apartment Elevations











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COMMITTEE REPORT

Date: 9 October 2025 Ward: Guildhall

Team: East Area **Parish:** Guildhall Planning Panel

Reference: 25/01151/FUL

Application at: Spark York Piccadilly York

For: Continued use of multi-unit mixed-use development, including

commercial, business and service uses (Class E), food and drinking establishments and multi-purpose event space (Sui Generis) for a temporary period of 5 years (until September 30

2030).

By: Mr Samuel Howarth-Leach

Application Type: Full Application **Target Date:** 10 October 2025

Recommendation: Approve

1.0 PROPOSAL

- 1.1 The application relates to the Spark complex at Piccadilly. The application was made valid on 25.06.2025; it seeks to allow continued use of the facility as the previous permission 22/00195/FUL had an expiry date of 30.9.2025. The continued use is requested for 5 years.
- 1.2 Also, there is a request to omit condition 3. Condition 3 stated that there shall be no performance of amplified music on-site; in the interests of residential amenity. The reason for removal of condition 3 is that condition 4 is sufficient in respect of preventing noise having an adverse effect on amenity. Condition 4 requires that there shall be no playing of amplified sound that would exceed background noise levels at the site boundary with noise sensitive receptors. It also requires there shall be no playing of amplified sound (including speech and recorded music) in external areas after 21:00 on Sundays, Mondays, Tuesdays, Wednesdays and Thursdays.
- 1.3 The venue comprises of multiple small commercial units and outside amenity space. The commercial units are occupied as a social hub / studios co-working space and multi-purpose event space, retail and food and drink outlets

- 1.4 The site is owned by the Council and the Spark venue has been subject to temporary permissions only since permission was first granted in 2017. Spark being a temporary use of the site until a permanent scheme is developed for the site. The Council's aspirations in the medium to long-term are for residential lead redevelopment of the site.
- 1.5 The site is within the Central Historic Core Conservation Area Piccadilly Character Area. It is surrounded by residential and commercial uses, a public house with outside seating area, and the street Piccadilly.

1.6 The planning history of Spark is as follows –

Application	Proposals	Decision
22/00195/FUL	Permission to extend duration of permission to 30.09.2025.	Granted 08.04.2022
20/00561/FUL	Permission to extend duration of permission to 31.03.2022.	Granted 02.09.2020
20/01181/FUL	Permission for covering canopy to be in-situ between 1 September in any year and 1 May the following year.	Granted 24.08.2020
17/00274/FUL	Original temporary permission (to 1.7.2020)	Granted 12.05.2017

2.0 POLICY CONTEXT

Legislation

- 2.1 The Council has a statutory duty (under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to consider the desirability of preserving or enhancing the character or appearance of designated conservation areas. Section 66 of the Act requires that in considering whether to grant planning permission for development, which affects a listed building or its setting, the local planning authority shall pay special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.
- 2.2 Section 72 of the Town and Country Planning Act 1990 enables planning permission to be granted for a limited period (that a use be discontinued or that buildings or works be removed at the end of a specified period).

2.3 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that an application is determined in accordance with the development plan unless material considerations indicated otherwise. The development plan is the City of York Local Plan. There is no Neighbourhood Plan covering this site.

Policies of the Local Plan

SS3 York City Centre

2.4 SS3 states York City Centre is identified as a priority area for a range of employment uses and is fundamental to delivering the plan's economic vision. During the plan period it will be the principal location in the City of York area for the delivery of economic growth in the tourism, leisure and cultural sectors.

SS5 Castle Gateway

2.5 Castle Gateway (ST20) is allocated as an Area of Opportunity, as indicated on the Policies Map. The York Castle Gateway ('Castle Gateway') has been identified as a major regeneration area of the city centre. The purpose of regeneration includes to bring forward new commercial and other development that improves the area and complements and facilitates the implementation of the public realm enhancements. For Piccadilly development should have regard to the regeneration objective to ensure active ground floor frontages to new developments fronting Piccadilly.

D1 Place-making

2.6 The policy supports proposals that improve the urban environment and includes detailed design points proposals should adhere to in respect of urban grain, density and massing, streets and spaces, building heights and views and character and design standards.

