

Date: 12 November 2020 **Ward:** Holgate
Team: West Area **Parish:** Holgate Planning Panel

Reference: 20/00710/REMM

Application at: York Central Leeman Road York

For: Reserved matters application for layout, scale, appearance, landscaping and access for the construction of the primary vehicle route and associated roads, infrastructure, landscaping and alterations to the existing road network pursuant to outline planning permission 18/01884/OUTM

By: Homes England, Network Rail Infrastructure Ltd and City of York Council

Application Type: Major Reserved Matters Application

Target Date: 16 November 2020

Recommendation: Approve

1.0 PROPOSAL

1.1 The proposal relates to the first reserved matters application for Phase 1 of the infrastructure works required in order to provide the key road, pedestrian and cycle network through the York Central site. This follows outline approval 18/01884/OUTM for the redevelopment of York Central to provide a mixed-use development of up to 379,729 m² of floorspace Gross External Area (GEA) primarily comprising up to 2,500 homes (Class C3), between 70,000 m² and 87,693 m² of office use (Class B1a), up to 11,991 m² GEA of retail and leisure uses (Classes A1-A5 or D2), hotel with up to 400 bedrooms (Class C1), up to 12,120 m² GEA of non-residential institutions (Class D1) for expansion of the National Railway Museum, multi-storey car parks and provision of community uses all with associated works including new open space, ancillary car parking, demolition of and alterations to existing buildings and associated vehicular, rail, cycle and pedestrian access improvements.

1.2 The first Reserved Matters application includes:

Highway works

- A new road junction off Water End as the main access into the site;
- A new shared pedestrian/cycle lane on the north-west of the existing Severus Road Bridge on Water End;
- New pedestrian and cycle crossing facilities on Water End to integrate with existing segregated cycle provision;
- A new shared pedestrian and cycle bridge added to the south-east side of Severus Road Bridge (known as Severus Pedestrian and Cycle Bridge);

- A new bridge across the East Coast Mainline;
- New pathways, planted terraces and landscaping through Millennium Green;
- A new highway through the site providing access for buses, coaches, taxis, emergency and service vehicles and private vehicles creating an access to the west entrance of the York Railway Station, connecting through to York city centre and Kingsland Terrace.
- A new bus lane on Cinder Street, and routes for two park and ride services to run through the site including 3 bus stops either side of the road for both inbound and outbound services;
- A bus hub to the south of Museum Square, comprising 2 bus stops in laybys with shelters, seating and timetable information in each direction.
- A new signalised crossing for Cinder Street to connect Foundry Way, Cinder Street and Hudson Boulevard with Wilton Rise to the south;
- Unsignalised pedestrian crossing points on Park Street;
- New segregated pedestrian and cycle links through the site to enable the stopping up of a portion of Leeman Road to enable the development of the National Railway Museum's Central Hall.
- A replacement railway spur from the new ECML Bridge to the South Yard of the National Railway Museum;
- Pedestrian/cycle crossing through the NRM south yard to provide connectivity between the Foundry Way and Hudson Boulevard
- A new set-down and pick-up facility for the NRM tourist road train located to the east of the highway close to the Coal Drops.
- A new vehicle drop-off area for 12 vehicles close the west station entrance and 2 new coach set-down areas in the Station Quarter for rail-replacement services.
- Marble Arch designated as a pedestrian only route;
- A new two-way segregated cycle lane within Leeman Road linking directly to the existing route on the west side of the Sorting Office;
- Leeman Road Tunnel reduced to a single carriageway for vehicles with a one-way working system controlled by traffic signals;
- Modification of Leeman Road to create a new junction for the secondary access route for maintenance vehicles to the NRM South Yard.
- New signalised pedestrian crossing on Leeman Road to the east of the Leeman Road Tunnel;
- 8 permanent on-street parking bays on Park Street.
- 21 new on-street parking spaces on Foundry Way;
- New unsignalised pedestrian crossing on Station Rise.
- Displaced car parking provision along Cinder Lane currently serving York Rail Station provided on a temporary basis during construction on land within development plots B, C, D, F, G and H.

Landscaping

- Retention of the Millennium Oak;
- Establishment of landscaped embankments on the primary access route from the ECML Bridge to the Leeman Road Link;
- Planting of new street trees in the southern footway of Park Street;
- Planting of new trees within 2.5 m wide landscaped verge to the north of Park Street, on Hudson Boulevard and within central medians;
- Provision of new landscaped verges up to 1.5 m in width to the north side of Park Street;
- A 2.5 m wide landscape zone created to the north of the cycleway and pedestrian footway on Park Street and Hudson Boulevard to set back the development hoarding lines and to provide additional public realm in advance of the development of the remainder of the site;
- New street lighting throughout; and
- New public realm created at the southern and northern end of Hudson Boulevard and to the north of the proposed drop-off by York Railway Station.

Drainage and Services

- Construction of development surface water drainage within the footprint of the highway including stub connections for future building plots;
- Construction of highway drainage and associated attenuation;
- Construction of the main foul drainage network including stub connections for future building plots;
- Two diversions of Yorkshire Water Services public sewers through the site;
- Compensatory flood storage;
- Diversion of the existing Holgate Beck Culvert;
- Diversion of existing utilities (including gas, electricity, and telecommunications) within the new proposed public footways to enable the development;
- Provision for below ground infrastructure to support Electricity Charging Points for permanent parking spaces; and
- Construction of new utility network infrastructure to serve the proposed development within the site.

1.3 Demolition of buildings within the red site boundary and removal of railway lines have already been approved as part of the outline approval. The buildings to be demolished as part of the Phase 1 works include:

- The concrete depot;
- Unipart;
- Wagon Repair Depot;
- Wagon Repair Generator Block;
- Hanger Shed;
- Single Storey building in MDU;
- Works Delivery Office;

- Single storey cycle shed;
 - Leeman Road Footbridge;
 - Single storey building off Leeman Road Entrance;
 - Railway lines shown for demolition on Drawing YC-PP 002 (approved Parameter Plan 'Demolition' on the OPP) with some lifted and stored for re-use in Central Park, which will be submitted in a future reserved matters application.
- 1.4 The Outline Planning Application required an Environmental Impact Assessment and as such a detailed Environmental Statement was submitted at outline stage. An Environmental Compliance Statement is therefore submitted alongside this Reserved Matters Application to demonstrate that the proposals would not result in any new or material environmental impacts from those identified at outline stage and as such that any mitigation measures outlined still remain relevant. As such an EIA is not required in relation to the proposals set out within this RMA.
- 1.5 The application is also accompanied by a Design Guide Compliance Statement to demonstrate how the proposals fall within the design parameters set out within the Design Guide and Parameter Plans approved at outline stage.
- 1.6 Alongside this reserved matters application there are a number of conditions on the outline approval which will require formal discharge before the development can commence. An application referenced AOD/20/00109 has been submitted which relates to Conditions 11 (phasing of open space), 12 (phasing of car parking), 29 (invasive non-native species (INNS) measures report), 46 (public transport), 60 (unexploded ordnance), 66 (geo-archaeological) and 67 (archaeology waterlogged deposits) and is pending decision.

APPLICATION SITE

- 1.7 The application site lies to the west of the City centre comprising land between the East Coast Main Line (ECML) to the north, the Freight Avoiding Lines (FAL) to the south, York railway station to the east, and the public highway at Water End to the west. The site is predominantly brownfield land with railway infrastructure and rail lines making up a significant part of the site. The site also includes the Grade II listed Gate Piers and Gates to York Goods Station which will remain in situ. Station Rise and Leeman Road in the north eastern corner of the site also fall within the Central Historic Core Conservation Area.
- 1.8 The station and land to the east of it (including the city walls - a scheduled monument) lie within the Central Historic Core Conservation Area. To the south of the site (but not abutting it) is St Paul's Square and Holgate Road Conservation Area.
- 1.9 To the west of York Railway Station are a series of open surface car parks to serve railway car parking requirements. These car parks are accessed via

Cinder Lane. They have been created within existing structures, including the former coal drops area which is a brick structure set approximately 4 metres below the level of the existing Cinder Lane.

- 1.10 At the western end of the site is Millennium Green an area of open space used for walking, recreation and community events. Part of Millennium Green is a Site of Importance for Nature Conservation (SINC). Holgate Beck, a tributary of the River Ouse, crosses the site in an existing culvert, with an un-culverted section of the Beck running through the open space. Part of the open space to the west of Holgate Beck is an identified Local Nature Reserve.
- 1.11 The modern housing development of St Peter's Quarter, off Leeman Road sits immediately adjacent to the site and comprises three and four-storey town houses and apartment blocks.
- 1.12 Leeman Road runs through the site linking Garfield Terrace and Kingsland Terrace to the north of the site with Station Rise to the east. The route has a height restriction at both ends (3.3m at Leeman Road Underpass in the north and 3.7m at Leeman Road Tunnel in the east). The site has no other public vehicular access.

BACKGROUND AND RELEVANT PLANNING HISTORY

- 1.13 The redevelopment of York Central has been in the offing since the end of the Second World War as rail use significantly declined on the site. In 2008 an early retail-focussed scheme came to nothing, when the complexity of land ownerships and problems with access coincided with the economic downturn. Until recently the site has had limited planning history, reflecting its principal uses for rail and industry.
- 1.14 In 2019 outline planning approval (18/01884/OUTM) was granted for redevelopment of the site to provide a mixed-use development of up to 379,729 m² of floorspace Gross External Area (GEA) primarily comprising up to 2,500 homes (Class C3), between 70,000 m² and 87,693 m² of office use (Class B1a), up to 11,991 m² GEA of retail and leisure uses (Classes A1-A5 or D2), hotel with up to 400 bedrooms (Class C1), up to 12,120 m² GEA of non-residential institutions (Class D1) for expansion of the National Railway Museum, multi-storey car parks and provision of community uses all with associated works including new open space, ancillary car parking, demolition of and alterations to existing buildings and associated vehicular, rail, cycle and pedestrian access improvements. The outline approval was subject to a series of conditions together with a Section 106 agreement which secured 20% Affordable Housing and financial contributions towards Gypsy and Traveller provision, Sports provision, Open Space provision, Sustainable Travel and Education provision.

1.15 Homes England, Network Rail and the National Railway Museum have applied to the Department for Transport for a Stopping Up Order (SUO) for part of Leeman Road from approximately the western entrance to the NRM to the new highway immediately west of the Leeman Road Tunnel. The applicant also proposes entering into a Walkway Agreement (Section 35 of the Highways Act 1980) between the NRM and CYC to maintain pedestrian access through the redeveloped NRM site during opening hours. These are separate processes which run outside of the determination of this planning application.

PRE-APPLICATION ENGAGEMENT BY APPLICANT

- 1.16 The Applicants have submitted a Statement of Community Involvement which sets out in detail the community engagement that has been undertaken both prior to the outline consent being obtained and since then in the lead up to the reserved matters submission.
- 1.17 In summary, the engagement on the Phase 1 Infrastructure RMA was run from 24 February 2020 to 6 March 2020 with feedback being obtained online through a dedicated York Central webpage, through exhibitions which were available at three locations, drop in sessions which ran on four dates and through a stakeholder workshop.
- 1.18 In terms of publicity of these events this included the distribution of 5,500 leaflets in the local area, a media release, advertising on social media, briefings with CYC members, emailing stakeholder groups and those registered on the York Central 'keep in touch' list.
- 1.19 The Statement of Community Involvement summarises the comments that were received as a result of this engagement and provides a response to each of these points to demonstrate how they have been considered within the final submission.
- 1.20 As well as the engagement with the local community and key stakeholders the Applicants had various pre-application meetings with Planning, Urban Design, Archaeology and Highways on the lead up to the submission.

2.0 POLICY CONTEXT

2.1 National Planning Policy

The revised National Planning Policy Framework (NPPF) was published in 2019 and its planning policies are material to the determination of planning applications.

2.2 Development Plan

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

material considerations indicate otherwise. The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These are policies YH9(C) and Y1 (C1 and C2) which relate to York's Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt. It also includes a number of Neighbourhood Plans.

2.3 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF as revised in 2019, although the weight that can be afforded to them is very limited.

2.4 The Publication Draft City of York Local Plan 2018 (the emerging plan) was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. In accordance with paragraph 48 of the NPPF as revised in 2019, the emerging plan policies can be afforded weight according to:

- a. the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c. the degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

2.5 The Council considers that given the advanced stage of the emerging plan's preparation the following emerging plan policies can be given moderate weight in the consideration of the application in accordance with paragraph 48 of the NPPF:

- DP1 – York Sub Area
- DP2 – Sustainable Development
- DP3 – Sustainable Communities
- DP4 – Approach to Development Management
- D1 – Placemaking
- D2 – Landscape and Setting
- D4 – Conservation Areas
- D5 – Listed Buildings
- D6 – Archaeology
- D7 – The Significance of Non-designated Heritage Assets

D10 – York City Walls
GI1 – Green Infrastructure
GI2 – Biodiversity and Access to Nature
GI3 – Green Infrastructure Network
GI4 – Tress and Hedgerows
CC1 – Renewable and Low Carbon Energy
ENV1 – Air Quality
ENV2 – Managing Environmental Quality
ENV3 – Land Contamination
ENV4 – Flood Risk
ENV5 – Sustainable Drainage
WM1 – Sustainable Waste Management
T1 – Sustainable Access
T2 – Strategic Public Transport Improvements
T3 – York Railway Station
T4 – Strategic Highway Network Capacity Improvements
T5 – Strategic Cycle and Pedestrian Network
T6 – Development at or Near Public Facilities
T7 – Minimising and Accommodating Generated Trips
T8 – Demand Management

2.6 The following policies are also relevant to the planning application. They have outstanding objections but are consistent with national policy and can therefore be given limited weight (the objections will be resolved through the Local Plan Examination process).

SS1 – Delivering Sustainable Growth for York
SS4 - York Central

2.7 Evidence Base

The evidence base underpinning the emerging plan is also capable of being a material consideration in the determination of planning applications. The evidence base documents relevant to this application are:

General

- CD023 - Soundness Self Assessment Checklist (2018)

Green Infrastructure and Openspace

- SD080 – City of York Biodiversity Action Plan (2017)
- SD085 - Local Plan Evidence Base Study: Open Space and Green Infrastructure (Update (2017)
- SD086 - Local Plan Evidence Base Study: Open Space and Green Infrastructure (2014)
- SD097 - York's Joint Health and Wellbeing Strategy (2017-22)

Heritage, Design and Environment protection

- SD091 - Strategic Flood Risk Assessment, Revision 2 (2013)
- SD093 – City of York Low Emissions Strategy (2012)
- SD095 - City of York Council Surface Water Management Plan (December 2012)
- SD103 – City of York Heritage Topic Paper (2013)
- SD122 – Carbon Trust’s report on Climate Change in the Local Plan (2017)

Transport and Infrastructure

- CD018 - Local Plan Viability Assessment Update (2018)
- SD076 - Transport Topic Paper (2018)
- SD128 - Infrastructure Delivery Plan (May 2018)

Note: References are as per the Core Document Library submitted to the Planning Inspectorate for the examination of the Local Plan.

2.8 In terms of site constraints then the following apply:

- The wider site has been designated as a Housing Zone and has also been awarded Enterprise Zone status.
- The site is located in an Area of Archaeological Interest.
- A small part of the site (Leeman Road to Marble Arch Tunnel) is within the Central Historic Core Conservation Area.
- The site adjoins a number of Grade II Listed buildings including the Former North Eastern Railway Goods Station, Gatepiers and Gates to York Goods Station.
- The north eastern part of the site leading from Water End is located within Flood Zones 2 and 3 (medium and high flood risk).

3.0 CONSULTATIONS

Internal

3.1 Policy

Given the advanced stage of the emerging plan’s preparation, the lack of significant objection to the emerging policies relevant to this application and the stated consistency with the Framework, we would advise that the policy requirements of emerging plan policies SS4, D1, D2, ENV1, ENV2, ENV4, ENV5 and T1 should be applied with moderate weight.

There is no policy objection, subject to comments from colleagues in design and conservation, environmental protection and highways on the technical aspects of this reserved matters application.

3.2 Childcare Strategy and Business Management

No comments.

3.3 Housing Development Team

No comments received.

3.4 Highways

Have considered the submitted layout plans and have taken into account representations submitted as part of the application and raise no objections on highway grounds subject to conditions.

3.5 Economic Development Unit

No comments received.

3.6 Educational Planning Officer

No comments.

3.7 Lead Local Flood Authority

We support the RMA in principle but there are details and information which may affect the layout it seeks to fix therefore if planning permission is granted we are content these can be sought by way of imposing conditions.

3.8 Lifelong Learning and Leisure

No comments received.

3.9 Public Health (Integrated Wellbeing)

No comments received.

3.10 Property Services

No comments received.

3.11 Public Health

Overall there are no objections to this application but would recommend that comments from Public Health are taken into consideration as planning progresses.

3.12 Urban Design and Conservation

Detailed comments provided with a number of requests for further clarity/information surrounding key areas of the site to ensure the original design intent is achieved.

3.13 Waste Services

No objections.

3.14 Ecology

The Preliminary Ecological Appraisal undertaken in June 2019 provides an accurate update to the baseline ecological survey information submitted in the original EIA. The conclusions of the report have been reflected in other submissions such as the Invasive Species Management Plan and the Landscape and Ecological Management Plan (LEMP) required to be submitted as part of the reserved matters application under Conditions 29 and 31. There are no outstanding matters resulting from the PEA that require further action.

A Biodiversity Enhancement Management Plan (BEMP) has been submitted just to cover a limited part of the site relating to the Phase 1 Infrastructure RMA associated with the primary vehicle route and it is understood that further BEMP reports will be provided to the Authority alongside future reserved matters submissions. There is also a link with information contained within the LEMP (condition 31) which deals with habitat creation, enhancement and management. The information contained on the drawing within the BEMP is considered sufficient for this reserved matters application.

3.15 Archaeology

This latest round of investigation has provided further information to support the existing evidence, archaeological and geo-archaeological profile of the site. The borehole survey has shown that organic material survives sporadically in the Holgate Beck and floodplain area. Sediments from the edge of one of the kettleholes identified through the deposit modelling has tentatively been identified.

The general archaeological character of the site is now better understood allowing an appropriate mitigation strategy to evolve. However, the full geo-archaeological character and hydrological regime is still poorly or not at all understood. It is acknowledged by the developers/stakeholders that currently only the preliminary results of the evaluation are available and that further analysis and dating is required from the laboratory. The pending results of the evaluation also need to be entered into the deposit model to further inform the mitigation strategy for this and future RMAs.

Until the results and analysis from the laboratory, which is then interpreted alongside the existing data, deposit model and results of the water monitoring programme there is insufficient data to confidently say what the full impact of the proposals will be on the deeper deposits. However, a tentative approach to another round of targeted evaluation has been agreed with the geo-archaeologist, CYC and Historic England.

3.16 Trees and Landscape

If the Applicant is insisting on providing any remaining landscape detail under condition 24 then there is no comment to add.

3.17 Environmental Protection

The Council's Contaminated Land Officer advises that the proposal is acceptable. A site investigation and risk assessment and a remediation strategy will be required in due course, prior to commencement of development.

In terms of Air Quality the construction traffic flows are expected to be similar to the numbers assessed in the Environmental Statement (ES) and no new or different effects are anticipated. The previously submitted air quality assessment classified the construction of York Central to have a high risk of dust emissions. Mitigation measures will be agreed with CYC as part of a Construction Environmental Management Plan (CEMP) set out in condition 15.