D3 Cultural Provision

2.7 Cultural wellbeing is identified as one of the twelve core planning principles underpinning both plan-making and decision-making in the National Planning Policy Framework. Development proposals will be supported where they are designed to sustain, enhance, and add value to the special qualities and significance of York's cultural character, assets, capacity, activities, and opportunities for access.

D4 Conservation Areas

2.8 Harm to buildings, plot form, open spaces, trees, views or other elements which make a positive contribution to a conservation area will be permitted only where this is outweighed by the public benefits of the proposal.

ENV5: Managing environmental quality

2.9 Development will be permitted where it does not unacceptably harm the amenities of existing and future occupants on the site and in neighbouring communities.

National policy

- 2.10 Key sections of the NPPF are as follows -
- 7. Ensuring the vitality of town centres
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment
- 2.11 The National Planning Practice Guidance (NPPG) under the heading "When can conditions be used to grant planning permission for a use for a temporary period only?" advises that under section 72 of the Town and Country Planning Act 1990 the local planning authority may grant planning permission for a specified temporary period only. It goes on to advise -

"Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.

A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a 'meanwhile use').

It will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning permission will then be granted permanently".

3.0 CONSULTATIONS

City Development / Economy and Regeneration Team

3.1 This site occupies an important component part of the Castle Gateway masterplan area, with ultimate plans for redeveloped for residential-led uses. The temporary Spark facility plays an important role in the economic and social function of the City Centre as well, with wide-ranging benefits. Given the medium to long-term nature of the Castle Gateway masterplan, key development moves and sequencing, and essential enabling activity to facilitate this, the proposed extension in operating term is not prejudicial to our aspirations for this part of the City and would be supported.

Public Protection

- 3.2 In respect of the request for 6 unrestricted amplified events per year (since omitted from the proposals) Public Protection would not support this element of the proposal.
- 3.3 Public Protection have produced local guidance on outdoor music events which is based on national guidance. Any condition for controlling noise or any noise management plan would have to adhere to these limits. Our experience is that when these limits are exceeded there is a greater chance of local residents making complaints of noise and this can result in very large numbers of complaints.
- 3.4 The site is surrounded in close proximity by residential dwellings, with the nearest residential property being approximately 2 metres from the rear of the development site boundary at Mawson's Court. It is difficult to see how noise from outdoor music events at the venue can be mitigated to a level whereby it will be within the guidance limits and not result in either a loss of amenity to nearby residents and potentially even a statutory nuisance. To have amplified music on the site would require significant investment in the infrastructure of the building. For example, a specially constructed internal area with an acoustic lobby that is sufficiently sound insulated to a level whereby noise and vibration from music does not emanate from the building.
- 3.5 Public Protection have historically received approximately 11 complaints from around 6 different addresses about noise from music and films when they were

taking place at the venue which resulted in numerous warning letters being sent to the owners about the potential for a statutory nuisance being witnessed. Noise was also witnessed from a property that would have been loud enough to be a statutory nuisance had it continued. We have also received 2 complaints about noise from music since the last extension was granted.

- 3.6 Further to this a noise report was commissioned with the original application "17/00274/FUL" which took measurements of the background noise levels at and around the site during the period when live and recorded music is proposed to be played. The report demonstrated that even if only acoustic music was played the noise levels from such an event would likely exceed acceptable noise limits at the nearest residential dwellings to the premises. A decision was therefore made by the applicants to remove any performance of live and recorded music from the proposal.
- 3.7 In terms of other aspects of the application, historically the Environmental Protection team have only received a very low volume of complaints about the site. 1 complaint about raised voices, 2 complaints about smoke from extraction flues, one about construction work one about smoke which pertained more to a query about smoke control areas.
- 3.8 Since the last extension was granted Public Protection have received 2 complaints about noise from music, 2 complaints about alarms, 2 complaints about noisy waste collections, 1 complaint about smells from rubbish and 1 complaint about odour from a commercial kitchen. These have generally been resolved efficiently or not been established as a nuisance.
- 3.9 In summary Public Protection do not support the proposal for the performance of live and recorded music on the site. No objections in principle to the continued use of this site for its current use. Recommend conditions -
 - Cooking odours a condition to approve details of the means of dealing with cooking odours.
 - A condition restricting times of construction (if applicable).