With respect to operation, the works will not generate any new trips per se (other than during construction). The conclusions of the previous ES therefore remain valid.

As there is no mention in this phase of specific lighting of premises, private car parks or signage, public protection will not be commenting specifically on the lighting provision associated with the infrastructure.

The Environmental Statement states that there is an increase in the number of days that night time working is required which would result in a significant effect that was not reported in the OPA ES. The Agent clarified that night time working would be 30 weekends over a 12 month period across the whole site and not specifically in relation to one area of the site. They therefore feel that sufficient controls can be put in place through the discharge of Condition 15 (CEMP) condition. It is understood that there are limitations on providing specific information at this stage when contractors are not in place. It is therefore agreed that this can be dealt with through the discharge of Condition 15 and Section 61 being applied for. However the Applicant should be made aware that there may be strict restrictions placed on the Section 61 Agreement in order to protect residents during any night time work.

External

3.18 Holgate Planning Panel
No comments received.

3.19 Ainsty Internal Drainage Board
The Board notes that the applicant seems to be, in principle, proposing to comply with the outline planning conditions although further details are to be provided. Given the circumstances, provided the Lead Local Flood Authority and the Environment Agency are satisfied with the proposals at this stage, the Board would have no comments to make.

3.20 Canal and River Trust
Have no comments to make.

3.21 Environment Agency

No objections, but advise that the original conditions from the outline application are still applicable and are required to be discharged before works can commence. General comments made with respect to surface water, discharge rates, biodiversity and habitat enhancements for which the LPA need to consult with their Drainage Engineer and Ecologist.

3.22 Historic England

Historic England commented in detail on the outline planning application and raised serious concerns on heritage grounds and regrettably these concerns have not been addressed namely these refer to:

- The archaeological impacts of the scheme have still not been assessed.
- It has not been demonstrated in the application that the primary access routes would not harm, or take opportunities to enhance, key views.
- There is no design review panel process for the Design Guide as promised.

HE therefore object to the current application on heritage grounds.

Following HE's initial comments above, HE are aware that revisions have been made to the archaeological strategy, and that these are in line with the recommendations made by the City of York Council Principal Archaeologist. However it is noted that additional archaeological evaluation needs to be undertaken, although this cannot commence until the results of the completed work have been circulated, which is anticipated to happen in February 2021. On the basis of the information provided, Historic England is content to repeat its previous advice and recommendation that HE object to the proposal on heritage grounds.

3.23 Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

3.24 Highways England

Offer no objection.

3.25 Network Rail

No response received.

3.26 National Grid

No response received.

3.27 Northern Powergrid

No response received.

3.28 Sport England

No response received.

3.29 North Yorkshire Police Designing Out Crime Officer

It is noted that the main arches to the East Coast Mainline Bridge have been altered. The changes made to the geometry of the main arches deals with the safety concerns raised in the earlier NYP response. There are no further comments to make regarding the proposal.

3.30 York Civic Trust

Views York Central as an exceptional opportunity to create a place of international significance and secure major benefits for residents across the city, from delivery of new high value jobs, to creating sustainable transport links in the heart of the city. It is generally very supportive of the application.

Proposals for the introduction of the Severus segregated cycle/pedestrian bridge and the proposed new East Cost main line road bridge are welcomed as are the design and landscaping proposed.

Notes that several buildings are to be demolished and would strongly suggest that these buildings are photographically recorded prior to their demolition or dismantling. A place to re-establish the Firehouse should be identified as soon as possible and preferably within the York Central development itself.

York Civic Trust is very concerned with the unrestricted traffic (modelling suggests up to 1000 veh/hour) to pass through the Leeman Road Tunnel, queueing traffic, bus services being less reliable, disruption for commercial and residential community by a flow of traffic equivalent to Gillygate, potentially unsafe courtesy crossings on Park Street, the Tunnel operating at around 90% capacity rendering it vulnerable to breakdown and increase in air and noise pollution adversely affecting users of Museum Square and residents and users of York Central.

York Civic Trust recognises that the applicant's proposal includes for future revisions of traffic management but are firmly of the opinion that this is such an important facet of the York Central project that the time to address this is now.

3.31 Yorkshire Water

Object to the application. Evidence should be submitted to prove that the relevant sewer diversions proposed within the site has been agreed with Yorkshire Water. Until then, we cannot agree to any of the proposed drainage plans.

4.0 REPRESENTATIONS

- 4.1 There have been a number of comments made within the letters of representation regarding the publicity of the application given that the application was submitted shortly after the national Covid19 lockdown in March 2020. The Council did take account of this within their publicity of the application. An advertisement was posted in the York Evening Press to achieve wider publicity, 660 neighbour letters were posted with 45 site notices displayed. The site notices covered each residential street in the neighbouring area with additional site notices displayed in areas of public realm (particularly in and around Millennium Green) where residents were most likely to be accessing the area for daily exercise during the lockdown. Given that the site notices went up in two stages residents had between 22 April 2020 and 30 June 2020 (almost 10 weeks) consultation period which the Council consider to be a reasonable period. In addition re-publicity took place between 13 October and 3 November 2020 in respect of amendments to the pedestrian footways/ cycleways which gave residents a further opportunity to comment. Furthermore comments posted between these publicity periods have also been accepted and taken into account.
- 4.2 There have been a total of 50 letters of representation in relation to the original publicity including the re-consultation which raise objections/concerns in respect of the proposals submitted these include letters from York Cycle Campaign, York Central Action Group, York Green Party, Cllr Baker, York Environment Forum Transport Group, York Labour Party, York Ramblers Group, Cycling UK North Yorkshire and York & District Trades Union Council. The comments can be summarised as follows:

Highways

- Wilton Rise Bridge is not cycle/disabled friendly. It is important that the development provides an attractive east/west route for cyclists.
- Issues with debris and water ingress make Marble Arch an unpleasant route for pedestrians and cyclists.
- Question why cyclists are split from pedestrians under Marble Arch as it would be safer to keep cyclists away from the road.
- Traffic controlled systems at Marble Arch will delay public transport and force vehicles onto the congested inner ring road and Holgate area.
- Suggestions of grandfather rights permit approach/bus gate through Leeman Road/Marble Arch Tunnel.
- Removal of direct walking and cycling access to the City for Leeman Road residents will increase journey times for them and for access to local businesses.
- Most direct route for pedestrians/cyclists to the City Centre is the Cinder Path (between Jubilee Terrace and Scarborough Bridge) but this is poorly maintained and floods. Improvements to this would encourage continued use.

- There is a lack of detail about the diverted route once Leeman Road is stopped up and where there are temporary diversions during construction.
- Concerns for accessibility of emergency services if Leeman Road is closed.
- The proposed realignment of pedestrian access via Leeman Road to the City Centre after 5pm when there is no access via the NRM needs careful consideration.
- Concerns where current on-street parking on Leeman Road and the NRM would be displaced to.
- The development allows more traffic through the site, in conflict with headline policies of City of York Council, notably for the city to become carbon neutral by 2030 and to eliminate non-essential private car journeys to the city centre by 2023.
- The Transport Assessment should be based on realistic assumptions for the 'do minimum' and cover interim years 2026/7 and should be asked to test conditions in the year 2021/2 when the road is to be implemented.
- The scheme should demonstrate how the transport system ties in with the rest of the city and how it can adapt to fit a post Covid 19 citywide transport plan.
- There would be an increase in traffic of various types on Boroughbridge Road /Holgate and Clifton / Bootham which will have a serious impact on users of the A64, A59 and A19 especially at peak times as well as residents and businesses in an area from the Southwest to the North of the City.
- Proposals should remove on street parking and introduce speed management measures on secondary and tertiary roads.
- Proposals impact on an important bus route and park and ride service and should improve services from Poppleton and Rawcliffe Bar.
- Bus stops should still be accessible to those living in the Leeman Road area many of whom are elderly and reliant on good bus services.
- It is not clear which bus services would be increased and these additional services are clearly needed as soon as the road is developed.
- The proposals need to focus primarily on creating accessible, safe cycle and walking routes to the City Centre and Train Station, the plans do not achieve this and are car dominated contrary to draft Local Plan Policy SP8.
- The design of cycle lanes does not conform with Government Guidance and raises safety concerns for users. Proper prioritisation of cycling should be a headline feature rather than priority being given to motorists.
- Request that the new bridges are built with wider than 3m paths, which have proven problematic elsewhere due to high volume of users.
- Disappointed that a dedicated cycle path is not provided on the west side of Park Street and that a new route is not provided under the station to reduce severance.
- There is no detailed consideration of use of rail instead of road transport for construction traffic.
- Museum Square will be crossed by many conflicting transport users requiring physical barriers resulting in something far from the relaxed public open

space needed.

- There are too many shared use routes for pedestrians and cyclists causing problems for people hard of hearing and who have sight loss which do not adequately consider the Disability Discrimination Act.

Design/Layout

- The new bridge is to be similar to Scarborough Bridge, however this is an unsightly mix of weathered steel, chromed steel, York stone and concrete with no continuity in design. The proposals need to use consistent materials.
- The bridge will have a negative impact on the visual amenity of local residents, particularly those along Garnet Terrace and Garfield Terrace.
- High density developments may no longer be suitable and space standards need to be considered.

Ecology/Wildlife

- Plans involve the unnecessary removal of nature and wildlife habitat which benefit local residents. To destroy this at a time of global climate crisis is absurd.
- Millennium Green is a valuable asset to the local community and will be impacted not only through the loss of some of it, but by it now being next to a busy road.
- If land is needed it should be taken from roads and waste land not areas we need to protect the most.
- There is a thriving eco system of flora and fauna living on Millennium Green, the development means the loss of this alongside hundreds of trees, loss of foxes, badgers, hedgehogs, bats and countless other animal's habitat.
- Works should be done outside of the nesting season.
- Trees should be species indigenous to the British Isles and preferably north east England and sourced from mainland Britain so as to avoid unknown pests and diseases.

Air Quality

- The new development should be low emission from day one.
- Recent work by West Yorkshire Combined Authority in conjunction with the York and North Yorkshire Local Enterprise Partnership indicates that the Emission Reduction Pathway requires a 43% reduction in private car use by 2030 (regardless of fuel type) with 30% of remaining car use shifted to active travel by 10% increase in bus use and 60% increase in cycling and walking. Proposals should align with this.
- Assumptions that a switch to electric vehicles will make congestion levels acceptable is deeply flawed.
- The proposals will see lines of standing traffic through Museum Square and queues along much of the length of the new access road causing

- pedestrians and cyclists to travel past lines of polluting traffic.
- The current assessments regarding air quality are inadequate.
 - The proposals will impact on air quality around Water End and Poppleton Primary School.

Residential Amenity

- Residents would experience disruption due to noise through the increase in local traffic.
- The application does too little to mitigate unavoidable disturbance to local communities during construction, particularly now that more people may be working at home, home schooling and self-isolating.
- Kerbside noise levels alongside Great Park will be 70 decibels at peak times including Saturdays which will be intrusive to the enjoyment of the park and adjacent properties.

Impact on Local Business/Economy

- The proposals will either seriously impact or close local businesses (eg Shopright Ltd, Corking Wines, Howarth Timber) which will remove services for the local community including the elderly.
- Impacts, in particular arising from the alterations to Leeman Road tunnel on the operations of the Royal Mail sorting office is ultimately a risk to the business given their performance obligations in the public's interest. The Delivery Office is a busy facility open 7 days a week and employing 278 staff.
- Traffic congestion undermines local economies and costs businesses money at a time when the local economy faces huge challenges.
- Additional services and facilities should be provided for existing residents.
- To take a decision at this time which will fully commit City of York Council to the delivery of York Central is reckless and irresponsible without full assessment of the financial implications.
- Impact on the 'marketability' of the site in the face of the current recession resulting from coronavirus the competition to attract high quality employers to invest in the site and to realise value from the sale of properties is going to be even higher than previously. The key to this for York will be to demonstrate a clear vision to 'Build Back Better' and to market a site with a high quality of life that will be part of the solution, not part of the problem. Long lines of queuing traffic (whatever fuel they are using) will not deliver this aspiration.

Publicity

- No applications should be made during the current crisis, very few people are aware of the application and letters should be sent to everyone within Leeman Road and the surrounding area as it will have a huge impact on the local community.

- Residents have objected at each consultation, therefore question why no alternative plan has been put forward. There is the impression this is being forced upon the local community with no fair alternative.
- Due to lockdown the community cannot come together in any meaningful capacity to oppose the plans or deliver flyers. This is discriminating against people with children, those shielding and those without internet access.
- Residents need to be allowed more time for objections.

Housing

- Has thought been given to who will afford to live on site once the housing is built?
- Housing needs should cater for all and should not be an imitation of other housing developments, with more availability for housing to rent and for first time buyers.

General Comments

- 750m of path on the riverbank through Leeman Park has been agreed and has attracted £100k of Open Space Contribution funding according to the Section 106 and whilst welcomed was evidently agreed with zero community consultation (Friends of Leeman Park and Leeman Road Residents Association would have been starting points). If consulted they would have highlighted how this proposed path completely misses the point.

4.3 3 letters of support were received including one from the National Railway Museum which can be summarised as follows:

- The site has been mostly railway land and underused or derelict, planning and funding would enable access to the area and all the potential for developing the site.
- The plan is mature and sensitive to all the varied aspects of the urban context.
- The new road will benefit the adjacent housing area in terms of accessibility and will remove the rat run through to the station.
- New housing and other uses would be close to the station making work, shopping and leisure accessible on foot.
- The new roads and infrastructure is critical to the delivery of the NRMs scheme to extend their facilities in order to enhance this visitor destination.
- The reserved matters application embodies the principles established at outline stage for example the closure of Leeman Road.
- Once the new road infrastructure has been adopted the Council still have an opportunity to review how the highway operates in future and to impose new controls or initiatives as they see fit.

4.4 Cllr David Heaton and Cllr Kalum Taylor as Councillors for Holgate Ward have objected to the proposals and their comments can be summarised as follows:

General Comments

- Although enthusiastic about development, as it offers the opportunity to deliver well paid, secure jobs, setting the tone of York, addressing environmental impacts of travel to and from the city, and plays a significant role in addressing housing affordability. The plans do not achieve these critical goals.
- It will allow up to 2,500 dwellings with 80% of them unaffordable.

Publicity/Consultation

- Insufficient consultation as a letter was not sent to all households affected during a period of lockdown when fewer people would see the notice posters.

Impacts arising from COVID Crisis

- The impact of COVID requires a thorough re-evaluation of the site as there will be a significant change in how we live, travel and work for years to come.
- CYC are reviewing all major projects, including this one which is encouraging given the critical nature of this development and the huge financial risks involved.
- Would request that the applicant withdraw their proposals until such a time as the full impact of COVID is understood.

Impacts of the increase in traffic

- It has chance to be a 21st century low-car development but is not.
- Fails to meet the Draft Local Plan “To reduce pollution, noise and the physical impact of traffic, by restraining growth in the use of motor vehicles.”
- Restrictions on through-traffic might be relatively traffic-free, but at the expense of other areas heavily congested. There is nothing green or sustainable about pushing problems elsewhere, at worst we will be adding a concerning level of new vehicle traffic to the area.
- Congestion has a negative impact on local economies. Encouraging another congested development will only make current difficulties worse, regardless of improvements in vehicle emissions.
- Potential for queueing at Marble Arch Tunnel to block bus lanes, making new and existing services unreliable and encouraging people into cars or to become isolated.
- With Marble Arch Tunnel operating at 90% of its capacity at its peak it is extremely vulnerable to incidents such as breakdowns this could have significant negative effects on the flow of traffic in the south and west of the city centre.
- Impact on emergency vehicles travelling through this area.
- Impacts on Royal Mail in meeting their statutory responsibilities due to delays.

- Queuing at the Marble Arch Tunnel will be significant, queues of several hundred metres.

Public Realm concerns within the new development

- Effect for businesses that could thrive in a development that is more suitably designed for their success.

Environmental Effects

- Increase in air and noise pollution with queuing traffic making it worse, goes against CYC motions to declare a climate emergency and a car-limited city centre by 2030.
- Holgate Road and Bootham have seen spikes in gasses dangerous to health, should not encourage this without adequate contingencies.
- Increased traffic and queuing along Park Street will limit potential positive impact of the proposed Great Park.
- If parking is restricted on Park Street where will the cars go? To safeguard communities York Central Partnership should pay for ongoing cost of a Residents' Parking Scheme. There is precedent at the scheme between the University of York and parts of Badger Hill in response to the Heslington East development.

Improper cycling facilities

- Proposals do not conform to government guidelines as motorists are given priority in spite of claims that cycling facilities are at the heart of the development. This is a tremendous missed opportunity.
- Should the application for the Stopping Up Order be approved for Leeman Road, the options for people travelling from the Leeman Road area to the city centre will change from:
 - i. Riverside route from Jubilee Terrace (0.5 miles) or Leeman Road (0.7 miles)
 - ii. To: Riverside route from Jubilee Terrace (0.5 miles), Leeman Road during NRM's opening (0.7 miles), or a route through the development (1 mile) with a barrier crossing at the beginning and end of each day for an NRM train.
 - iii. Based on current opening hours route through the NRM will be unavailable 17 hours each day.
- The new route is twice the length of the riverside and an indirect route to the city centre than Leeman Road. The lack of 24 hour access is not acceptable.
- The riverside route will be the only 24/7 option for cyclists and pedestrians. This route is too narrow for current traffic levels, is poorly lit and has no CCTV and is prone to regular flooding.

4.5 A letter of objection has also been received from the Local MP, Rachael Maskell which can be summarised as follows:

General Comments

- Strongly in favour of York Central but a failure of York Central Partnership to realise the consequences of their proposals call for costly mitigation but could lock York into significant challenges.
- Lack of awareness of significant archaeological and heritage opportunities.

Consultation

- Constituents express frustration that despite engaging with the partnership, it has failed to reflect community aspirations in any substantive way. Consequently, community confidence in the York Central Partnership (YCP) has suffered.
- It is crucial that development proceeds in partnership with local people, and that YCP make best endeavours to work positively and transparently with local people.
- It is likely to increase inequality, increase pollution in York, which is already congested and make York even more inaccessible due to house prices and business costs. There is a serious lack of understanding of York, its communities and its challenges.
- It is highly inappropriate to submit an application at the height of the Coronavirus Pandemic, when many people's attention was elsewhere.
- The YCP RMA Infrastructure and the City of York Council York Central project webpages were out of date with key RMA information difficult to find.
- The extended consultation period has not addressed these problems.

Quality of application

- Statutory bodies (Historic England, Yorkshire Water, Environment Agency, North Yorkshire Police) have concerns about the level and quality of detail, YCP's progress around key OPA conditions and validity of information presented. This is of major importance, could undermine community confidence and may indicate the prioritisation of short-term project goals ahead of the long-term interests of the city.
- Would ask that the planning authority reviews all OPA conditions, ensures statutory bodies are satisfied and all conditions are robustly enforced.

Heritage & Archaeology

- The York Central Project has potential to uncover new and enhance our existing heritage, which will assist York's ambition to become a UNESCO World Heritage Site, the project risks undermining York's unique character and historic standing.
- It is vital to our heritage and heritage-based tourism economy that the highest possible heritage standards are achieved. Concerned at Historic England's strong objection about the threat to potentially globally significant archaeology and failure to satisfy OPA conditions or NPPF requirements.