Previous conditions re-applied -

- No amplified sound that would exceed background noise levels and no playing of amplified sound (including speech and recorded music) in external areas after 22:00 on Sundays, Mondays, Tuesdays, Wednesdays and Thursdays.
- The site shall only be open to customers between 07.00 and 23.00 each day of the week.

- All customers consuming food and drink on the premises shall be seated; there shall be no vertical drinking.
- Details of plant / machinery to be installed to be approved.
- Waste management.

Safer York Partnership – Police Architectural Liaison Officer

3.10 Crime and disorder for this site continues to be low. No further comment to make.

Guildhall Planning Panel

3.11 Object – the project was approved as temporary and this period has now lapsed. The operation has proved to be harmful in respect of noise, odour and visual impact. The proposal of 6 live events is insult to injuries. Enough is enough.

4.0 REPRESENTATIONS

4.1 30 contributors have been logged as a consequence of consultation. 18 in support and 12 objections. This includes objections from residents of Nelsons Yard which neighbours the site. Representations were as follows –

4.2 Use of site

- Property purchased on the assumption that Spark was only to be temporary.
- Planning guidance advises temporary uses should not be given repeated consent without special circumstances.
- The Council as landowner has not obtained best value from the site ad alternative uses would generate more revenue.
- The benefits from the site are limited and there are empty properties in the city centre which could accommodate the same uses.
- The landlords (the Council) have made no effort redevelop the site.
- Support for the venue itself but consider the location inappropriate & a permanent location/venue should be secured.
- Reluctant to see the use cease and yet another vacant site on Piccadilly result.
- Venue has a positive effect in providing a platform for new business.
- Generates 60 jobs
- Valued community venue

- Provides a venue for many local groups with varying interests: art, politics, environmental issues, consultations, and are an important member of the York Social Enterprise Coalition.
- The site is a valuable local amenity and appropriate in the city centre. People who choose to live in the city centre should not complain about activities expected to be within the city centre.

4.3 Amenity

- Complaints made directly to Spark in respect of noise and smoke from cooking.
- Discarded food is an environmental health issue
- Essentially an open-air venue with no sound attenuation. Noise from amplified music causes significant harm to residential amenity.
- Noise can still be heard, even with windows closed. It is constant from 10am opening to closing.
- That residents would be given advance warning of a live music event does not address the resultant harm to amenity.
- There is a what's app group with Spark where neighbours can raise concern. There have been numerous noise complaints raised. It is a constant issue.
- Other representations from residents on Piccadilly and Walmgate comment that
 they have rarely found the noise to be excessive and generally it is acceptable.
 There is always a security presence and the venue closes reasonably early,
 therefore it has never felt messy, unsafe or like a major nightlife destination.
- Concerns about safety following event when the fire alarm was sounding for 1.5hours. There have been 2 further incidents reported of the fire alarm sounding for long periods during the night since comments from Public Protection reported in paragraph 3.2.

4.4 Visual impact

- Harmful to the conservation area prominent site and shipping containers are out of character.
- Venue is an eyesore

5.0 APPRAISAL

Key issues

5.1 The key issues are as follows –

- Principle of the proposed use and whether granting temporary consent is appropriate
- Impact on designated heritage assets (setting of listed buildings / character and appearance of the conservation area)
- Impact on residential amenity

<u>Principle of the proposed use and whether granting temporary consent is appropriate</u>

- 5.2 Use of the site is consistent with policy SS3 of the Local Plan which relates to York city centre and NPPF policy in respect of the vitality of town centres and economic growth. The economic benefits are required, under the NPPF, to be given significant weight in decision making.
- 5.3 The scheme generally accords with the regeneration aspirations for the Castle Piccadilly area in policy SS5. However, it is not fully aligned as within Piccadilly, development should have regard to the regeneration objective to ensure active ground floor frontages to new developments fronting Piccadilly. Spark is intentionally inward looking around its own communal area which is a fundamental component of this venue type. The layout is also influenced heavily by the shape of the site. The vitality and footfall the venue brings to the area and its success in achieving a further policy aspiration which is to integrate Piccadilly with the broader city centre is considered to outweigh and justify the departure from the recommendation to ensure active frontages.
- 5.4 The national planning practice guidance (NPPG) explains where it may be appropriate for the Local Planning Authority to impose a condition granting permission for a temporary period only. The applicant has specifically applied for a temporary 5-year permission; the justification to allow such is aligned with the scenario presented in the guidance, to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward; the Council's longer-term aspirations for the site (as reported in paragraph 3.1) prevent the applicants from permanently using the site. There is nothing in policy or guidance that prevents such an approach. It is not the case that the temporary period is being justified on amenity grounds; matters of amenity have always been addressed by planning conditions. Nor has a temporary permission been used to justify any identified harm as a consequence of the scheme due to the current iteration of the conservation area.

<u>Impact on designated heritage assets (setting of listed buildings / character and appearance of the conservation area)</u>

Assessment of significance of heritage assets affected and impacts

- 5.5 The site is within the Central Historic Core Conservation Area. The site, and its main entrance, is adjacent the Grade II listed Red Lion public house and its curtilage. As set out in policy Local Plan D4 and NPPF paragraph 215, if less than substantial harm is identified, it will be permitted only where this is outweighed by the public benefits of the proposal.
- 5.6 The heritage assets affected, and their significance, as established in the original application, is unchanged. There would be no harm to the setting of listed buildings and less than substantial harm, at the lower end of less than substantial, to the character and appearance of the conservation area.
- 5.7 The Central Historic Core Conservation Area has 24 character areas. The site is within the Piccadilly Character Area. Within the area appraisal the overview to the Piccadilly Character Area explains the area and the justification for inclusion within the Central Historic Core Conservation Area as follows "Piccadilly was developed much later than the rest of the medieval city centre and has larger scale building plots, reflecting its industrial past. Although Piccadilly does not have the obvious architectural interest of other parts of the Conservation Area, historically the land was within, and formed part of, the city's defences. Therefore, its inclusion is justified as part of the historic core".
- 5.8 At the site (17-21 Piccadilly) the land was previously occupied by the trolleybus garage, described in the character area appraisal as a utilitarian building, of art deco style dating from 1921. At the time of its demolition, it was derelict and deemed unsafe. Since the Conservation Area allocation, the site has always contained development utilitarian in appearance. There is no material impact on the setting of the Grade II Listed Red Lion public house there continues to be utilitarian development beyond the rear of the building, along Piccadilly and the Spark development is not materially different in scale to previous structures on the site.
- 5.9 The area appraisal issues and opportunities section identifies no "strengths". In terms of weaknesses and opportunities, there is a focus on revealing views and increasing access to the Castle Area and River Foss to the south and public realm

improvements. The Spark development is, in no way, at variance with the aspirations for the area in the conservation area appraisal.

- 5.10 Less than substantial harm to the appearance of the conservation area, at the lower end of less than substantial, has been (consistently) identified as a consequence of the development, because of its temporary nature and the appearance of the venue.
- 5.11 The building has a very functional and low-cost appearance (always justified due to its temporary nature). In the current context the less than substantial harm to the character and appearance of the Conservation Area is very low. Whilst in land use terms this is an appropriate location for the venue in principle, the building's visual qualities are not consistent with the long-term aspirations for Piccadilly, specifically the type of cladding and temporary /season roof. Whilst conditions and site management are in place to mitigate noise, it is evident that a higher cost solution (compared to the seasonal canopy covering) could provide an architecturally more appropriate scheme visually and in terms of containing noise and providing an internal environment better suited to all seasons.

Assessment of public benefits

- 5.12 National planning guidance states "public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives, as described in NPPF paragraph 8".
- 5.13 The public benefits in favour of the scheme are the same as under the previous application for the site. The public benefits are both economic and social. As in determining previous schemes for the development; the benefits are deemed to outweigh the low level, non-permanent harm to the conservation area.
- 5.14 The site is in a prominent location, was previously vacant and hard-landscaped; it made a negative impact to both the appearance of the conservation area and the vitality of the area. The economic benefits are provision of affordable, small-scale commercial and communal spaces; a hub for a certain business sector, not otherwise provided for in the city centre. The venue itself makes a strong contribution to the vitality and viability of the city centre and local distinctiveness. Sections 6 and 7 of the NPPF on building a strong competitive economy and ensuring the vitality of town centres require significant weight to be given to these benefits. NPPF paragraph 86 states "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".

5.15 The social objective of the NPPF is to support strong, vibrant and healthy communities, which involves providing services which reflect communities' health, social and cultural well-being. The development does provide community space and facilitates activities and events for a variety of individuals and community groups. This provides a local asset; a public benefit.