Flooding

- It is extremely concerning that the application failed to provide statutory bodies with information to make flooding and drainage assessments, given the scale of the development and its proximity to communities with a history of flooding.

Community Impact

- Local opposition to plans for Leeman Road is very strong. These proposals will create one new car dominated neighbourhood, creating more traffic, pollution and noise.
- Residents continue to suggest positive and practical ways to address concerns including compromises over Leeman Road diversion and traffic calming measures. These proposals do not acknowledge concerns particularly from those with mobility issues, nor make solid commitments to mitigate negative impacts.
- Ask the LPA to ensure everything possible is being done to ensure the quality of life of those in surrounding communities will be protected and improved.

Sustainable transport & environmental concerns

- Constituents have a clear desire for a 21st century, low-car, low-carbon community that prioritises sustainable transport and community wellbeing.
- The plans encourage transport use having an adverse impact on reducing carbon usage, not just on York Central, but on surrounding communities.
- Development needs to remove additional car parking and seek cleaner alternative public transport and active transport solutions. The city will be left with further challenges unless there is more ambition to mitigate these risks at this stage.
- The city's environmental aspirations are reinforced by the draft Local Plan Transport Objectives to "reduce pollution, noise and physical impact of traffic, by restraining growth in the use of motor vehicles". Over the past year, this has been reinforced by key Council decisions namely;
 - July 2019 City of York Council Executive decision to "use every power at the council's disposal to deliver a low-car, carbon neutral development on York Central."
 - December 2019 Healthier & Greener York decision "the Executive member for Transport develops and implements a plan, taking into account all financial and legal considerations, to restrict all non-essential private motor vehicle journeys within the city walls by 2023"
- In May 2020 Secretary of State for Transport published statutory guidance that the country has a "once in a lifetime opportunity to deliver a lasting transformative change in how we make short journeys in our towns and cities".
- York Central is an opportunity to create a new neighbourhood that meets the community's low-car, low-carbon aspirations. The proposed plans set out to;
 - Create new areas of congestion and introduce new traffic to the network
 - Drive high volumes of new vehicular traffic through new public open spaces

- Risk increasing congestion in already congested residential neighbourhoods
- Fail to prioritise cycling, walking and public transport
- Undermine the city's environmental aspirations of reducing carbon consumption
- Create significant levels of new parking provision in the city
- On May 6th 2020 the Council Executive committed to “a fundamental review of all schemes will be needed to assess any new risks as a result of the pandemic. This will include considering the overall purpose of the scheme and whether they are still financially viable given the risk to overall economy”.
- Support the suggestion that this application should be deferred until the Council's review in relation to York Central is known.
- Support the call for CYC to commission an independent review of these infrastructure proposals and for the scope to include impact on existing neighbouring communities.

Highway and Transport Impacts

- Increase of traffic with unrestricted traffic through Leeman Road Tunnel and potential knock on impacts on city centre roads.
- 800m of congestion at peak hours through public square, with queuing and congestion equal to areas in York city centre.
- 40-minute queues predicted at weekend peak.
- Failure to include any commitments to reducing traffic flows including bus gates, road charging, grand-father rights and other resident access only arrangements.
- Maintains traffic, air and noise pollution through narrow residential streets onto new spine road.
- It is imperative to incentivise sustainable transport and reduce car use to and from the site.
- Dependence on Marble Arch tunnel running at 90% capacity at peak time causing risk of complete gridlock, pollution hazard for cyclists and threatens to block path of emergency vehicles.
- Unambitious plans around reducing car use or introducing a comprehensive, city centre Ultra Low Emissions Zone.
- Poor quality public realm.
- 900 vehicles per hour through new public space at peak creating an unsuitable environment for families, is unattractive to businesses and tourists
- Insufficiently wide walking and cycling routes.
- Slow cycle junctions connecting new and existing infrastructure.
- Unsafe pedestrian crossings over new major, busy road disincentivising walking and putting pedestrians at risk.
- Access plans that fail to take seriously the impact of diverted and extended walking and cycling routes, particularly for users with mobility issues and/or children.

- Between 5pm and 10am each day pedestrian routes will be longer and limited to the riverside route which can feel dangerous after dark and often floods.
- Compromised public transport provision.
- Bus lanes blocked and 3m delays at peak times that risks disincentivising sustainable transport.

5.0 APPRAISAL

5.1 The key issues for consideration are as follows:

- Scope of the Outline Application
- Access, Highways and Sustainable Transport
- Heritage Impacts
- Design, Layout, Appearance and Landscaping
- Ecology/Biodiversity
- Flooding and Drainage
- Public Protection matters
- Other matters with the OPA Environmental Statement or Arising from consultation

SCOPE OF THE OUTLINE APPLICATION

5.2 The outline approval referenced 18/01884/OUTM granted consent for the principle of the redevelopment of York Central to provide a mixed-use development with associated works including new open space, ancillary car parking, demolition of and alterations to existing buildings and associated vehicular, rail, cycle and pedestrian access improvements. As the principle of development has been established this is therefore not a matter for reconsideration as part of the determination of this proposed reserved matters application. This first reserved matters application seeks consent solely for the access, layout, design, appearance and landscaping for the construction of the primary vehicle route and associated roads, infrastructure, landscaping and alterations to the existing road network. Members' consideration of this reserved matters application should therefore focus on these reserved matters.

5.3 The proposals are to be considered within the context of the parameters set out within the outline approval and the associated Parameters Plans and Design Guide. Condition 6 of the outline approval granted a number of Parameter Plans which covered aspects of the scheme such as the buildings proposed for demolition and the limits of deviation within which new railway additions, access and circulation routes and areas of open space would be developed. It also set out the different types of development zones across the site and set out maximum heights and proposed site levels.

- 5.4 In addition Condition 7 requires that the development is carried out in accordance with the Design Guide (DG) approved at outline stage. This set out the design qualities of the scheme which the Illustrative Masterplan was seeking to achieve and the underlying design intent which future reserved matters applications would need to adhere to. This reserved matters application is therefore accompanied by a Design Guide Compliance Statement (DGCS) which seeks to demonstrate how the proposals comply with the Parameter Plans and Design Guide approved at outline stage. Where the reserved matters application deviates from the DG or Parameter Plans the DGCS provides justification for this which is discussed in more detail within the relevant chapters below.
- 5.5 As the outline consent was accompanied by an Environmental Statement (ES), this reserved matters application is accompanied by an Environmental Compliance Statement (ECS) explaining how it accords with the approved ES. The purpose being to assess the likely environmental effects of the Phase 1 Infrastructure RMA against the relevant consented Parameter Plans that formed the basis of the Environmental Impact Assessment (EIA), to determine if the proposals would result in any new or different effects that would change the conclusions of the previous ES. The ECS is discussed in more detail in each of the relevant chapters below.
- 5.6 It should be noted that the outline consent was also subject to a Section 106 agreement and 83 conditions, a number of which will require formal discharge prior to commencement or at other relevant trigger points within the development process. Therefore where information has not been presented as part of this RMA each section below confirms which relevant conditions would deal with any outstanding matters.

ACCESS, HIGHWAYS AND SUSTAINABLE TRANSPORT

- 5.7 The outline consent, whilst not seeking approval for the site access, established the principle of new road and rail infrastructure being incorporated through the site within limits of deviation set out and conditioned on the Parameters Plan (YC-PP-006 Access and Circulation Routes). In addition the Environmental Statement and accompanying Transport Assessment and Travel Plan demonstrated that the new access road, along with minor revisions to signal timings, where feasible, would generally mitigate the development's impact on the highway network. It was accepted that at some junctions where mitigation measures were not feasible congestion and queuing would occur and that effects would moderate adverse, however the impact on road safety would be negligible.
- 5.8 This reserved matters application is therefore not required to revisit issues which have already been agreed through the granting of outline consent and is assessed in the context of whether the proposals accord with what was set out

at outline stage and to establish whether the conclusions of the ES still remain valid.

Highway Network Impacts

- 5.9 The outline planning approval (OPA) included a detailed Transport Assessment (TA) and Framework Travel Plan (FTP) which considered in depth the impacts of the development on the highway network. The Council's strategic traffic model was utilised to estimate how additional vehicular traffic generated by York Central would be distributed across the city's highways and to the Strategic Road Network (Trunk Roads) operated by Highways England. These figures were based upon the full scope of the application which is unlikely to be built out and as such was considered to provide a worst case scenario to trip generation which was accepted by CYC Highway Officers and Highways England.
- 5.10 The original TA for the OPA forecast delays on the local road network (LRN) (for Leeman Road Tunnel Option 2) to be 'Medium' and 'Low' for the strategic road network (A64). It also showed that there would be an increase in traffic flow on the southern part of the Inner Ring Road (IRR) with one junction experiencing an increase in volume of 2.3% to a capacity of 93.4% which was not considered significant. Other links (e.g. A59 and Water End) showed an increase in flows of over 100 vehicles, with other routes in the western part of the city including the Outer Ring Road also showing increases in traffic.
- 5.11 Local junction modelling was undertaken at 12 junctions in the vicinity of the site and two VISSIM Microsimulation models were developed to test in more detail the impacts at York Station and Water End, respectively. Three junctions were identified as operating over practical capacity and one over capacity, these were:
- Water End – Boroughbridge Road
 - Water End – Clifton Green
 - Tadcaster Road – St. Helens Road
 - Water End – New Junction
- 5.12 The Water End corridor between the A59 and A19 would see significant increases in traffic over the peak hour periods (0800-0900 & 1700-1800 weekday). It was accepted at outline stage that the change in conditions would create a highway corridor which would struggle to accommodate such localised traffic demands. In technical terms the link (at Water End) would be at or above its theoretical operational capacity, meaning it would be saturated. The modelling showed that there would be a doubling of journey times, extensive lengths of slow and static traffic, with average speeds falling below 10mph. The conditions impacted all traffic but would have a major adverse impact on any buses operating along the corridor or, in particular, approaching via the A59.

However the 2033 modelling scenario indicated that traffic reassigns away from the A19, as a result of the saturated conditions on Water End.

5.13 At outline stage Officers therefore considered it essential that these highway impacts be mitigated through minor amendments to improve optimisation and funding was secured via the s106 agreement to guarantee delivery of potential measures through a Travel Plan (TP). The TP could assist in reducing the projected number of car trips to the development by 30% and suppressing the level of demand through managing the volume of parking on site, particularly at employment sites. CYC Highway Officers considered that achieving this would ensure that the impact on the network would be within manageable levels.

5.14 Although this RMA for infrastructure would not result in any additional traffic generation (aside from construction traffic) an additional Transport Report has been submitted to take into account minor changes to the highway layout and modelling refinements made since outline approval to test the operation of the highway network with these changes in place. The changes to the layout include:

- The pedestrian crossings at both ends of Leeman Road Tunnel / Marble Arch have been relocated slightly and signal timings of crossings amended;
- The geometry of the multi-storey car parking access road has been updated;
- A bus lane is provided along the site access road (Cinder Street) on the inbound approach to Leeman Road tunnel with priority traffic signals;
- A layby and turning area is provided immediately west of Leeman Road Tunnel for the drop-off / pick-up and turning of the National Railway Museum (NRM) road train;
- A layby for two visitor coaches for the NRM to set down is provided at Museum Square; and
- Pedestrian and cycle crossing provision at the Water End site access have been relocated and signal timings amended.

5.15 The Transport Report shows that there are predicted changes in general traffic and bus journey times in the York Station and Water End modelling, however the changes are reported to be minor with some increase and some decrease in journey times. The new bus lane and priority signals through the York Central site in the York Station VISSM Modelling lead to a journey time improvement of around 35 seconds for buses travelling inbound in the AM peak. There is predicted to be a slight journey time reduction for outbound buses compared with the Do Something Updated model. The Do Something Updated model being an updated traffic modelling exercise which reflected comments made by CYC prior to the resolution to grant outline planning permission. This was to address concerns relating to instances of traffic blocking back along Leeman Road into the tunnel leading to queuing back into Lendal Arch Gyratory and to enable Marble Arch signals to be better co-ordinated with the Lendal Arch

Gyratory signals to improve flow through the tunnel and prevent occurrences of blocking back.

- 5.16 The Transport Report considers that the addition of the bus lane, bus priority signals and slight changes to the pedestrian crossing provision and timings do not have a detrimental impact on general traffic journey times along the site access road.
- 5.17 Based upon the traffic modelling undertaken, it is proposed to provide a pedestrian/ cycle crossing on Water End which is phased with the new signalisation of the York Central Site Access Road during peak hours. It is proposed that the pedestrian/cycle stage will operate at the same time as the all-red stage at the site access junction (once every 2 minutes). It should however be noted that timings of the signalling can be adjusted by the Highway Authority once the infrastructure is in place to ensure the most efficient flow of traffic. Junction layout changes at the Water End site access improve access for pedestrians, however lead to slight journey time increases (by around 15-20 seconds) for general traffic travelling along eastbound and westbound routes on Water End, and the Salisbury Road Outbound route in the AM peak, compared with the Do Something Updated. For all other routes, there is minimal difference. In the PM peak, journey times are very similar to those reported for the Do Something Updated.
- 5.18 The Transport Report considers that the scheme provides significant benefits for pedestrians and cyclists, connecting Water End with the city centre. Changes to the scheme since the OPA improve access for pedestrians and cyclists and include bus lane provision on Cinder Street. The report therefore concludes that the changes in journey times as a result of highway design changes are acceptable and would not unduly affect highway operation from that presented as part of the OPA scheme and therefore the conclusions within the OPA ES remain valid. Highway Officers accept these conclusions.
- 5.19 It is noted that there have been a number of representations received raising concerns with respect to traffic congestion both within and around the site, concerns with respect to impacts of the signalisation of Marble Arch on traffic congestion, delays in public transport and impacts on the wider road network, including accessibility of local schools. In addition there have been suggestions of a bus gate through Leeman Road/Marble Arch Tunnel and these comments have been considered within the response from CYC Highways. It is however considered that the impacts on the highway network as set out above have been adequately assessed and any relevant mitigation is secured through the conditions attached at outline stage and the Section 106 agreement.

New Access into the York Central site from Water End

5.20 The outline application set out the indicative location of the new primary site access, which was approved within an area of deviation on the Parameter Plans. In addition to the proposed new access there are two existing access points to the site, these being through Leeman Road Tunnel via Station Rise to the east and from Kingsland Terrace through Leeman Road underpass to the North. The reserved matters application is in line with the indicative access shown on the Parameters Plans approved at outline stage.

5.21 Condition 39 of the OPA stated that the access from Water End should include the following details:

- The provision of a new signal controlled junction;
- Controlled crossings for pedestrians and cyclists on Water End and the new access road;
- The provision on Water End for three traffic lanes of a minimum dimension of 3.0m (unless otherwise agreed);
- The provision of improved facilities for cyclists and pedestrians of adequate width;
- Segregated two way cycle paths which are a minimum 3.5m width.

5.22 Highway Officers have considered the highway impacts as a result of the creation of this new access in the position shown, taking into account the requirements of Condition 39, and have confirmed that the proposed access is acceptable and accords with Condition 39 parts 1), 2) and 3). However, for element 4, the shared unsegregated cycle/pedestrian route on the west side of Water End bridge is 3.0m wide, and although this meets with what is generally regarded as the preferred minimum on an unsegregated route it neither allows for an additional 500mm width that is required next to a vertical feature exceeding 600m height (bridge parapet) nor an additional 200mm adjacent to the kerb to provide a 3.0m 'effective width'. Highway Officers have reviewed this and consider it to be acceptable as it is the best design achievable within the available land, taking account of other requirements under Condition 39. The shared unsegregated cycle/ pedestrian route on the east side of Water End bridge is 4.0m wide and provides the 3.0m 'effective width' taking into account the two 500mm additional widths required for the parapets either side. For element 5) (segregated two way cycle paths) there was a contradiction within the OPA Committee Report Paragraph 16.40 which stated that the 3.5m two way segregated cycle route between Water End and Lendal Gyratory is considered sufficient. The proposals are therefore on balance considered acceptable and in general accordance with the outline approval.

Road Layout and Design

5.23 In order to improve the overall accessibility of the site various highway improvements are incorporated into the existing highway to ensure safe

crossing and entry for pedestrians, cyclists and vehicles. The scheme includes a new segregated bridge alongside Severus Bridge to facilitate the widening within the carriageway and the re-provision of a segregated path for pedestrians and cyclists. The new junction would incorporate signal-controlled crossings (to be integrated with the main signals) for pedestrians and cyclists to cross both on Water End and across the mouth of the new junction.

- 5.24 The proposed access road design and layout is as anticipated at outline stage with a primary vehicle route through the site, secondary vehicle route around Foundry Way and a rejection loop off Cinder Street and the pedestrian/ cycle/route/servicing/ emergency vehicle route through Hudson Boulevard and south of Foundry Way as defined by the approved Access and Circulation Routes Parameter Plan.
- 5.25 The new western access will continue into the site as a new bridge over the East Coast Mainline (ECML). At this point the character of the access would change to that of a 20mph street, which has a different balance of functions between movement and that of place creation which are considered further within the design section of this report. The road will continue through the site and will include a segregated cycle path on the north (park) side, a wide landscaped verge comprising substantial tree species and a footway, before the green corridor, parkland. The opposite side will include generous footway width. It is proposed that a number of wide and landscaped central medians will form an essential component of the street design identified at outline stage which would aid in reducing the speed of vehicles. A series of pedestrian-cycle crossing points will be provided, which will link the development on the south side and the parkland, matching desire lines. A number of bus stops will be provided along the street, which comply with CYC standards and provide space for waiting. Highways Officers consider that overall the design and layout are appropriate and that if supported by adequate signage, should result in appropriate vehicle speeds in accordance with the Design Guide.
- 5.26 Park Street would become Cinder Street as it runs through the commercial area. The parameters for the main highway will continue, however a cycle and pedestrian-only route will be included named Hudson Boulevard. The widths of carriageway and footways, provision of medians, bus stops and crossing points would continue throughout.
- 5.27 A small bus hub will be provided to the south of Museum Square, comprising 2 bus stops in each direction. This will serve York Railway Station, NRM and office workers. Bus stops will be provided in laybys with shelters, seating and timetable information.
- 5.28 Condition 40 of the OPP states *‘the reserved matters application(s), which include block F (as defined in the Parameter Plans), shall include details of provision for accommodating bus priority measures (inbound 3.5m wide bus*
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lane). The details shall include landscaping to be installed in advance of installation of the bus lane. These details shall be approved by the Local Planning Authority prior to the commencement of the relevant works and the development shall be carried out in accordance with the approved details. Although Block F will not be developed at this stage the Applicant has decided to include provision for the required bus lane within this RMA given that it is an integral part of the road design.

- 5.29 Overall having had regard to the layout and design of the road, cycle and pedestrian routes through the site CYC Highways are satisfied that the proposals are acceptable.