Impact on residential amenity

5.16 Local Plan policy ENV5 states development should avoid causing detrimental impacts on the environment, however where an impact cannot be avoided mitigation measures should be incorporated into the proposals so that any impacts can be reduced to an acceptable level or controlled ... Where mitigation measures have been identified, planning conditions may be used to secure the protection required and maintenance needed in the future to ensure continued benefit. In some cases mitigation measures may still not be sufficient to prevent loss of amenity or to protect human health from environmental impacts. In such cases planning permission will not be granted.

Noise

5.17 The previous planning permission for the venue included conditions to mitigate noise. When the original application for the venue was submitted it was supported by a noise assessment. The assessment (revision 3 dated February 2017) advised that in respect of live music on-site (on the assumption the source would be a central stage, where the exhibition space is located on the ground floor plan) "noise levels do not meet the criteria stated in "IOA Code of Practice on the Control of Noise from Pubs and Clubs". It is the recommendation of Dragonfly Consulting that this aspect of the development be removed from the application". Subsequently proposals to have live music were removed from the application. Planning conditions have prevented performance of amplified music on site on amenity grounds. When initially submitted the application requested the relaxing of conditions to allow up to 6 unrestricted amplified music events per year. This has since been omitted from the proposals.

- 5.18 Of the complaints received by Public Protection, a complaint was received in January 2025 in respect of a live music event. Following the grant of planning permission for the venue 8 April 2022 (application 22/00195/FUL) there was a Planning Enforcement case opened 19 April 2022 this was closed 25 September 2023. The complaint included noise; the site was monitored on weekends and no enforcement action was undertaken.
- 5.19 Conditions imposed to manage noise from the typical operation of the venue are sufficient in the interests of amenity. A condition will require that any live or amplified sound / performance does not exceed background noise level at site boundaries with neighbouring residential uses. The background noise level would be the taken as the average noise level for 90% of the time each hour and informed by an up-to-date noise assessment for the site. The use of conditions will satisfy policy ENV5 which advises development will be permitted where it does not unacceptably harm the amenities of existing and future occupants on the site and in neighbouring communities.

Smells and odour

5.20 The venue is operational. Cooking odours from restaurants and takeaways is a matter policed by Public Protection who have powers under the Environmental Protection Act and therefore it is not necessary to have planning conditions to this effect.

6.0 CONCLUSION

6.1 The continued use of the site is considered acceptable; the land use is consistent with policy, public benefits outweigh the conservation area harm identified and the recommended conditions are deemed sufficient on amenity grounds, in particular in respect of noise from the venue and the amenity of surrounding residents. Condition 3 is necessary to ensure amplified or live music played at the venue is not unduly detrimental to neighbouring residential amenity whilst condition 4 restricts the opening times of the venue.

7.0 RECOMMENDATION: Approve

1 Approved Plans

The development hereby permitted shall be carried out in accordance with the

following plans:-

Floor plans and roof plan - 101, 102, 103 Elevations 104, 105, 106

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

2 Temporary permission

The development hereby permitted shall cease trading by 30 September 2030. Prior to the specified closure date a schedule for the removal of all associated structures from site shall be submitted to the Local Planning Authority and approved in writing. These works shall take place in accordance with the approved schedule thereafter.

Reason: To enable a meanwhile use of vacant land prior to its expected longer-term regeneration, in the interests of vitality and viability of the city centre.

3 Amplified / recorded sound

Within 1 month of this permission a noise assessment shall be submitted to the Local Planning Authority for approval. The noise assessment shall accord with BS4142:2014.

At all times there shall be no playing of amplified sound (including speech and live or recorded music) that would exceed the background noise levels (LA90) (as established in the approved noise assessment) at the site boundary with noise sensitive receptors.

There shall be no playing of amplified sound (including speech and live or recorded music) in external areas after 21:00 on Sundays, Mondays, Tuesdays, Wednesdays and Thursdays.

Reason: In the interests of residential amenity.

4 Hours of operation

The site shall only be open to customers between 07.00 and 23.00 each day of the week. The site shall be vacated by staff, lighting (apart from any essential safety/security lighting) turned off and the site closed by 24.00 each day.

Reason: In the interests of residential amenity.