Wilton Rise/Chancery Rise Access

- 5.30 The outline application included provision for a pedestrian/cycle link between York Central and Holgate Road with two potential options shown. Despite concerns expressed by local residents regarding the suitability of this access, this application does not seek approval for this link at this stage. Condition 42 of the outline approval states that *'Prior to the first occupation of any development in development zones B, C, D, E, and F a scheme for the pedestrian and cycle link between the access and circulation routes within York Central site and Holgate Road (either via Wilton Rise or Chancery Rise as annotated as options 3a and 3b on parameter plan YC-PP 006 Access and Circulation Routes) shall be approved in writing by the Local Planning Authority and implemented in accordance with the approved details.'* These details will therefore need to be provided at the relevant phase within the overall development where it will need to be ensured that the proposals enable accessibility for cyclists and pedestrians including those with mobility issues in order to provide the attractive east/west route envisaged at outline stage.

Leeman Road – Kingsland Terrace

- 5.31 The application includes a new link between the new western access (Park Street) to the existing highway network on the northern side of the site. The new section of connecting link will include off-carriageway pedestrian and cycle lanes for travel in both directions.
- 5.32 There will be far fewer vehicles using Leeman Road east of the underpass when the new through route is constructed and Leeman Road is closed at the NRM. The type and speed of traffic along this section of Leeman Road will change as it becomes primarily a residential street, with measures to reallocate space and make walking and cycling comfortable and safe. The NRM will however retain an access. CYC Highway Officers are therefore satisfied with the overall layout in this part of the site.

Marble Arch

5.33 Condition 41 of the OPA states the Primary Vehicle Route where it would pass through Leeman Road Tunnel and Station Rise to its junction with Station Road, shall include the following elements:

- A single traffic lane which will operate under traffic signal control.
- Signal controls at both ends of the main tunnel together with controlled crossing facilities for pedestrians and cyclists.
- A two way cycle path within the tunnel and continuing east to War Memorial Gardens.
- The widening of the footway (on the south-western side of Station Rise/adjacent to the Principal Hotel) to a minimum of 2m at point.

5.34 The application includes a layout which accords with Condition 41 other than in respect of the footways. The width of the south-western side of the footway on Station Rise has been improved in some areas through increasing the width of the footway to 3m. There is however a pinch point at the junction of Station Rise and Station Road where the footway width is 1.8m. However, due to land ownership issues and the existing design of the highway the width of the footway cannot be altered in this location. This is approximately 2% of the overall footway length from Station Avenue to the Leeman Road Tunnel. Highways Officers have confirmed that the highway requirements are not in accordance with Condition 41 in that the footway is smaller than originally intended, however this would not have any significant detriment to users given the limited nature of the reduction and given that it is the best achievable solution within the land available.

5.35 Some objections have been received from local residents with respect to Marble Arch being an unpleasant route for pedestrians and cyclists with debris, water ingress and poor lighting. The Applicant has confirmed that the tunnel will be resurfaced and that a later reserved matters application should bring forward a detailed environment enhancement which potentially could include cladding, lighting, street art etc to improve the route for its users and to encourage its use.

5.36 Some residents feel that cyclists would be safer being kept away from the road under Marble Arch. However, the proposals as presented in this reserved matters application are in accordance with the indicative design agreed at outline stage and CYC Highway Officers accept that the proposed arrangements are acceptable with respect to the cycle provision.

5.37 Representations have been received which raise concern that Marble Arch Tunnel would be operating at 90% of its capacity at its peak which makes it extremely vulnerable to incidents such as breakdowns which could have significant negative effects on the flow of traffic in the south and west of the city centre. Highway Officers understand the concerns which are also applicable to

many other roads in the city centre, including Marble Arch Tunnel as it currently operates. The Highway Authority have however confirmed that they employ Network Monitoring Officers who monitor traffic on the network and are able to take prompt action to address issues of this type in the unlikely event that they arise. They therefore raise no objections with respect to this.

NRM Road Train

- 5.38 A layby and turning area immediately west of Leeman Road tunnel for drop off / pick up and turning of the National Railway Museum road train are proposed. The road train arriving from the city centre will pull in to the layby for passengers to alight and board. The train will then u-turn in the space available to the south of the carriageway and the signal timings of the Leeman Road tunnel will allow the road train to turn out to head back in to the city centre while the pedestrian crossing is operational. The new arrangements for the road train are expected to become operational once the development of Museum Square commences and the road train stop within the National Railway Museum forecourt becomes unavailable. CYC Highways have confirmed that these arrangements are acceptable in terms of highway impacts and that a Traffic Regulation Order (outside of the planning process) will be required to manage use of the bays.

Coach Access

- 5.39 A layby by Museum Square is to be provided to enable two coaches servicing the National Railway Museum to set down / pick up passengers. The Applicant has advised that European coaches will not be permitted to use these bays as passengers would not be able to alight onto the road carriageway. It has been agreed by the National Railway Museum that where European coach parties visit the National Railway Museum, it tends to be as part of a wider tour of York and therefore would drop off elsewhere within the city centre. CYC Highways have confirmed that these arrangements are acceptable in terms of highway impacts and that a Traffic Regulation Order (outside of the planning process) will be required to manage use of the coach bays.

Closure of Leeman Road

- 5.40 Whilst there has been strong objection from local residents regarding the closure of Leeman Road, the impacts on the highway network, on local businesses and on pedestrian and cycle accessibility as a result of its closure were considered in detail as part of the Transport Assessment accepted at outline stage and the anticipated journey times as a result of its closure were considered acceptable.
- 5.41 CYC Highways clarified that the additional journey time by car to a business closest to the point where Leeman Road is to be stopped up (Leeman Road Auto Services) is approximately 2.5 minutes via the new access road and the

western section of Leeman Road, assuming free flow conditions. Therefore, the impact on local businesses is not considered to be significant.

5.42 Royal Mail has raised detailed concerns with respect to impacts of the alterations to Leeman Road on their business which relate primarily to the following aspects:

- Proposals limiting access to the Delivery Office during the construction phase. Highway Officers have noted that some disruption to the road network and traffic in the area is inevitable but that this will be managed through the Construction Environmental Management Plan (CEMP) to be discharged under Condition 15 which will include a Construction Travel Plan and appropriate Street Works processes, which would be carried out in dialogue with Royal Mail and other stakeholders.
- The closure of Leeman Road from approximately the western entrance to the NRM to the new highway immediately west of the Leeman Road Tunnel and the reduction of the Leeman Road Tunnel to a single carriageway with a one-way working system controlled by traffic signals will both cause increased journey time and delay to Royal Mail vehicles travelling west to / from the Delivery Office. This concern is noted but the principle of the closure of Leeman Road and the one-way-working system for the tunnel were accepted at outline stage.

5.43 The closure of part of Leeman Road will require cyclists to travel around the NRM at all times of the day/night and for pedestrians to travel around the NRM outside the museum's opening hours, currently 10am to 5pm. The impacts on local residents accessibility to the City Centre was assessed at outline stage and it was considered that sufficient measures and controls had been put in place both through conditions and through the 'Sustainable Transport Measures' included within the S106 Agreement for which the £3,892,000 'sustainable Transport Contribution' could be used. The list of improvements that 'may include but is not limited to' under 'Pedestrian and Cycle infrastructure' in Schedule 4 of the S106 Agreement contains 'Improvements to the Riverside pedestrian / cycle path'. It is therefore considered that there are measures in place which could improve accessibility for residents who currently use the Cinder Path (between Jubilee Terrace and Scarborough Bridge) this being the most direct route to the city centre for residents of the Leeman Road area.

5.44 Furthermore, Condition 45 of the outline approval requires that prior to the closure of Leeman Road for pedestrians and cyclists a scheme for a new alternative route for pedestrians and cyclists and details of a pedestrian access through the NRM extension shall be submitted to and approved in writing by the LPA and shall be implemented before Leeman Road closes.

5.45 The closure is part of a Stopping Up Order which is a separate legal process to the planning application and is currently with the Department of Transport for Application Reference Number: 20/00710/REMM Item No: 4a

consideration. The stopping up of Leeman Road will however not take place until the new access road is open and is controlled through Condition 45. CYC Highways have confirmed that temporary diversions will be in place during any works and these are included within the RMA submission.

- 5.46 Comments have been made from local residents regarding accessibility of emergency services if Leeman Road is closed. The Agents have confirmed that they have considered how emergency vehicles and servicing vehicles will access different parts of the site and they can appropriately use all the roads through the site, including Park Street, Leeman Road Link, Foundry Way and Cinder Street as well as Hudson Boulevard. Vehicle tracking has been undertaken and the roads can appropriately accommodate the required vehicles. Further consideration will also be given when the individual plots come forward as separate RMAs. These arrangements have been accepted by CYC Highway Officers.

Parking provision

- 5.47 Some residents have expressed concern regarding the highway impacts arising from displaced on street parking provision. This application includes a limited number of parking spaces, 21 spaces on Foundry Street and 8 parking bays along Park Street.
- 5.48 In addition, to facilitate the construction of the new access road, the displaced car parking provision located along Cinder Lane currently serving York Rail Station will be provided on a temporary basis, during construction, on land within development plots B, C, D, F, G and H (as illustrated on Parameter Plan 'Development Zones – Ground Level Uses'). The total provision will not exceed the existing provision. A total of 1372 temporary parking spaces would be provided in these plots. This compares to 1475 existing spaces for commuter parking, NR & Rail operational parking, and NRM staff and visitor parking. Additional existing car parking is also provided off Leeman Road in areas largely outside the RMA boundary, so will not be affected by this application. Therefore CYC Highways consider that sufficient parking is provided across the site in order to limit parking impacts around the wider highway network. Furthermore the S106 Agreement includes 'Residential Parking Measures' in Schedule 4, 'Sustainable Transport', forming part of the sustainable transport measures to manage the impact of additional parking in residential streets within an approximately 20 min. walk from the outer boundary of the site.
- 5.49 Objections have been received concerning parking being restricted on Park Street and it has been suggested that to safeguard communities York Central Partnership should pay for ongoing cost of a Residents' Parking Scheme such as that at the scheme between the University of York and parts of Badger Hill in response to the Heslington East development. CYC Highways have confirmed that such measures could be considered when further RMAs are submitted

showing expected uses of the development plots and associated traffic and parking demand. As this application does not include any dwellings or commercial uses, the issue of parking management has not been considered in more detail at this stage (apart from the temporary provision described above).

- 5.50 It should also be noted that Condition 12 of the outline approval requires the submission of details with regard the management of site wide parking to ensure that parking is strictly prohibited on the majority of the site in line with the intentions set out at outline stage. In addition Condition 48 relates to site wide parking management which needs to be discharged prior to commencement. An Approval of Details application has been submitted for Condition 12 and CYC Highways have confirmed that the detail provided is acceptable, but will need to be updated as the development progresses through other RMAs. They are still liaising with the Applicant with respect to the detail in relation to Condition 48 and this will therefore be discharged at the appropriate stage of development.

Travel Plan/Encouraging Sustainable Transport Modes

- 5.51 The outline planning application was supported by a Framework Travel Plan (FTP) which provided an initial site-wide structure for a proposed 15 year sustainable travel strategy to be implemented. The FTP contained a limited level of detail however it was accepted that this would be developed further at the reserved matters stage. Condition 37 sets out that each reserved matters application for a building shall include a development specific Travel Plan, therefore this condition will require formal discharge at appropriate points throughout the development.
- 5.52 The FTP firmly established a quantifiable measure of success in relation to TP objectives, namely a principal target which seeks to achieve a minimum 30% reduction in development generated car trips (and a 10% mode split reduction in single occupancy car journeys compared against an agreed baseline position) using the new Western Access Corridor during the AM and PM peak (when compared against the agreed trip rates within the TA). The FTP also committed to restrict two-way traffic flows on the Western Access Corridor and through the Leeman Road Tunnel to those forecast within the TA presented traffic modelling.
- 5.53 The applicant will be responsible for the delivery of the necessary surveys associated with monitoring to inform annual TP monitoring reports to be submitted at various stages throughout the development.
- 5.54 Funding for the measures proposed in the FTP were secured through the s106 agreement to include:

- 1) Pedestrian/Cycling Infrastructure

- 2) Public Transport Infrastructure (offsite bus priorities)
- 3) Bus Service enhancements (provision of additional frequent services)
- 4) Network capacity enhancements including localised junction layout changes and the linking of groups of junctions to operate more effectively
- 5) Employment of a site-wide Framework Travel Plan Co-ordinator
- 6) Provision of City Car Club Facilities
- 7) Preparation and Development of Sustainable Travel Packs
- 8) Monitoring of On-street Parking and Introduction of Residential Controlled Parking Zones.

5.55 A further £2.3m was required to fund enhancements to the core elements and for pump-priming improvements to Park & Ride services, if the Travel Plan is not achieving targets to affect a minimum 30% reduction in development generated car trips using the new site access road during the AM and PM peak (when compared against the agreed trip rates within the TA and the associated quantum of occupied units at the time of the surveys being completed). This obligation will extend to 5 years after the completion of development. In addition a cap on car parking provision for the later stages of development will be instigated if the 30% target is not achieved.

5.56 Given that there are no dwellings or commercial uses proposed as part of these works an updated Travel Plan has not been submitted as part of this application. However it is considered that there are sufficient provisions in place through Condition 31 of the outline approval to ensure that targets for sustainable travel are achieved and further detail will come forward as further reserved matters applications for the buildings are submitted. It is noted that there are concerns that the post COVID19 situation may alter the travel behaviours in future and updated Travel Plans submitted as part of future reserved matters applications would assess this situation further.

5.57 In response to comments made by objectors, CYC Highways have advised that it is not possible to predict the impact of Covid-19 on future travel behaviour in the short, medium or long-term. However, Systra has undertaken some research (based on a sample of 1,500 UK residents) to assess any changes in predicted future behaviour and travel habits. Some of the key findings include:

- 20% predict they will use public transport less after Covid-19 travel restrictions are lifted - key reasons include fear of getting ill, and working from home more.
- 1 in 6 full or part-time workers (17%) believe they will work from home more once COVID-19 travel restrictions are lifted - key reasons include: to save commuting time, for a better work-life balance, they anticipate their employer being more flexible, and to save the cost of commuting.
- Of those who undertake business trips/meetings, two thirds (67%) consider virtual meetings will replace some or of all of such activities.

- Of those whose walking for leisure/exercise has increased, 81% think they will continue with this change.

- 5.58 At this stage the main access road is providing an alternate route into the city and the infrastructure for bus services will maximise the attractiveness of public transport in terms of journey time to counter the potential decline resulting post Covid-19. The main access also provides an attractive walking and cycle route into the city that should support more travel by active modes. A fully effective Travel Plan will be crucial in influencing travel behaviour towards the use of more sustainable and active travel modes in the longer term and CYC Highways consider that there are appropriate provisions in place through existing conditions and the S106 to secure this.
- 5.59 Some residents have expressed concern with respect to the impacts on bus services. CYC Highways have advised that changes to the frequency and quality of bus services are outside the scope of this RMA application. Later stages of the development will need to consider the adequacy of bus services in terms of frequency and quality and improve them if required to provide a frequent high quality service for an urban location. In addition, there is a commitment in the Section 106 to fund additional services through the site so that there are 4 services per hour in each direction.
- 5.60 Concern has also been expressed by some residents in respect of the accessibility of bus stops. The existing bus stops on Leeman Road comprise two pairs of inbound/outbound bus stops (one located close to Carlisle Street and the other by the NRM Great Hall Entrance), an outbound stop to the rear of the NRM shop and one inbound by the Post Office Sorting Office. There is also an inbound bus stop on Kingsland Terrace and an outbound stop on Livingstone Street. Currently the P&R service only runs inbound on Leeman Road whereas other services operate inbound and outbound. The design and access statement states that existing local bus services which currently use Leeman Road will be routed through the site, with a new bus link and stops to be provided on Park Street. The spacing of these stops has been designed so that all residents of York Central will be within easy reach of bus services. The coverage of the Leeman Road Island area will be considered by CYC and the bus operators before they are rerouted, with S106 funding used, where required, to ensure adequate coverage. Highway Officers have noted that this decision would be made by bus operators in conjunction with CYC teams and is therefore outside the scope of this planning application. The S106 agreement also states that the owners covenant with the Council not to commence development of blocks 2 and 3 until the instalment (£930,000) of the Sustainable Transport Contribution has been paid to the Council.
- 5.61 There have been a number of objections received with respect to cycling provision throughout the site including the provision across the new bridges, not conforming with Government Guidance and raising safety concerns for users.

Highway Officers have reviewed the proposed cycle routes and submitted plans have been updated to reflect the latest national guidance for Cycle Infrastructure Design (LTN 1/20) as far as possible. The proposed cycling infrastructure comprises of a substantial network of mostly segregated routes, which are given priority over motorised traffic at junctions with side roads and include pedestrian crossing facilities for the main pedestrian routes, reflecting the user hierarchy adopted by CYC. Shared (pedestrian and cyclist) areas have been reduced as far as possible. In a few areas, land constraints and existing infrastructure have limited the opportunities to provide cycle infrastructure which is fully compliant with LTN 1/20. Highways Officers accept that a compromise had to be reached for these areas which include:

- Water End northbound, where cycle and pedestrian provision is proposed as shared due to limited available land and existing infrastructure;
- Water End new cycle and pedestrian bridge to remain as proposed (4m wide) as widening the bridge would result in significant additional costs (different design and additional construction costs);
- Leeman Road/Station Rise, where land availability and existing infrastructure constrain pedestrian and cycle facilities.

5.62 Also concern has also been expressed regarding Museum Square which will be crossed by many conflicting transport users requiring physical barriers and that there are too many shared use routes for pedestrians and cyclists causing problems for people hard of hearing and who have sight loss which do not adequately consider the Disability Discrimination Act. The Applicants have advised in respect of Museum Square that this area is still to be designed in detail and will need to consider the various users of the space in order to provide a suitable gateway space for the development. This area will be included in a future reserved matters application.

Construction Traffic Impacts

5.63 The ES provided an assessment of potential construction traffic impacts associated with the Phase 1 Infrastructure scheme. Trips were based on the principal construction activities and estimates of construction personnel each month through the construction period. The peak (worst case) number of daily movements was anticipated to be approximately 50-70 HGVs per day and 70-100 car/LGVs per day. It is anticipated that the construction vehicle movements would be the same as those reported in the ES and accepted by Highways Officers as part of the outline scheme.

5.64 It is intended that construction access points will be addressed through the Construction Environmental Management Plan which is secured through Condition 15 and which needs to be discharged prior to commencement of development.

5.65 Residents have expressed concern that there is no detailed consideration of use of rail instead of road transport for construction traffic. Section 3.1.13 of the Environmental Compliance Statement advises that 'The Applicant is exploring the option of bringing construction material to the site via rail which could result in the reduction of approximately 1,000 tonnes of CO2.' At this stage the Applicant is unsure whether this is a viable option however it is being reviewed.

Highway Conclusions

5.66 Overall having had regard to all of the highway related issues CYC Highways have confirmed that the proposals are acceptable with respect to the impact on the highway network subject to conditions. The proposals are in line with what was accepted at outline stage in terms of traffic generation, impact on the existing highway network and the layout and design of the roads, footways and cycleways. There are also sufficient measures in place through conditions and the Section 106 attached at outline stage in order to promote sustainable travel and this is aligned with the Council's transportation policies. The proposals are therefore in accordance with the NPPF and Local Plan Policies set out above. Furthermore the Environmental Compliance Statement confirms that the changes in journey times as a result of the highway design modifications are considered acceptable and will not unduly affect highway operation from that presented as part of the OPA. Consequently, there are no additional effects than were reported in the traffic and transport chapter, and as a result the conclusions of the ES remain valid.