5 Customers to be seated when consuming food and drink
Application Reference Number: 25/01151/FUL Item No: 5b

All customers consuming food and drink on the premises shall be seated; there shall be no vertical drinking.

Reason: To prevent noise disturbance, in the interests of the amenities of surrounding occupants.

6 Plant & Machinery

The combined rating level of any building service noise associated with plant or equipment at the site shall not exceed 44dB(A) L90 1 hour during the hours of 07:00 to 23:00 or 35dB(A) L90 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

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

7 Waste Management

Waste shall only be emptied into bins between the hours of 07.00 and 21.00 each day of the week.

Reason: In the interests of residential amenity.

8 Composition of uses

There shall be no more drinking establishments on site than as shown on the approved floor plans (shown as kiosk 5, and units 25, 29,30 on drawings 101 and 102).

Reason: In the interests of residential amenity and to prevent crime and disorder.

9 Flood risk management

The development shall incorporate the proposed flood resilience measures as detailed in the revised Flood Risk Assessment approved under application 17/00274/FUL.

Reason: To reduce flood risk in accordance with section 14 of the NPPF.

10 Winter canopy

The winter canopy, as shown on drawings 107, 108, 109 and 110 shall only be in-Application Reference Number: 25/01151/FUL Item No: 5b

situ between 1 September in any year and 1 May the following year. Outside these dates the canopy and its associated fittings shall be removed from the site.

Reason: The temporary nature of the site is such that it is considered inappropriate on a permanent basis. The current use has been permitted for a temporary period prior to regeneration plans coming forward (i.e a meanwhile use), and the canopy will benefit the businesses on site, and vitality and viability of the wider area, by encouraging increased activity during the winter months.

8.0 INFORMATIVES: Notes to Applicant

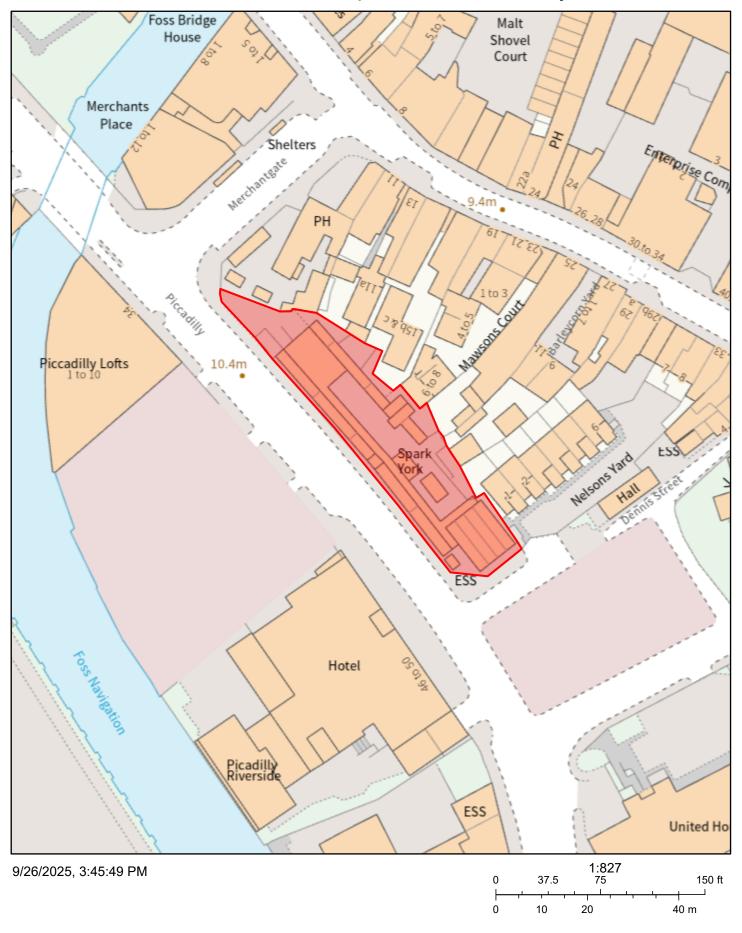
1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 39) 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: the use of planning conditions.