HERITAGE IMPACTS

5.67 The OPA Environmental Statement, accompanying Heritage Statement and technical appendices confirmed that following mitigation the proposals would have a moderate adverse effect on heritage assets arising from demolition of some of the buildings and disruption due to construction. All other effects on heritage assets were said to have a slightly adverse or slight, moderate or large beneficial effect. These impacts were accepted at outline stage.

5.68 The impacts on heritage assets are assessed in the context of whether the detailed proposals, now that the alignment of the road and bridges have been determined, accord with what was set out at outline stage and to establish whether the conclusions of the ES remain valid. In addition applications should be considered in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, which states in section 66(1) that local authorities shall have 'special regard to the desirability of preserving the building or its setting' when considering proposals affecting listed buildings or their settings. Section 72 of the same Act requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.69 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that affect heritage assets. When considering the impact of proposals on designated heritage assets great weight is to be given to the asset's conservation and any harm to or loss of the significance of such assets requires clear and convincing justification. Thus, the provisions of the NPPF import a requirement to identify whether there is any harm to designated heritage assets and if so to assess the impact of such harm. If there is harm, paragraphs 195 and 196 of the NPPF are then engaged according to whether the harm is substantial or less than substantial.

Impact on Listed Buildings within the York Central Site

5.70 There are three Grade II Listed structures on the south side of Leeman Road, namely the former North Eastern Railway Goods Station, the Weigh Office and the gate piers and gates.

5.71 The OPA ES included a Heritage Statement which set out the baseline description of key heritage assets within and around the site. The report acknowledged that the York Central site still contains many railway buildings seen at the turn of the twentieth century valued as part of York's industrial heritage. The buildings were considered to have greater significance when considered as a whole than a set of individual buildings. The most significant of the NRM buildings being the Goods Station, with its unusually intact sequence of Goods Station, Weigh Office and entrance Gateposts all of which are Grade II listed and still associated with a surviving Coal Office, a remnant of the Coal Depot, stables, two LNER traders stores and a mess room which were considered important examples of Victorian processes for handling goods and coal.

5.72 The OPA ES stated that the Grade II listed forecourt grouping therefore have a high significance, although the multiple lines of railings and fencing together with the significant levels of parking currently detract from the setting of these buildings. The setting analysis submitted therefore recognised that the proposed development offered positive opportunities for the heritage of the railway land. In addition impacts to heritage assets within the site have been mitigated by incorporating as many of the assets as possible into the design including road routes in order to limit their effects on the setting of these buildings. The Council agrees that the approach taken to this of area of the site is appropriate and should have a positive impact on the heritage assets.

5.73 The reserved matters application does not significantly alter the impacts on the setting of these listed buildings beyond those identified at outline stage, however as part of minor highway modifications the cycle path along Cinder Lane will now run alongside the wall on the Goods Station side (i.e within the Goods Station forecourt) rather than outside its boundary which differs from that

shown at outline stage. Having had regard to this minor change it is not considered to alter the impact on the setting of the Goods Station forecourt from what was envisaged. Further reserved matters applications will be submitted to address other areas of public realm immediately surrounding these listed buildings including the Coal Drops and Museum Square and these should include interpretation displays to help explain the historic function of the goods station and its buildings as part of the recommended mitigation measures set out in the OPA ES.

Impact on the setting of the Conservation Area

- 5.74 The station and land to the east of it (including the city walls) lie within the Central Historic Core Conservation Area. Character Area 22 of the Conservation Area relates to the Railway Area which contains a mix of building types, of varying scale and period with many surviving features which relate to the arrival and development of the railway which form a strong narrative when considered alongside the buildings within the York Central site. Many of the surviving buildings within this part of the conservation area are listed and as such have a high significance within a historic setting of high significance.
- 5.75 At outline stage it was recognised that direct impacts on the setting of heritage assets in the Historic Core Conservation Area as a whole were relatively minor. A small number of visual connections would be lost through the demolition of buildings and development of buildings during later reserved matters phases, however it was considered that these may not necessarily constitute an adverse effect, particularly in terms of the railway heritage of the city. At outline stage it was assumed that several redundant buildings in the railway yards could be conserved and brought back into use; they could then (through positive design interventions) be reintegrated into York's wider 'railway area' setting. This would benefit the former NER buildings in the Railway Area conservation area, however these would be part of further reserved matters applications. Overall having had regard to the impacts of the proposed infrastructure on the setting of conservation area it is considered that appropriate consideration has been given to impacts through the design and alignment of the road and retention of buildings where possible and that any impacts would be less than substantial.
- 5.76 At outline stage it was established that there would be no impact on St. Paul's Square and Holgate Road Conservation Areas and having considered the layout and design this is still considered to be the case.

Impact on non-designated heritage assets

- 5.77 The Heritage Statement submitted at outline stage recognised that adverse effects would arise from the fact industrial buildings set in space would be replaced by clustered blocks of flats and offices, roads and landscaped public spaces. With rail lines from at least 1870s being removed this would leave the

landscape less legible as a piece of industrial archaeology. The report therefore recommended a number of railway buildings for conservation, whilst others were recommended for demolition including two prominent railway sheds (the Wagon Works and Concrete Depot) amounting to loss of heritage value. This was accepted at outline stage through the approval of a Demolition Plan. In addition Condition 65 was attached to ensure these buildings were recorded prior to demolition and this condition will be discharged at the appropriate stage of development. The outline approval also envisaged that some of the railway lines would be stored and could be incorporated into key areas of public open space (e.g Central Park). It will therefore be important to ensure that these are incorporated within the reserved matters application for Central Park in order to ensure that this heritage is not lost and also to ensure that the ecological enhancement measures which envisage the reuse of railway track and ballast are realised.

5.78 The Civic Trust have raised concern that a place to re-establish the Firehouse should be identified. The Applicant has confirmed that the Firehouse will be dismantled and stored, however they are unsure at this stage where it will be reassembled, this could be within the Central Park phase or elsewhere so again it will be important to ensure that this is incorporated within a future reserved matters application.

5.79 The Coal Drops was an area of the site which was also recognised as being of heritage importance. Whilst the application proposes the retention of this area it would increase the ground levels by between 1.5m to 2.5m, which hides a proportion of the walls, however it is noted some level changes were envisaged and accepted at outline stage. The OPA D&A stated that the removal of parking from the coal drops would transform the setting of nearby listed buildings and the removal of the wall barrier and replacement with railings to the Goods Station enclosure with open landscaped boundary would improve the visual and physical connections across New Square. The initial changes proposed to the Coal Drops are therefore considered acceptable subject to detail regarding the infill material and temporary surfacing and treatment to existing walls being agreed through condition. It should be noted that whilst the levels are to be altered at this stage the final landscaping and material finish within this area would form part of a later reserved matters application for the public realm. Having had regard to this the reserved matters application accords with the detail set out at outline stage and as such the proposals are considered to have a less than substantial impact on non-designated heritage assets.

Impact on setting of Listed Buildings outside the York Central site

5.80 The outline application was accompanied by a Heritage Report and Visual Impact Assessment which identified impacts on the setting of and views to and from the city's most renowned buildings, these being the Minster and the City Walls (both of which are Grade I Listed and of very high significance). In

addition York Railway Station (Grade II* Listed), Holgate Windmill, Poppleton Road School and the Fox Inn on Holgate Road (Grade II Listed) were all identified as being of high significance.

- 5.81 The Council's Urban Designer acknowledged at outline stage that harm is caused to a number of sensitive settings which is inevitable given the scale of development and current open characteristics of the site, where this openness has contributed to the setting of heritage assets. However it was accepted at outline stage that the harm was at the lower range and that excellent design at reserved matters could mitigate some of this harm.
- 5.82 The OPA Environmental Statement identified that overall development was not considered to detract from the historic setting of the City as a whole. Accordingly, whilst the proposed development does impact on important vistas, such as the view from Water End Bridge towards York Minster, it was acknowledged at outline stage that any development on York Central of a scale which is commensurate with the policy objectives on achieving appropriate densities, should reasonably be expected to impact on some views across the site towards York Minster. However, the opening up of this largely inaccessible site to members of the public through the formation of the infrastructure proposed as part of this reserved matters application is likely to create new views across the Site and towards the historic city. This will include views from the new access and access road, the central park and new views from Water End and Millennium Green towards the Minster, afforded by the removal of Poplar trees to facilitate construction. This in turn would enable a greater appreciation of these buildings and their setting.
- 5.83 Page 24 of the OPA Design Guide states that RMAs shall be required to test the scheme against specific townscape views subject to relevance. This is required in order to protect views of York's landmark buildings and structures and the connections between them and the relationship of the historic city to the wider landscape. Historic England have raised concerns with regard to the lack of assessment in this regard as the views provided at outline stage do not provide sufficient detail now the alignment of the road and bridges are known. The Council's Urban Design and Conservation Manager considers that there will be little sensitivity on heritage impacts as a result of the road alignment within the limits of deviation as it is the buildings that will make the majority of the harm. There is scope within the development plots for buildings to be aligned in the most favourable position so as to minimise impacts wherever possible. In addition the roads will create some benefits by setting up new views to the historic city and landscape. In terms of the various options for road alignment (within the limits of deviation already approved) the impact on the historic environment would not be considered so significant and it is therefore likely that other factors in dictating the chosen alignment would outweigh the limited harm. To evidence this the applicant would have to demonstrate that this assumption is correct, however no additional views have been submitted at this stage.

- 5.84 The Applicants do not consider that additional views are necessary and have advised that the alignment of the road is tightly defined by the primary vehicle route shown on Parameter Plan YC-PP 006 with limited lateral and vertical movement allowable. There is therefore no opportunity to make significant alterations to the alignment or levels, particularly when highway safety considerations are taken into account. Additionally, they consider that the development parameters have been formed to specifically maintain views through to assets such as the city walls, the arched gables of the railway station and the grouped assets of the Minster, the Chapter House and St Winifred's Catholic Church. There will, therefore, be moments along that route where views to the historic core will be available. The response from the Agent is accepted, however it is important to note that future reserved matters schemes for proposed buildings will be expected to provide sufficient evidence and justification to demonstrate that they have been positioned within their plot(s) so as to avoid impacts on the setting of key historic buildings wherever possible.
- 5.85 NPPF paragraph 196 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposals align with the assessment of harm to heritage assets undertaken at outline stage. With the exception of the impact on views which cannot be fully quantified impacts can be assumed to be, as a worst case scenario, less than substantial based on information submitted at outline stage. It is also recognised that care has been taken to avoid where practicable harm to York's historic fabric and setting. It is therefore considered that the less than substantial harm to heritage assets identified above are outweighed by the public benefits arising from the proposal which would enable the key infrastructure to be incorporated throughout the site to open it up for the wider development approved at outline stage which bring social and economic benefits to the city.

Archaeology

- 5.86 The area around York Central has produced significant archaeological remains and the site is a complex landscape that has significant potential to preserve locally, regionally, nationally and internationally significant archaeological features and deposits. In particular, remains of the Roman cemetery and other Roman period features around York Railway Station, the presence of waterlogged peat deposits that could provide important evidence relating to the prehistoric and Roman occupation of York and features and deposits that relate to the development of York as one of the most important centres of railway activity in the 19th century.

Summary of archaeological investigation to date

- 5.87 An archaeological desk-based assessment, watching brief/evaluation during geotechnical works (2018), building recording (2019 and 2020) and intrusive evaluation/water monitoring (2020) has taken place. The aim of archaeological evaluation is to establish the character and level of preservation of features and deposits (including organics).
- 5.88 The 2018 works confirmed the existence of an extensive buried landscape beneath the railways. This work formed the basis for an updated deposit model to assist in informing the locations and quantity of further archaeological evaluation and water monitoring. However, the locations for the 2018 and 2020 evaluation works were heavily dictated by areas of safe access on the site and were not purely based on archaeological knowledge or research.
- 5.89 Evaluation took place during May-July 2020 and trenching revealed a few undated features, a Roman pit and inhumation as well as other isolated finds, agricultural soils and railway structures. However, the palaeo-environmental results from the borehole survey and the full tier 2 hydrological report will not be available until around February 2021 at the earliest.
- 5.90 This latest round of investigation supports existing evidence of the archaeological and geo-archaeological profile of the site. The borehole survey has shown that organic material survives sporadically in the Holgate Beck and floodplain area. Sediments from the edge of one of the kettleholes identified through the deposit modelling has tentatively been identified. The general archaeological character of the site is therefore better understood allowing an appropriate mitigation strategy to evolve.
- 5.91 The full geo-archaeological character and hydrological regime is however still poorly or not at all understood. It is acknowledged by the Applicants that currently only the preliminary results of the evaluation are available and that further analysis and dating is required from the laboratory. The pending results of the evaluation also need to be entered into the deposit model to further inform the mitigation strategy for this and future RMAs.

Impacts of the proposed development on archaeology

- 5.92 The proposed demolitions, construction work and service diversion/creation all have the potential to negatively impact on any surviving archaeological resource and, in some cases, geo-archaeological deposits. The evaluation has provided sufficient information to determine the impact of the proposals on the archaeological deposits that exist within the upper layers of the site. However, until the results and analysis from the laboratory, which is then interpreted alongside the existing data, deposit model and results of the water monitoring programme there is insufficient data to confidently say what the full impact of the proposals will be on the deeper deposits. However, a tentative approach to

another round of targeted evaluation has been agreed with the geo-archaeologist, CYC and Historic England.

- 5.93 Further investigation is required in certain areas of the site, this will focus on the palaeo-channel in the Holgate Beck and on the potential kettlehole. This second phase of evaluation can however take place following determination of this reserved matters application.
- 5.94 The OPA ES recognised that the implementation of an appropriate ARMP should result in a slight adverse impact on archaeology which was accepted at outline stage. Condition 68 attached at outline stage required that as part of any Reserved Matters Application a detailed Archaeological Remains Plan shall be submitted to and approved in writing by the Local Planning Authority. An updated ARMP for phase 1 has been compiled in so far as it relates to the basic information that is currently available, however the Council's Archaeologist has advised that this will require updating following the completion of laboratory work and hydrological analysis (approx. Feb 2021) therefore whilst the Applicant's have satisfied this condition as far as they can at this stage no commencement on site can be made until this Condition is fully discharged. As it was not envisaged that the ARMP be submitted in a phased manner, it is considered prudent to attach a condition to this RMA to make clear that a further ARMP will need to be submitted and approved prior to commencement. The ARMP once approved together with forthcoming WSI(s) will then need to be followed throughout the implementation of the Phase 1 RMA.
- 5.95 The Council's Archaeologist has also advised that an archaeological watching brief will be required on all groundworks which may impact into archaeological layers including ground investigation works, grubbing up of any foundations following initial demolition, services and construction. An archaeological excavation will then be undertaken where necessary to remove any archaeological deposits which are unable to be preserved in-situ. The Council's Archaeologist has also advised that based on the 2018 and 2020 evaluation mitigation by record is considered to be a suitable general approach for this scheme. However, a consistent reminder has been given to the Applicants that in the most sensitive archaeological areas preservation in-situ may be required depending on findings. Further evaluation in select areas may also be undertaken ahead of the SMS to further define the extent of the excavation. The site may also require a program of remediation which is still to be determined.
- 5.96 If a remediation strategy is required it will need to contain a site specific chapter on archaeology as stated in the Historic England Land Contamination and Archaeology guidance. The strategy should set out a methodology for continuing groundwater monitoring during remediation works and a safe methodology to record any archaeology revealed. This can be dealt with as part of the discharge of Condition 56.

- 5.97 Conditions 66 (geoarchaeological deposit model) and Condition 67 (waterlogged deposits monitoring) were required to be discharged prior to determination of the first reserved matters application. A separate application has been submitted AOD/20/00109 to discharge these conditions and the Council's Archaeologist has confirmed that the detail submitted for these conditions is acceptable.
- 5.98 Historic England have made comments with respect to the Applicants approach to Conditions 70 (Written Scheme of Investigation) and 71 (Archiving of Written Scheme of Investigation) and the Applicants are aware that these conditions may be triggered once further archaeological investigation has been undertaken.
- 5.99 Historic England in their original response raise a number of reservations about the archaeological information that has been submitted to support this application. The local Councillors and MP share concerns at the lack of information in this respect. Historic England were made aware of revisions to the archaeological strategy which are in line with recommendations made by the Council's Archaeologist, however they note that additional archaeological evaluation needs to be undertaken and this cannot commence until the results of the works have been completed (approximately Feb 2021) they therefore continue to object to the proposals. The Council's Archaeologist is in continuing dialogue with the Applicants and Historic England to ensure that archaeological impacts are adequately dealt with. It is acknowledged that whilst this is not ideal there is an appropriate strategy and conditions in place to ensure that archaeology can be appropriately dealt with.

Heritage Conclusions

- 5.100 Overall having had regard to impacts on heritage assets within the site and their setting, the setting of adjacent conservation areas and the impact on non-designated heritage assets, the proposals are not considered to result in adverse impacts and indeed in some areas would result in benefits to the heritage assets through enabling the re-use of buildings, opening up the site to enable heritage assets to be better appreciated and by improving their setting. The proposals are therefore considered acceptable and are in line with what was envisaged at outline stage given that the road alignment and site levels are within the limits of deviation approved. Therefore there will be no impacts on heritage assets or their setting beyond that envisaged at outline stage and the conclusions of the ES remain valid. The proposals would at worst have a less than substantial impact on the setting and views of specific heritage assets outside the site, however this is balanced against the significant public benefits the scheme will bring forward and the fact that future reserved matters applications for buildings on the site would need to undertake a detailed assessment of their individual impacts when determining their position within development plots. It is acknowledged that archaeological work is still ongoing

however the Council's Archaeologist is satisfied that the approach to archaeological work and recording has been planned as far as possible at this stage in the development and that this will be an ongoing exercise. The proposals are therefore in accordance with the NPPF in so far as the less than substantial impacts identified to heritage assets have been balanced against the public benefits. As discussed above, careful consideration has been given to the statutory duties with regard to heritage assets. As such this application is considered to meet the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

DESIGN, LAYOUT, APPEARANCE AND LANDSCAPING

Design Guide Compliance

- 5.101 The Design and Access Statement (DAS) submitted at outline stage described the design intent of the development and the key townscape and placemaking considerations. It described how the site would be divided into five distinct areas, each defined by a differing mix of uses and each with its own character, responding to constraints and opportunities and to the design drivers of the development.
- 5.102 The Design Guide advanced the design intent in the DAS and provided guidance for developers in the successful delivery of the development. The Design Guide set out mandatory requirements which subsequent RMAs would adhere to alongside advisory aspirational guidelines which would need to be taken into account by future developers. The Design Guide was conditioned as part of the outline approval (Condition 7) in order to deliver a coherent approved vision in accordance with design guidance as detailed in National Planning Guidance.
- 5.103 In addition a series of parameter plans were approved at outline stage (Condition 6) which set out key buildings across the site that would be demolished or retained, the areas within the site where new railway additions would be incorporated, development zones above ground, areas within which the new primary and secondary vehicle routes would be provided as well as routes for pedestrians and cyclists, the proposed below ground, ground floor and upper floor level uses, development zones and maximum heights, proposed site levels and proposed open space areas.
- 5.104 Each reserved matters application has to be accompanied by a Design Compliance Statement explaining how that phase, accords with the approved Design Guide and Parameter Plans. The application includes a compliance statement which sets out how the proposals, in large, accord with the parameter plans. There are however a number of areas of non-compliance with the Design Guide/Parameters plans which can be summarised as follows:

- Page 23/ 2.3.1 states with respect to visual permeability that there may be additional considerations which need to be addressed within any RMAs on the site. It goes on to state that permeability is a key feature of the existing urban fabric in York, consideration must therefore be given to visual permeability and views through the site to landscape or historic features of York. No additional visuals have been provided beyond those accepted at outline stage as discussed within the heritage section of the report above.
- Page 24/ 2.4.1 states RMAs shall be required to test the scheme against specific townscape views subject to relevance and review by the Local Authority and Historic England. No townscape views beyond those submitted at outline stage have been provided as discussed in the heritage section above.
- Page 61/2 3.6.6 states that there would be a gravel garden identified to south of Water End access required as part of brownfield habitat zone identified in the Ecology Strategy. This appears as a tarmac surface on the submitted layout plans, however this can be addressed through the landscape and ecology conditions which need to be discharged.
- Page 86/4.5 states that the Primary Street at the Western Access Road from Water End is to provide footways no less than 2.5m. The layout shows footways of 2m which conflict with the width of footway required however has been accepted by CYC Highways as an acceptable solution given site constraints and land ownership issues.
- Page 102/4.5.7 states that at Cinder Street there should be central planted medians within the section of road between Hudson and Wilton Place. These have been omitted in order to accommodate the bus lane, however the bus lane was added as part of the S106 requirements and as such this has already been accepted at outline stage.