Contact details:

Case Officer: Jonathan Kenyon 01904 551323

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Planning Committee

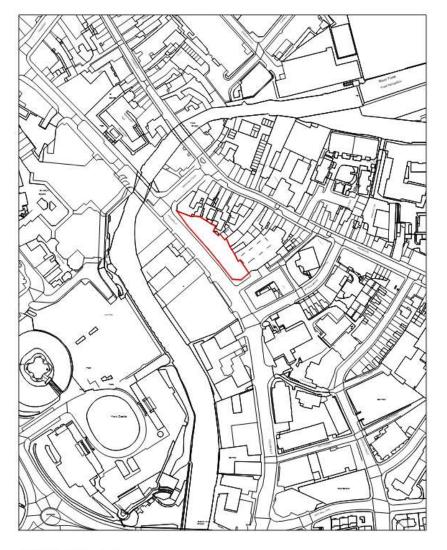
To be held on Thursday 9th October at 4:30pm

25/01151/FUL – Spark York, Piccadilly, York

Continued use of multi-unit mixed-use development, including commercial, business and service uses (Class E), food and drinking establishments and multi-purpose event space (Sui Generis) for a temporary period of 5 years (until September 30, 2030).



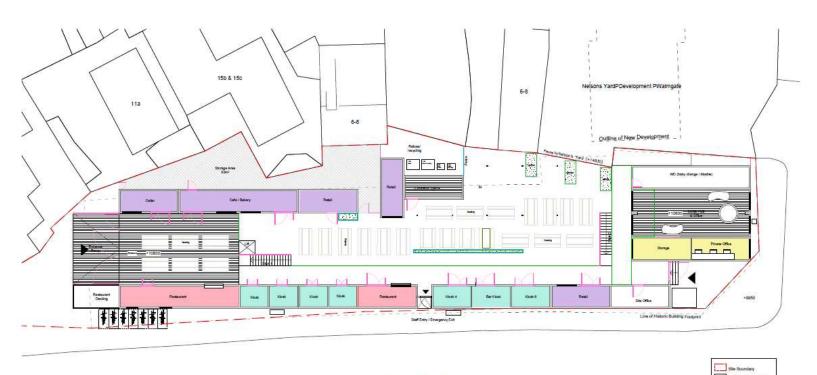
Site Location Plan

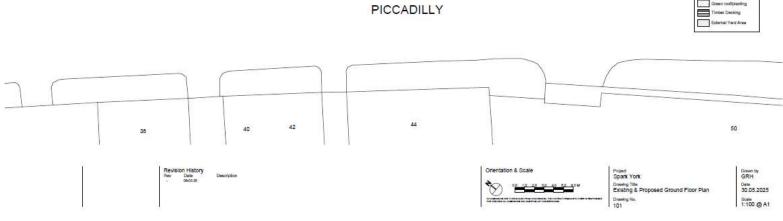




Existing Site Location Plan Scale: 1:1250

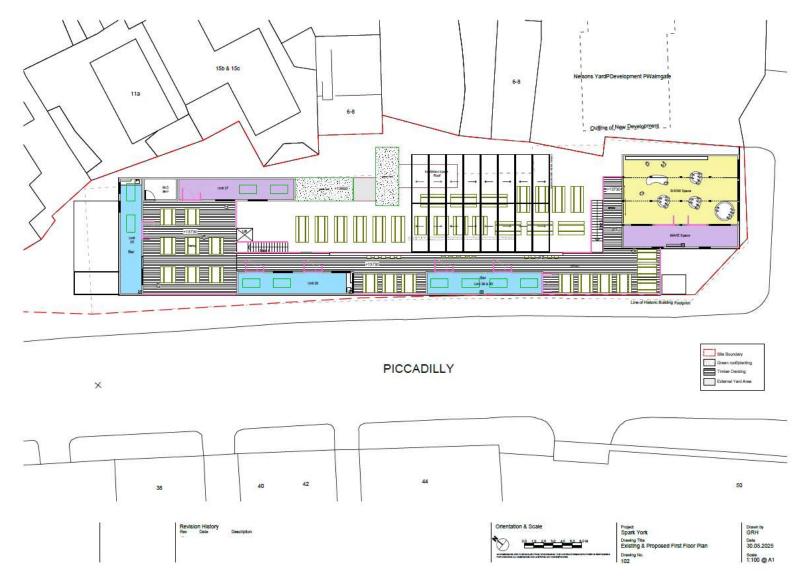
Ground Floor Plan







First Floor Plan





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