Parameters Plans Compliance

- The cycle and pedestrian route alongside the Goods Station wall and piers are now within the goods yard and are therefore outside the limits of deviation of circulation routes on Parameter Plan YC-PP-006, however as set out in the heritage section this change has been accepted and has been necessitated by a pinch point in the width of the highway so it proposes an appropriate solution.
- Parameter Plan YC-PP-012 shows areas predominantly soft landscaped, however there are parts of this at Water End adjacent the access road and through Plot M which have now been omitted as well as cycleways and footpaths alongside the proposed park now forming part of the open space rather than the highway. It is therefore extremely important to ensure that any areas of open space are retained within future reserved matters applications in line with the original parameter plan and that sufficient soft landscaping is included within the landscaping scheme. This will be secured as part of the discharge of Conditions 23 and 24 of the outline approval.

5.105 Having had regard to these departures overall they are minor deviations which have largely come about due to site constraints. The development does, therefore, still follow the main design parameters set out at outline stage. One area that does however need careful consideration and control is ensuring that the appropriate level of open space and particularly soft landscaping is provided as it is already evident that this has been encroached upon in areas of the site and this will need to be appropriately addressed through the discharge of Condition 23.

5.106 Condition 23 of the outline approval requires that prior to, or concurrently with the first reserved matters application a site wide strategy for public realm, hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. Whilst discussions have taken place with respect to the discharge of this condition, no site wide strategy has been submitted or approved as yet and as such the Applicants would be in breach of this condition should this reserved matters application be approved. Concerns have been expressed by the Planning Officer that this should have been resolved at this stage to ensure a coherent landscaping approach across the site, to ensure that the Council are clear as to when public realm and landscaping may be delivered across the wider site and during which phase this may be delivered and to ensure that if there are any shortfalls in this reserved matters application then they are compensated for elsewhere across the site to ensure that the aspirations of the Design Guide are achieved. Given that Condition 24 deals with site specific landscaping which needs to be discharged prior to commencement, the Council are satisfied that there is a mechanism in place to secure appropriate landscaping on this first phase. However Condition 23 needs discharging as a priority before any commencement on site and certainly before other phases of development come forward, some of which will include larger extents of soft landscaping and thus may have the scope to make up for any areas identified on the Open Space Parameter Plan which have been encroached upon as part of this phase. The Applicants have been made aware of the necessity to discharge this condition as a priority and have indicated that it is their intention to do so.

5.107 Given the size and scale of the site and the extent of information submitted the following sections will focus on discussing design issues around the main areas of the site.

Severus Road Bridge and the East Coast Mainline Bridge

5.108 The existing Severus Road Bridge spans several branches of rail, including the East Coast Mainline, and associated Network Rail land. It is a concrete structure with an intermediate pier and concrete parapets. The York Central development will require an increase in the capacity of the bridge for vehicle, pedestrian and cyclist use and an upgrade of its parapets which cannot be

achieved within the current bridge deck. To create the additional capacity a parallel pedestrian and cycle bridge will be constructed on the southern side of the existing structure.

- 5.109 The bridge is not intended as a gateway into the development in the same way as the proposed East Coast Main Line Bridge, therefore the chosen design is understated to provide a clear hierarchy between the two bridges. As the south elevation of the bridge will be highly visible to vehicles, pedestrians and cyclists travelling north away from the new development the bridge is low key. It does however propose the same materials as the proposed ECML bridge being constructed from weathering steel with glazing panels and timber cladding to the steel beam. The Council's Urban Designer whilst satisfied with the overall design has commented on the spacing of guarding within the bridge and feels that the design could have been improved in this respect. He also commented that the pedestrian experience on the existing bridge would be poor due to the 1.8m high continuous barrier, however on balance has confirmed that overall the new bridge would appear an appropriate design solution subject to conditions regarding detailing and materials.
- 5.110 In terms of the new ECML bridge, the Council's Urban Designer considers that the proposed approach of designing a relatively low-key bridge is the correct approach, because it will be relatively close to the new tall buildings of York Central that will naturally be more visually dominant, and because this approach avoids attempting to compete for attention with other existing distant landmarks like the Minster. He considers that the bridge should be very interesting for its slim profiled views from the side; for its skewed structure springing from the underside abutments; for the views from it through largely visually unobstructed guarding; and for the way the landscape around it steps, folds and curves up to meet it as a significantly scaled continuous horizontal feature on either end. Overall he considers that the design and appearance of the bridge should be a great addition for York, however finer details relating to material finishes, anti-vandalism/anti climb features, bridge lighting and maintenance would all need to be conditioned for both bridges to ensure that they provide the finished appearance anticipated within the submitted design documents.
- 5.111 A local resident has commented that if the new bridge is to be similar to Scarborough Bridge, this is an unsightly mix of weathered steel, chromed steel, York stone and concrete with no continuity in design and as such the proposals need to use consistent materials. These comments are noted and a condition is recommended regarding materials.
- 5.112 A local resident has also commented that the new bridge would have a detrimental impact on the visual amenities particularly for those living along Garnet Terrace and Garfield Terrace. These comments have been considered, however following assessment of the visuals provided at outline stage and

having taken into account the separation distance which exists, the angle at which the bridge is provided relative to these streets together with existing tree planting and landscaping on Millennium Green (which would be retained as part of the proposals) and additional landscaping proposed it is not considered that the visual amenities would be adversely impacted upon by virtue of the bridge.

5.113 The proposed bridges are therefore considered to achieve an appropriate design and appearance subject to conditions.

Millennium Green

5.114 The new road layout results in the loss of part of the existing Millennium Green, however this was recognised as an inevitable part of the proposals accepted at outline stage therefore any assessment at this stage relates to the impacts arising from the chosen layout, design and landscaping with ecology impacts discussed later within this report.

5.115 The proposed new road will be elevated above Millennium Green with landscaped terraces sweeping down to Holgate Beck. Parts of the existing path network through Millennium Green will be widened and resurfaced and new accessible routes from the green will be provided through the terraces to connect to the new footways on the access road and provide new connections to Water End. Railings will be provided on the embankment between the western access and Millennium Green. The railing will separate the safe access areas for pedestrians from the unsafe drops. They will be a simple vertical bar with a top rail and a handrail will be provided to facilitate use of stairs and ramps in the same area, final details of which will need to be discharged as part of Condition 17 (boundaries).

5.116 The Council's Landscape Architect has confirmed that the typologies shown for hard and soft landscaping in this area are generally acceptable although it is recognised that the full soft and hard landscaping detail will need to be assessed as part of the discharge of Condition 24 (landscaping).

5.117 Overall the general layout and arrangement within the Millennium Green area appears acceptable subject to the discharge of boundary and soft and hard landscaping details.

Relationship between the elevated road and Plot M

5.118 Across the application site there are a number of complex level changes and as such sectional details as various points of the site have been submitted to demonstrate the relationship between the road and the building plots beyond. Whilst in general terms these appeared to be acceptable, the Council's Urban Designer raised some concerns regarding the relationship between Plot M and the elevated road and therefore asked the Applicant to provide further detail.

The Applicant provided additional sections which demonstrate the relationship between the road and the plot which have been accepted by the Council's Urban Designer. However detail of the materials and finish of any hard and soft landscaping as part of the retaining wall need to be given careful thought given that this may be the outlook for residential properties on Plot M. This will be dealt with through the discharge of the landscaping conditions (23 and 24) and it is considered that an appropriate design solution could be achieved.

Central spine road

5.119 Whilst the general layout of the roads, cycleways and footways and overarching approach to landscaping is accepted, the Council's Urban Designer requested that additional graphics be provided to explain the whole experience of the new primary route as a sequence of spaces and views that would retain vehicles to a low speed and orchestrate the experience of distant views of key landmarks as envisaged in the outline application. The Applicants provided a video simulation of the road experience but this did not include detail of the surrounding landscape or views therefore any assessment of the road as a user experience has been a matter of judgement based on the layout and sectional details provided with a significant reliance on appropriate hard and soft landscaping being achieved. The submitted Design Report explains that in order to improve the environment and experience for the public using the footways/cycleways through the site until areas of public realm are brought forward, the scheme will include temporary widened landscape verges adjacent to the footway long Park Street and Hudson Boulevard which will provide greater separation between the public and the future development hoardings. This approach is accepted as an appropriate solution until the reserved matters application is submitted for Central Park area and other areas of public realm.

5.120 It should be noted that whilst hard and soft landscaping including boundary treatments and street furniture have been shown indicatively on the plans presented, discussions are still ongoing regarding the final detail of materials and planting. Given that there are outstanding concerns from CYC Highways, Urban Design and the Landscape Architect these matters of detail will be addressed through the discharge of conditions 17 (boundaries), 23 (site wide landscaping) and 24 (landscaping). It will however be important that careful thought and consideration is given to these matters of detail as they are a critical element of the scheme in terms of achieving a good quality design, appearance and user experience.

New NRM Line through Central Park

5.121 The reserved matters application seeks approval for a new NRM rail line enclosed by a 1.2m high temporary post and rail fence which would run through the area identified as Central Park. The OPA Design Guide and the Parameter plan PP 012: Open Space Areas illustrates a predominantly green feel for areas

run through with NRM lines, and there is concern that whilst public access restrictions are inevitable the stand-off either side of the NRM line takes up a considerable area of the open space and that the character and setting has to feel a more naturalistic space. These issues are extremely important given the low level of public open space being provided relative to the quantity of development. The RMA as submitted provides insufficient information with respect to the landscaping treatment surrounding the NRM to demonstrate compliance with the Design Guide. The Agent has advised that whilst the NRM line is permanent the landscaping shown is a temporary measure until the proposed RMA including the park area comes forward therefore landscaping detail would be addressed at that stage. Furthermore the NRM, who is responsible for the safe operation of the line, has confirmed that they would be happy to work with the Applicant and the Council at the point at which proposals for the main park come forward to review the rail line, including its fencing and stand-off distances, to ensure a coherent proposal that makes the best use of the space available and ensures the running line is a positive feature for the new park whilst maintaining its safe operation. This approach is accepted subject to a condition which makes it clear that the surface treatment, fencing and landscaping, whether temporary or not, needs to be agreed in detail before commencement to ensure compliance with the Design Guide and to ensure that there is no detriment to open space and soft landscaping provision.

Coal Drops

5.122 The OPA Design Guide stated that the Coal Drops shall be retained, with partial conservation and re-use along with substantial landscape improvements. It was envisaged that there would be some level changes throughout this area to provide a flat space to offer flexibility of use.

5.123 The existing topography in the vicinity of the Cinder Lane and the Coal Drops varies significantly. To create a level and accessible pedestrian route from the pedestrian crossing from the NRM entrance gate posts to the Marble Arch Tunnel and to the Station, the existing ground level immediately to the north of the Coal Drops car park will be raised by approximately 1.5m and at the southern end of the Coal Drops, the ground level will be raised by approximately 2.5m. The Council's Urban Design and Conservation Manager considers this an acceptable approach, however has stated that it was envisaged that trees would be provided within the coal drops and this area could appear very stark until this landscaping comes forward. The Applicant has stated that this RMA only seeks to infill the area and alter the levels with temporary hoarding placed around the area. The final hard and soft landscaping design would be submitted as part of Condition 24 of the OPA and would be brought forward under a future phase of development. Whilst not ideal, this approach is accepted.

Townscape and Visual Impact

5.124 In terms of the townscape and visual impacts arising from the proposals these were considered in the OPA Townscape Visual Impact Assessment (TVIA) which concluded that there would be adverse effects on townscape setting and a number of viewpoints as a result of construction activities, but that the effects were temporary and would vary during the construction programme. These findings were accepted by the Council at outline stage. There are no new or different construction effects than were reported in the OPA TVIA and as a result the conclusions of the ES remain valid.

5.125 This reserved matters application does not include any significant above ground structures apart from the new ECML Bridge which is within the maximum height parameter that was assessed as part of the OPA ES and as such no further TVIA has been submitted. The OPA ES recognised that the design of the open spaces in particular with regard to location and species of trees and buffer planting, could help to filter views and integrate the development with its surroundings, however this detail would come forward as part of any reserved matters application(s). Whilst new open spaces are not included within this RMA there will be street planting and as such careful consideration needs to be given to the impacts that this has on the townscape when the detail is provided to discharge the landscaping conditions. The submitted ESCS confirms that there will be no change to the townscape and visual impacts resulting from the bridge structure from that assessed within the ES and the Council accepts that on the basis of the information submitted to date that this would be the case.

General design points

5.126 Following consultation with North Yorkshire Police (NYP) they raised concerns regarding pedestrian safety on the ECML bridge. Following this the Applicants liaised with NYP and minor design changes were made to address these concerns. North Yorkshire Police have considered these revisions and confirmed that the proposals are acceptable. It is noted that condition 19 of the outline approval relates to secure by design measures being included within the development and this condition needs to be discharged prior to commencement of development. The Applicants have therefore confirmed that the discharge of this condition for each RMA would include the appropriate safety and security measures and this approach is considered satisfactory.

Design conclusion

5.127 As set out above the reserved matters application is in large in compliance with the Design Guide and Parameters Plans submitted at outline stage. Where there are deviations these are required due to site constraints or technical matters and as such are, on balance, considered acceptable design solutions which still meet the main objectives of the design intent set out at outline stage.

Given that full landscaping details have not been submitted as part of the RMA and these elements are an important part of the design it is imperative that these elements are given full and proper consideration and that comments by the Urban Designer and Landscape Architect are taken into account once the appropriate discharge of conditions applications are submitted. The Council are however satisfied that the discharge of conditions 23 and 24 of the outline approval can adequately deal with the matter of both strategic and site specific landscaping. Overall, despite a lack of detail in some parts it is considered that the proposals are, on balance, acceptable in terms of the design and compliance with the ES and that any outstanding elements can be dealt with by discharge of conditions in order to ensure compliance with local and national policy.

ECOLOGY/BIO-DIVERSITY

Impact on Habitats

- 5.128 The York Central site as a whole contains extensive areas (9.18ha.) of ephemeral habitat (e.g. the limestone ballast of railway sidings). This is considered to be the most ecologically significant habitat on site due to the invertebrate assemblage it supports, and in part as there are unlikely to be any other sites supporting this extent of habitat elsewhere in York and North Yorkshire. The Ecological Impact Assessment submitted within the OPA ES concluded that the loss of this habitat will result in a permanent moderate adverse effect on ephemeral vegetation and minor adverse effect on scrub and tall ruderal and broadleaved woodland. The ES set out mitigation which would be embedded into the design which comprised of planting 0.43ha of woodland, provision of 0.95ha of ephemeral vegetation, 2180m of green corridor consisting of hedgerow within minimum planting of 80+ trees, creation of 465m of SuDS and 0.4ha wetland waterbody habitat with retained habitats fenced off with a buffer zone if possible sitting alongside a LEMP outlining maintenance post construction. Following this mitigation it was accepted at outline stage that there would be a significant impact on habitat loss arising from the scheme.
- 5.129 Whilst this habitat loss was accepted at outline stage, given the extent of this loss it is extremely important that each reserved matters scheme brought forward includes the appropriate mitigation and habitat retention/enhancement set out at outline stage and where this is no longer possible to demonstrate that this can be incorporated within future phases of the development to ensure that further losses do not occur and if they do occur ensure that compensatory habitat is provided elsewhere across the site.
- 5.130 The Council's Ecologist has stated that it is difficult to establish whether the areas of habitat to be retained and created are still the same quantities and in the same location as set out in the Ecology chapter of the OPA ES based on the information submitted as part of this RMA. The OPA ES stated that Figure 11.2

outlined indicative habitat areas which had been calculated and utilised for the purpose of impact assessment and recognised that when detailed design was brought forward if there were changes to areas of habitat that would be provided a reassessment of impacts would be required.

- 5.131 No reassessment of impacts has been submitted as part of this RMA, however it is acknowledged that this could be clarified as part of Condition 31 which requires that a Landscape and Ecological Management Plan (LEMP) be approved prior to or concurrently with the first reserved matters application. A discharge of conditions application was submitted for this condition, however the Council were not in a position to discharge the condition as further information is required. The Council's Ecologist has advised that in relation to the LEMP there is a need to agree overarching objectives including quantities and locations of habitat that are as a minimum those figures set out within the OPA ES. Each reserved matters application as it comes forward would then need to confirm any changes to the habitat assessment and provide alternative habitat if necessary this can be secured by a site specific LEMP condition being attached.
- 5.132 The Council's Ecologist notes that much of the habitat creation provided on site is within the Central corridor and relates to the SUDs scheme and therefore the LEMP should make clear at what stage of the development these areas of habitat would be put in place and when the detailed design for them would be received by the authority. Ideally these habitat areas should be in place as early as possible in order for them to start to offset some of the impacts of construction.
- 5.133 The Applicants acknowledge that consenting this RMA would be in breach of the LEMP condition which needed to be discharged concurrently with the RMA to ensure that if areas originally envisaged for habitat creation are lost on this RMA then they are secured on further phases. Discussions are ongoing within the Council's Ecologist in respect of discharging this condition. The discharge of the site wide LEMP condition (31) will give the Council certainty in terms of ecological impacts and habitat retention, creation and enhancement and as such this condition needs to be discharged as a matter of priority and certainly before development commences. Whilst not an ideal situation the Council accept assurances from the Applicant that these matters will be dealt with promptly following determination of this application. Furthermore in order for the Council to have control regarding this specific phase it is proposed to add a site specific LEMP condition to this reserved matters application to ensure that matters relevant to this phase are appropriately dealt with.

Impact on Site of Importance for Nature Conservation (SINC)

- 5.134 Part of Millennium Green is designated as a Site of Importance for Nature Conservation (SINC). The area of SINC habitat is far enough east of the

proposed access road that the grassland habitat would be retained in its entirety, however it is recognised that this will need careful protection throughout the construction phase. The Framework Construction Environmental Management Plan (CEMP) covered a range of ecological issues that can be impacted upon through construction. Condition 15 of the outline approval sought the submission and approval of a CEMP prior to commencement of development and this condition therefore needs to be discharged and include the appropriate measures to mitigate any impacts on ecology/habitats, particularly those to be retained.

Invasive Species

5.135 The OPA ES identified invasive species on the site, namely Himalayan Balsam and Giant Hogweed along the banks of Holgate Beck. Condition 29 of the outline approval therefore required a management plan for the removal of invasive species to be approved by the LPA and this condition needs to be discharged accordingly.

Protected Species

5.136 A number of ecological surveys on specific species were undertaken at outline stage, however it was recognised that these were to provide baseline information and would need to be updated for each reserved matters phase to reflect changes in the distribution or abundance of mobile species on the site. Condition 28 of the outline consent therefore required that application(s) for reserved matters shall include an up to date (no more than 2 years old) Preliminary Ecological Appraisal (PEA) and any further necessary habitat or species surveys as recommended by the appraisal. The application is therefore accompanied by an up to date Preliminary Ecological Appraisal which was undertaken in June 2019. The Council's Ecologist has confirmed that this provides an accurate update to the baseline ecological survey information.

5.137 The recommendations set out within the PEA are:

- Habitats (including invasive species): Any loss of trees or scrub will be replaced on a 2:1 ratio through planting of trees and hedgerows, and mitigation for the loss of semi-improved grassland has been agreed as part of the mitigation measures described in the EIA. Additionally, an updated Invasive Species Management Plan will be required in order to avoid the spread of invasive plant species off site and to satisfy Planning Condition 29 of the OPP.
- Bat activity surveys are required for each building. Dusk emergence and dawn re-entry surveys are to be undertaken on four buildings and Severus Road Bridge identified to provide low, moderate and high bat roost suitability prior to commencement of works. Following the recommendation for further bat surveys identified in this PEA bat surveys were undertaken in June 2019.

Of the buildings identified as having potential to support bat roosts they were all classified as having low potential and a single emergence survey was undertaken in accordance with current standards. No bat roosts were discovered and this is in line with earlier findings in the EIA. A further bat survey for Severus Road Bridge was undertaken in May 2020 which concluded that whilst there are bats foraging in the area of the bridge there is no roost contained within the bridge. The Council's Ecologist has therefore confirmed that no further survey work is proposed and there is no requirement for mitigation. The report considered that lighting was a limiting factor in terms of bats using the bridge and it is recommended that following works, the lighting design reduces direct light spill onto the bridge which would be supported as an enhancement measure.

- Badgers: A pre-start survey within three months prior to construction is recommended within the sidings to determine the presence or likely absence of badger before construction commences.
- Water vole: Based on results from surveys conducted in 2017 and 2018, it is considered that water vole are likely absent from Holgate Beck and no further surveys are required.
- Breeding birds: Nest boxes should be considered to provide potential nesting habitats for birds. Areas of scrub offer value to breeding and foraging birds and should be retained wherever practicable. Where it is not possible, new areas of scrub should be established to replace that lost.
- A Reptile survey was previously undertaken in 2016, which did not identify any reptile species. Since the habitat has not sufficiently changed, reptiles are assumed likely to be absent.
- Invertebrates: The York Central Site provides county level importance for invertebrates. The EIA describes appropriate mitigation measures, such as installation of bee bricks which will be appropriate for this RMA.

5.138 The Council's Ecologist has confirmed that the conclusions of the report have been reflected in other submissions such as the Invasive Species Management Plan and the LEMP (Conditions 29 & 31), therefore she considers that there are no outstanding matters resulting from the PEA that require further action. On the basis of the above it is therefore considered that the proposals accord with the OPA ES in that there have been no significant changes with respect to the habitats or species within the site and as such ecological impacts remain as originally envisaged.

Biodiversity Enhancement

5.139 With respect to biodiversity enhancement, Condition 30 of the outline approval relates to a Biodiversity Enhancement Management Plan (BEMP) for the creation of new wildlife features to secure net gains for biodiversity. Whilst the condition is not applicable for the reserved matters application relating to the primary vehicle road the applicants have included within their submission

details of such biodiversity measures given that the extent of the RMA site goes beyond the primary vehicle route and it is understood that further BEMP reports will be provided alongside future reserved matters submissions.

5.140 The scope for biodiversity enhancement measures is limited for this RMA, given the nature of the proposals (highway infrastructure), however it is proposed to incorporate bat, bird and bee boxes within the bridge structures where possible. The minimum number of boxes that will be provided are 3 no. bat boxes; 5 no. bee bricks; and 3 no. sparrow boxes and these will be conditioned. It has been agreed that the contractor will consult with a suitably qualified ecologist to agree suitable locations of the boxes.

5.141 There is also a link with information contained within the LEMP (condition 31) which deals with habitat creation, enhancement and management which is discussed above. The Council's Ecologist has confirmed that the information contained on the drawing within the BEMP is sufficient for this reserved matters application.

Water Framework Directive

5.142 The Environment Agency have commented that the Water Framework Directive (WFD) assessment submitted and agreed upon at the outline planning stage, recommended that the development should provide morphological and aquatic habitat enhancement to Holgate Beck through Millennium Green, and that these opportunities would be discussed and agreed upon during the detailed design stage. Also supporting information was submitted at outline stage detailing and justifying the decision to not include culvert removal/ daylighting works as part of the development around Holgate Beck. The information submitted as part of this reserved matters application differs from that provided at the outline stage. The newly submitted information details that the culvert will now be partly diverted beneath the proposed development site and this appears to contradict information previously provided to justify the decision to not undertake further ecological enhancements. The EA have therefore recommended that the Council's Ecologists need to be satisfied with this justification.

5.143 The Council's Ecologist has considered the EA concerns in particular the opportunity to include further enhancement measures for biodiversity within the lower reaches of Holgate Beck through Millennium Green. It has been agreed that the most sensible place to include these measures is within the Landscape and Ecology Management Plan (LEMP) which is condition 31 of the outline permission and as this has not yet been discharged it is recommended that the LEMP be updated to include appropriate ecological enhancements to Holgate Beck. This should provide certainty to the EA that ecological enhancement of Holgate Beck will be secured as part of the overall scheme.

Resident comments

- 5.144 Local residents have expressed concerns with respect to the loss of nature and wildlife habitat, the impact on the flora and fauna on Millennium Green alongside the loss of trees and habitat for animals and the impact on retained habitats which would now be adjacent a busy road. These matters were assessed in detail in granting outline consent where it was accepted that habitat would be lost and impacted by virtue of the proposals. As set out above the CYC Ecologist is satisfied with the level of detail provided within this application and that suitable enhancement, retention and mitigation can be secured via discharge of conditions in order to ensure that biodiversity gains and enhancements are achieved across the site wherever possible in accordance with the OPA ES.
- 5.145 Comment has also been made by residents regarding proposed tree species being indigenous to the British Isles and preferably north east England and sourced from mainland Britain so as to avoid unknown pests and diseases. These comments are noted and the Council's Landscape Architect will advise on appropriate species once the landscaping detail is submitted as part of the discharge of Condition 24.
- 5.146 Residents have stated that any works should be done outside of the nesting season and is suggested that this would be the case within the OPA ES.

Ecology Conclusions

- 5.147 The application includes an appropriate update in terms of impacts on habitats and protected species within the site which remain in line with the OPA ES. It is acknowledged that the LEMP Condition needs to be discharged in a timely manner so as to ensure that any habitat retention, mitigation and enhancement remains in line with the OPA ES and that if further losses do occur that these can be secured through future RMAs. Furthermore a site specific LEMP condition is proposed. Overall having had regard to the above the proposals accord with the OPA ES and subject to the discharge of conditions will comply with the requirements of both local and national policy in terms of biodiversity and ecological mitigation and enhancement.

FLOOD RISK AND DRAINAGE

- 5.148 The ESCS states that the drainage strategy and design of the flood compensation storage for the RMA is the same as proposed and assessed in the OPA ES and there are no new or different operational or construction effects than were reported therefore the ES remains valid. The following sections consider whether that is the case.

Flooding

- 5.149 The eastern portion of the site is within Flood Zone 1 but there are areas of the site within Flood Zones 2 and 3a. Flood zone 2 is towards the northern end of the site and the source of flooding is a combination of fluvial flooding from Holgate Beck and indirect overland flow from the River Ouse. The Holgate Beck Culvert will be upgraded or rerouted to enable the new approach ramp to the ECML bridge to be constructed over the beck. The new access road between Water End and the ECML and Millennium Green are within Flood Zone 3a. The source of flood risk in this area is direct fluvial flooding from the Holgate Beck. The new access road will be constructed through Millennium Green which is part of the flood plain for the Holgate Beck. To accommodate the new landscape and terracing within Millennium Green a proportion of the existing flood storage will be lost. It is however proposed that compensation will be provided in below ground storage located east of the ECML and north of the proposed highway and hydraulically connected to Holgate Beck (HB). The remainder will be provided within an above ground compensation feature located within the site of the Central Park. The Council's Drainage Engineer has advised that it is important the flood compensation provision is kept separate from the proposed surface water system and have its own connection falling back into HB. On examination of the submitted surface water drainage (SWD) and highway drainage plans (HWD) this feature has a high level overflow connection into the SWD system therefore this over flow should be removed but also the compensation feature should have its own separate connection to HB (subject to Environment Agency (EA) agreement).
- 5.150 Appropriate Flood Risk Assessments and a Sequential and Exception Test were undertaken at outline stage which established that the proposals would be safe for its lifetime taking into account the vulnerability of its users and would not increase flood risk elsewhere. An updated Flood Risk Assessment has been submitted as part of this reserved matters application in order to comply with Condition 72 of the outline approval.
- 5.151 The RMA flood risk assessment confirms that the new access road will provide a safe means of access and egress during flood events to existing higher ground at Water End and Leeman Road to the west and north of the RMA site respectively. There is a residual risk of flooding to the Leeman Road Tunnel, however the RMA site is protected from flooding by existing flood defences on the right bank of the River Ouse. The RMA will provide an alternative means of access for Emergency Services to the York Central site and an alternative means of egress for future occupants of the York Central Development which is located above the anticipated future flood levels with an allowance for climate change. The FRA concludes that provided the recommendations of the FRA are adopted, the site will be safe from flooding and will not have any adverse impact on surrounding areas.

5.152 The Environmental Compliance Statement confirms that the drainage strategy and design of flood compensation storage is the same as was proposed at outline stage. The RMA proposals are in accordance with the parameter plans in terms of access and circulation and proposed site levels and there are no new or different effects in terms of water resources therefore the conclusions in the original Environmental Statement remain valid.

5.153 The Environment Agency have confirmed that following the receipt of an additional Drainage Statement they are satisfied with the proposals subject to the discharge of drainage conditions attached at outline stage. The Council's Drainage Engineer has also confirmed that further details can be provided through Condition 73 of the outline approval which requires that details of flood compensatory flood water storage to be submitted to and approved in writing by the LPA prior to construction of the primary access road. The Council are therefore satisfied with this approach.

Surface water

5.154 The OPA ES confirmed that the permeable and impermeable areas post construction will vary significantly from the existing site which has the potential to impact on ground water, peak flow and total volume of water discharged off-site, the flow of surface water overland to the existing drainage infrastructure and current flood storage. A new surface water drainage network was considered in principle as part of the OPA, along with on-site flood storage and attenuation to avoid impacts on receptors.

5.155 The application suggests that sub-soil conditions do not support the use of soakaways and therefore the majority of the site will drain back to public combined sewer. Yorkshire Water accepted at outline stage that there will be a reduction in peak flow entering the public sewer, however the volume of surface water will increase therefore the site provides an opportunity to remove as much flow/volume of surface water from the public combined sewer network as possible and discharge instead to watercourse. Condition 74 of the outline consent requires that prior to any surface water discharge to Holgate Beck the existing surface water discharge shall first be proven and agreed by the Local Planning Authority and despite the Applicant providing further clarity around how Holgate Beck would function, the EA have confirmed that this condition still requires formal discharge.

5.156 The application suggests that surface water conveyed from the highway will be to the discharge point or outfall via traditional below ground sewer network. Surface water from the development zones (not part of this RMA) and public realm will be conveyed via traditional drainage networks and Sustainable Urban Drainage System (SUDS). The SUDS may include including permeable trenches with positive drainage connections incorporated to convey a

proportion of the surface water flows and to store surface water runoff on site until it can be discharged.

5.157 To achieve an overall reduction in the existing surface water discharge from the site, attenuation will be required to balance surface water during flood conditions upstream of the flow restrictions. The attenuation will be provided by a combination of measures including:

- Below ground attenuation tanks and oversized pipes; and
- The central landscaped area (Central Park) will incorporate a swale to provide surface level attenuation for larger storm events and to convey surface water from adjacent plots surrounding the park in to attenuation features within it.

5.158 Although the detailed design of the drainage across the site is still being worked up, it is envisaged that this RMA will implement all the mitigation measures that were recommended in the OPA ES. Following the implementation of mitigation the Environmental Compliance Statement confirms that there will be no new or different effects.

5.159 The full surface water drainage details are required to be submitted and approved in order to discharge condition 77. In addition the management and maintenance of the watercourses, swales, ditches and surface water attenuation features and drainage within the site has to be provided in order to discharge Condition 79. It is therefore considered that there are appropriate controls in place in order to ensure that appropriate surface water drainage is achieved.

Sustainable Urban Drainage Systems (SUDs)

5.160 SuDS will be introduced to mimic natural drainage by storing runoff, reducing peak flow, harvesting rain water for re-use and for the conveyance of surface water. The outline application established that SuDS across the site could be provided in a number of different features. A SuDS Audit was undertaken to identify the potential for these features to be incorporated into the drainage design.

5.161 The audit identified that the following features are appropriate for consideration in the detailed design of the drainage network:

- Attenuation Tanks and Below Ground Storage;
- Green Roofs;
- Permeable drains with positive drainage;
- Filter Strips and Drains;
- Permeable Paving;

- Swales, Detention Basins, Ponds and Bio-retention systems; and
- Water gardens.

5.162 The Council's Drainage Engineer has advised that whilst they do not object to the use of SuDS and in line with Government Planning Regulations encourage their use, the design that has been presented carries risks that they believe are not necessary. The piped system is effectively an overflow and attenuation at source provided for when there is an intense storm within the SUDs system. There is concern that without significant and regular heavy maintenance the SUDs system may block with silt and root infestation. When the systems performance reduces (storage volume lost) the Highway will have no positive drainage, which will be a danger to the Highway users. This may not just occur in isolated locations but will fail throughout the length of the carriageway.

5.163 The Council's Drainage Engineer has therefore suggested that a hybrid piped system in the carriageway providing the primary storage and the off line SUDs system (swale/basin/aqua cell type attenuation) as the overflow to cater for intense storms may be more resilient and efficient to maintain and it is recommended that this be investigated further when discharging Condition 77.

Foul Water Disposal

5.164 As this RMA does not propose any buildings there will be no foul water disposal as a result of it, however it is envisaged that the necessary infrastructure would be put in place as part of the infrastructure works. The layout of the foul water system is reliant on agreement to the diversion of the public sewers by Yorkshire Water and an appropriate condition was attached at outline stage (Condition 78) for foul water drainage to be approved and this condition has yet to be discharged. Yorkshire Water have raised objections to the RMA application given that the sewage diversion has not yet been agreed. Discussions with the Applicants are ongoing in respect of this, however the Council are satisfied that this can be appropriately dealt with through the discharge of condition.

Flooding and Drainage Conclusions

5.165 Having had regard to the consultation responses from the relevant Drainage Bodies, the Council are satisfied that the discharge of planning conditions attached at outline stage can provide the detail required to ensure that an appropriate drainage scheme is incorporated into the site and that there would be no additional impacts in terms of flood risk. The proposals therefore comply with local and national policy with respect to drainage and flood risk subject to discharge of conditions. There are therefore no further impacts beyond those identified within the OPA ES.

ENVIRONMENTAL PROTECTION

Air Quality

- 5.166 There have been a number of representations received concerning impacts arising from the development on air quality both within the site itself and surrounding areas. The OPA ES confirmed that taking into account Transport Assessments and Air Quality Monitoring, there would be no residual effects as a result of the development from construction activities subject to implementation of construction dust mitigation measures for high risk sites which would be discharged through Condition 15 (CEMP). In addition the OPA ES established that there would be no predicted residual effects as a result of the development to human or ecological receptors arising from operational traffic and that any potential impacts arising from temporary car parks would be mitigated by suitable design.
- 5.167 The Environmental Compliance Statement confirms that in terms of both construction and operation there would be no new or different effects than were reported in the Environmental Statement.
- 5.168 Condition 53 was attached to the outline approval and this required that an Emission Mitigation Statement be submitted to the Local Planning Authority at the same time as the reserved matters application. An Emission Mitigation Statement includes an air quality 'damage cost' calculation, which is a simple way to value changes in air pollution caused by a development. The statement is then used to make a judgement about whether the mitigation proposed for a site is considered reasonable and proportionate to the emissions harm generated by that site.
- 5.169 A draft Emission Mitigation Statement was submitted as part of an Approval of Details Application (AOD//20/00109) which is pending consideration. As part of this a residual emission damage cost (i.e. the damage cost that remains after travel planning measures and other agreed sustainable transport initiatives have been implemented) has been recalculated based on a 30% reduction in development related trips. The new 5 year damage cost is estimated at £2.3m, compared with the original figure of £3.2m.
- 5.170 The Council's Public Protection Officer has confirmed that the draft Emission Mitigation Statement has provided examples of additional mitigation measures that may be possible on the site to mitigate some of this damage. Such measures have been broadly classified into packages that would be appropriate to either the full site, or specifically to reserved matters applications for residential, commercial or hotel aspects. It is proposed that each future Reserved Matters Application will be required to calculate the individual damage cost of the respective application and incorporate mitigation measures from these packages.

5.171 Whilst the submitted draft Emission mitigation statement has considered a range of options for further reducing emissions across the site, the Council's Public Protection Officer remains unclear about exactly what the Partnership has committed to deliver/fund. In addition the statement, as submitted, describes a number of options that could be delivered, but there does not appear to be any definite commitments, particularly for measures applicable to the wider site. The agreement and assessment of specific emission mitigation measures was the original rationale for the emission mitigation statement and the wording of condition 53 reflects this. There is currently no clarity around who will deliver the measures and when therefore whilst discussions are ongoing the Condition 53 cannot be discharged at this stage.

5.172 The Council's Public Protection Officer has however considered the position and has raised no objection in terms of this RMA in terms of air quality impacts, given that there is a mechanism to secure these measures through the discharge of Condition 53. This condition will however require formal discharge as soon as possible given that it was envisaged that this would be completed prior to the reserved matters submission. The conclusions of the OPA ES in terms of air quality are therefore considered to remain valid and there are appropriate mechanisms in place to ensure that air quality is appropriately dealt with.

Noise and Vibration

5.173 The Environmental Compliance Statement confirms that construction activities for the Phase 1 Infrastructure RMA are consistent with the activities that were assessed in the OPA ES therefore there will be no change in the predicted noise levels and the mitigation identified in the OPA ES will be applied during the construction phase.

5.174 The effect of night-time noise was previously considered within the OPA ES to be not significant given the small number of days that night-time working would be required. Although it is not yet known what activities will be required, taking a worst case scenario there is potential for night-time construction activities to exceed the adopted threshold values for 30 weekends. The Agent clarified that night time working would be 30 weekends over a 12 month period across the whole site and not specifically in relation to proposed construction access. They therefore feel that sufficient controls can be put in place through the discharge of Condition 15 (CEMP) condition.

5.175 The ECS states the use of Best Practical Measures (BPM) construction methods and control of noise, which will be agreed through the discharge Condition 15 relating to the CEMP, will help to manage noise levels. Noise levels during construction will also be managed through a Section 61 agreement with the local authority under the Control of Pollution Act 1974, for any night-time works. A Section 61 is a formal agreement between the

contractor and the local authority, which allows the contractor and local authority to agree noise levels, hours of work and communication with residents.

- 5.176 Depending on the extent of the anticipated disturbance during the night-time activities (once the detailed construction programme is confirmed), this may include the requirement for mitigation including management and monitoring of noise-generating activities, noise insulation or potentially temporary relocation of residents.
- 5.177 The Council's Public Protection Officer initially raised concerns with respect to night time working, however they appreciate that a full understanding of the noise impacts cannot be undertaken at this time until a contractor is in place. They are therefore satisfied that issues of noise and any necessary mitigation can be dealt with through the discharge of the CEMP and through Public Protection's statutory processes to as to ensure that residents are adequately protected.
- 5.178 Local residents have expressed some concern with respect to day time noise levels, however there are no new or different day-time construction effects than were reported in the noise and vibration chapter of the OPA ES and accepted by the Council at outline stage. In terms of operational noise the Environmental Compliance Statement confirms that there are no additional impacts arising through noise or vibration beyond those identified at outline stage. These conclusions have been accepted by the Council's Public Protection Officer given that there are conditions in place which need to be discharged prior to commencement which gives the Council control regarding this.

Contamination

- 5.179 The ECS states that the ground conditions assessment identified a high risk to construction workers of encountering contamination as a result of the excavation of potentially contaminated soils. Condition 55 was attached at outline stage and this relates to a site investigation and risk assessment being undertaken to better understand the contamination on site and this requires formal discharge prior to commencement. This assessment will then inform Condition 56 which relates to a remediation scheme being submitted. In addition any material imported to the site will be analysed to ensure it is suitable for the intended use, which will be agreed with the LPA to satisfy condition 59.
- 5.180 The OPA ES also identified potential for construction workers to come into contact with Unexploded Ordnance (UXO) during excavation and piling works. A UXO mitigation strategy has been submitted under application AOD/20/00109 to discharge condition 60 and this sets out the measures required to protect workers from the risk of UXO. This report has been accepted by the Council's Public Protection Officer.

- 5.181 The OPA ES identified the potential for a significant adverse effect on controlled waters as a result of the leakage of contaminants or runoff from stockpiles. Measures to manage the risk of spillage/ leakage will be detailed in the CEMP which will be submitted and agreed with the LPA as part of Condition 15 prior to commencement of development.
- 5.182 The ECS confirms that the RMA will implement all the mitigation measures that were recommended in the OPA ES so as to ensure there would be not significant effect to human health or controlled waters as a result of contamination.
- 5.183 Following the implementation of mitigation there will be no new or different construction effects than were reported in the OPA ES and as a result the conclusions remain valid.
- 5.184 Any risk of contamination to future users of the RMA site will be managed through the remediation strategy during construction. For this RMA, apart from road users, cyclists and pedestrians, there are no future users of the site who are likely to come into contact with soil (for example, in gardens associated with the residential development). The drainage of the Phase 1 Infrastructure RMA will be appropriately designed to avoid the risk of contamination from the new road entering any controlled waters. The drainage design will be agreed with the LPA to satisfy condition 77.
- 5.185 The Council's Public Protection Officer and the Environment Agency have confirmed that the details provided with respect to contamination are satisfactory at this stage and it is acknowledged that the discharge of relevant contamination conditions will appropriately deal with any outstanding matters.
- 5.186 The ECS states that waste generation from the Phase 1 Infrastructure RMA is anticipated to be similar to the estimates that were provided in the OPA ES. A detailed Site Waste Management Plan, in accordance with the framework SWMP that was submitted with the OPA ES, will be prepared for the site and agreed with the LPA prior to commencement of construction and discharged as part of Condition 15. Following the implementation of a detailed SWMP, no significant effects resulting from waste are anticipated.
- 5.187 Taking into account all of the above, the Council's Public Protection Officer has confirmed that there are no identified impacts beyond those set out in the OPA ES and the proposals are acceptable with respect to contamination subject to the discharge of relevant conditions.

Light Pollution

5.188 Section 5 of the Planning Statement refers to the lighting of the infrastructure proposed on site. This will include the main routes and associated public space areas, the bridges on the site and the Leeman Road tunnel. The statement goes on to state that this infrastructure lighting will be designed to prevent light spillage, reduce light pollution to sky and properties and be low energy, further detail is referenced in part 7 of the Design Report. This design report confirms that the infrastructure lighting provision on the site will meet all the relevant British Standards and the CYC street lighting policy. As there is no mention in this phase of specific lighting of premises, private car parks or signage, Public Protection have advised that they will not be commenting specifically on the lighting provision associated with the infrastructure. Detailed comment will be provided on the lighting of the private buildings and spaces along with any illuminated signage proposed across the site as and when reserved matters applications come forward for these elements of the scheme.

5.189 Condition 22 of the OPA requires that a lighting strategy be submitted with any reserved matters application. A lighting strategy has been included within the Design Report submitted, however the Council's Urban Designer has raised concerns in terms of the level of lighting to be provided and this is still to be adequately addressed in order that this condition can be formally discharged.

Public Protection Conclusions

5.190 The proposals are considered to be in accordance with the OPA ES which accepted any impacts subject to mitigation and a series of conditions to be discharged. It is noted that night time noise may be increased beyond what was anticipated at outline stage, however it is considered that there are sufficient measures in place through the discharge of Condition 15 (CEMP) and the Section 61 Agreement which has to be submitted to Public Protection in order to ensure that residents are appropriately protected and that there is no significant impacts on the environment. The proposals are therefore in large in accordance with the OPA ES and accord with national and local policies.

SOCIO ECONOMIC IMPACTS

5.191 As this first reserved matters application relates to the key infrastructure within the site there would be no jobs created as a result of buildings on the site, however it does open up the site to enable such development to come forward and bring with it such economic benefits.

5.192 The effects of employment during construction were assessed as part of the OPA ES and that set out that for Phase 1 (anticipated to be the construction of the new access road plus the delivery of up to 400 homes), the number of full-time equivalent construction staff was estimated at 596 FTE over the duration of 6 years. The ECS states that it is now estimated that during peak construction there will be up to approximately 135 staff on site however this is due

to the delivery of buildings being part of a future RMA. It is therefore acknowledged that the anticipated jobs are still likely to arise, but potentially to a different timescale.

5.193 Some local businesses have made representations concerning the impact on them and their contribution to the local economy. The OPA ES recognised that some businesses along Leeman Road could be displaced elsewhere however it was considered that the effects on employment and the local economy would be limited. This was accepted by the Council at outline stage. The conclusions within the OPA ES with respect to impacts on the economy remain valid and the proposals are therefore considered acceptable in this respect in accordance with local and national policy.

OTHER MATTERS WITHIN THE OPA ENVIRONMENTAL STATEMENT OR ARISING FROM CONSULTATION

5.194 The ECS confirms that with respect to wind, daylight, climate change and any cumulative impacts arising from the development the proposals would be as set out in the OPA ES and the Council accepts this to be the case.

5.195 Comments have been received from local residents in respect of the housing types and space standards that would be provided and although the principle of housing was assessed at outline stage, the specific detail of housing provision on site and the relationship of housing to other buildings across the site will be given further consideration in future RMAs given that these proposals do not provide any housing.

5.196 Some representations have been received in respect of the timing of the application and the fact that a decision should not be taken at this time given the financial implications for the Council and the potential issues with marketability of the site in face of a recession. The application has been submitted and there is therefore a duty on the Planning Authority to determine it within a timely manner. Once consent is granted the Council have the decision when they wish to implement the scheme provided that this is in line with the timeframes conditioned at outline stage.

5.197 Comments have been made regarding the lack of consultation with Friends of Leeman Park and Leeman Road Residents Association in relation to the proposed 750m of path on the riverbank through Leeman Park which was agreed at outline stage and attracted £100k of Open Space Contribution funding according to the Section 106. These comments have been noted by the Applicant and appropriate consultation will be considered once these works come forward as they are not part of this RMA.

5.198 There have been a number of comments received which make reference to the proposals running contrary to various Executive Council decisions taken in July

2019 and December 2019 regarding climate change and restricting non-essential motor vehicle movements in the city centre. These decisions would have been taken into account within the outline application given that this was not granted until 24 December 2019 and as such the principle of the development was accepted with these Council decisions in mind. Furthermore this reserved matters application does not generate any additional car journeys and future reserved matters applications would need to assess their impacts with respect to climate change and transport policies relevant at the time of submission.

6.0 CONCLUSION

6.1 The principle of development of this site within the remits of the approved parameter plans and design guide was approved at outline stage. There has been a significant level of objection with respect to highways/transport and air quality issues in particular, however the Council are satisfied that the proposals accord with the technical reports and assessment undertaken and accepted by the Council as part of the outline approval OPA ES and that any outstanding issues can be addressed appropriately through the finished design and the discharge of relevant planning conditions.

6.2 With respect to heritage assets within the site and their setting, the setting of adjacent conservation areas and the impact on non-designated heritage assets, the proposals are not considered to result in adverse impacts and indeed in some areas would result in benefits to the heritage assets through enabling the re-use of buildings, opening up the site to enable heritage assets to be better appreciated and by improving their setting. The proposals are therefore considered acceptable and are in line with what was envisaged at outline stage. Given that the road alignment and site levels are within the approved limits of deviation, the proposals would at worst have a less than substantial impact on the setting and views of specific heritage assets outside the site, however this is balanced against the significant public benefits the scheme will bring forward and the fact that future reserved matters applications for buildings on the site would need to undertake a detailed assessment of their individual impacts when determining their position within development plots.

6.3 It is acknowledged that archaeological work is still ongoing however the Council's Archaeologist is satisfied that the approach to archaeological work and recording has been planned as far as possible at this stage in the development and that this will be an ongoing exercise. The proposals are therefore in accordance with the NPPF in so far as the less than substantial impacts identified to heritage assets have been balanced against the public benefits.

6.4 With respect to design, the reserved matters application is in large in compliance with the Design Guide and Parameters Plans approved at outline

stage. Where there are deviations these are required due to site constraints or technical matters and as such are, on balance, considered acceptable design solutions which still meet the main objectives of the design intent. Any outstanding elements of the design such as materials and landscaping which form a critical part of the design quality can be appropriately dealt with by discharge of conditions.

- 6.5 The application includes an appropriate update in terms of impacts on habitats and protected species within the site which remain in line with the OPA ES. It is acknowledged that the LEMP Condition needs to be discharged in a timely manner so as to ensure that any habitat retention, mitigation and enhancement remains in line with the OPA ES and that if further losses do occur that these can be secured through future RMAs. Overall having had regard to the above the proposals accord with the OPA ES and subject to the discharge of conditions will comply with the requirements of both local and national policy in terms of biodiversity and ecological mitigation and enhancement.
- 6.6 The Council are satisfied that the discharge of planning conditions attached at outline stage can provide the detail required to ensure that an appropriate drainage scheme is incorporated into the site and that there would be no additional impacts in terms of flood risk.
- 6.7 The proposals are considered to be in accordance with the OPA ES which accepted impacts with respect to air quality, noise and contamination subject to mitigation and a series of conditions to be discharged. It is noted that night time noise may be increased beyond what was anticipated at outline stage, however it is considered that there are sufficient measures in place through the discharge of Condition 15 (CEMP) and the Section 61 Agreement which has to be submitted to Public Protection in order to ensure that residents are appropriately protected and that there is no significant impacts on the environment.
- 6.8 Where there are conditions attached at outline stage which required approval of details prior to or concurrently with the RMA and this has not been possible, discussions are ongoing and the Applicant is aware that these issues will need to be resolved to the satisfaction of the LPA prior to commencement on site. Subject to these conditions being satisfied the Council consider that the proposals accord with the Environmental Statement submitted at outline stage and following mitigation no additional impacts beyond those identified at outline stage should arise.

The application is therefore recommended for approval subject to the following conditions:

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

Location Plan/Red Site Boundary YCL-ARP-RM1-XX-DR-GX-1001 Rev P04.1
Reserved Matters & Outline Approval Boundaries
YCL-ARP-RM1-XX-DR-GX-1002 Rev P03
General Arrangement 1 of 12 YCL-ARP-RM1-XX-DR-CH-0101 Rev P06
General Arrangement 2 of 12 YCL-ARP-RM1-XX-DR-CH-0102 Rev P06
General Arrangement 3 of 12 YCL-ARP-RM1-XX-DR-CH-0103 Rev P06
General Arrangement 4 of 12 YCL-ARP-RM1-XX-DR-CH-0104 Rev P06
General Arrangement 5 of 12 YCL-ARP-RM1-XX-DR-CH-0105 Rev P06
General Arrangement 6 of 12 YCL-ARP-RM1-XX-DR-CH-0106 Rev P06
General Arrangement 7 of 12 YCL-ARP-RM1-XX-DR-CH-0107 Rev P06
General Arrangement 8 of 12 YCL-ARP-RM1-XX-DR-CH-0108 Rev P05
General Arrangement 9 of 12 YCL-ARP-RM1-XX-DR-CH-0109 Rev P06
General Arrangement 10 of 12 YCL-ARP-RM1-XX-DR-CH-0110 Rev P06
General Arrangement 11 of 12 YCL-ARP-RM1-XX-DR-CH-0111 Rev P06
General Arrangement 12 of 12 YCL-ARP-RM1-XX-DR-CH-0112 Rev P06
Typical Highway Section 1 of 7 YCL-ARP-RM1-XX-DR-CH-0121 Rev P03
Typical Highway Section 2 of 7 YCL-ARP-RM1-XX-DR-CH-0122 Rev P03
Typical Highway Section 3 of 7 YCL-ARP-RM1-XX-DR-CH-0123 Rev P03
Typical Highway Section 4 of 7 YCL-ARP-RM1-XX-DR-CH-0124 Rev P04
Typical Highway Section 5 of 7 YCL-ARP-RM1-XX-DR-CH-0125 Rev P03
Typical Highway Section 6 of 7 YCL-ARP-RM1-XX-DR-CH-0126 Rev P03
Typical Highway Section 7 of 7 YCL-ARP-RM1-XX-DR-CH-0127 Rev P01
Existing Site Levels YCL-ARP-RM1-XX-DR-GX-1006 Rev P01
Proposed Site Levels YCL-ARP-RM1-XX-DR-GX-1007 Rev P01
East Coast Mainline Bridge Plan YCL-KNI-RM1-SP-DR-CB-1000 Rev P02
East Coast Mainline Bridge Cross Section YCL-KNI-IP2-EB-DR-CB-1001 Rev P02
East Coast Mainline Bridge Elevations YCL-KNI-IP2-EB-DR-CB-1002 Rev P02
East Coast Mainline Bridge Detail YCL-KNI-RM1-SP-DR-CB-1003 Rev P02
East Coast Mainline Bridge Abutments YCL-KNI-RM1-SP-DR-CB-1004 Rev P02
East Coast Mainline Bridge Parapets YCL-KNI-RM1-SP-DR-CB-1005 Rev P03
East Coast Mainline Bridge Steelwork YCL-KNI-IP2-EB-DR-CB-1005 Rev P02
Severus Bridge Plan YCL-KNI-RM1-WE-DR-CB-1000 Rev P01
Severus Bridge Elevation/Section YCL-KNI-RM1-WE-DR-CB-1001 Rev P02
Severus Bridge Steelwork YCL-KNI-RM1-WE-DR-CB-1002 Rev P02
Severus Bridge Parapet YCL-KNI-RM1-WE-DR-CB-1003 Rev P01
Severus Bridge Parapet YCL-KNI-RM1-WE-DR-CB-1004 Rev P02
Severus Bridge Sections YCL-ARP-RM1-WE-DR-CB-2001 Rev P01

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

2. Notwithstanding the detail shown on General Arrangement Plans 1 to 12 inclusive and Typical Highway Sections 1 to 7 inclusive, details for hard and soft landscaping, lighting, street furniture, boundary treatments and drainage and

the cycle provision between Hudson Boulevard and Marble Arch (as shown on plan ref General Arrangement 6 of 12 YCL-ARP-RM1-XX-DR-CH-0106 Rev P06) are not approved.

Reason: For the avoidance of doubt as the specific detailing for these elements of the scheme are still under discussion and full details will need to be provided as part of subsequent discharge of conditions applications so as to ensure that the development is carried out to the satisfaction of the Local Planning Authority and in accordance with the approved Design Guide.

3. Notwithstanding the detail shown on the plans hereby approved the following details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the East Coast Mainline Bridge:
 - a) Samples of all visible materials in their chosen finish including the concrete (in situ/pre cast), steel(s), glass, gratings, deck treatment, any over claddings and exposed system components such as fixings and the abutment stone cladding and gabion materials. These materials should be provided for inspection together so that a full assessment of their suitability as a materials package can be assessed.
 - b) Detailed drawings (1:10 or 1:20 scale) of a typical bridge bay in plan/section/elevation and any associated 3D diagrams to explain geometry.
 - c) Detailed drawings (1:10 or 1:20 scale) of bridge transition design features at either end and any associated 3D diagrams to explain geometry.
 - d) Detailed plans/elevation/section/diagrams of any anti vandalism or anti climb design features to be incorporate.
 - e) Full bridge lighting details including plans showing the location of these and technical specifications for illumination.
 - f) A schedule setting out how the bridge would be maintained and cleaned.

The proposals shall thereafter be carried out in complete accordance with the details provided as approved and in the approved materials.

Reason: In order to ensure that the detailed finish of the bridge is in line with the approved Design Guide and so as to ensure that it achieves an appropriate aesthetic.

4. Notwithstanding the detail shown on the plans hereby approved the following details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the Severus Road Bridge and Severus Pedestrian and Cycle Bridge:
 - a) Samples of all visible materials in their chosen finish including the concrete (in situ/pre cast), steel(s), glass, gratings, deck treatment, any over claddings and exposed system components such as fixings. These materials should

be provided for inspection together so that a full assessment of their suitability as a materials package can be assessed.

- b) Detailed drawings (1:10 or 1:20 scale) of a typical bridge bay in plan/section/elevation and any associated 3D diagrams to explain geometry.
- c) Detailed drawings (1:10 or 1:20 scale) of bridge transition design features at either end and any associated 3D diagrams to explain geometry.
- d) Detailed plans/elevation/section/diagrams of any anti vandalism or anti climb design features to be incorporate.
- e) Full bridge lighting details including plans showing the location of these and technical specifications for illumination.
- f) A schedule setting out how the bridge would be maintained and cleaned.

The proposals shall thereafter be carried out in complete accordance with the details provided as approved and in the approved materials.

Reason: In order to ensure that the detailed finish of the bridge is in line with the approved Design Guide and so as to ensure that it achieves an appropriate aesthetic.

- 5. Prior to any works commencing within the former Coal Drops detail of the proposed infill material and temporary surfacing treatment, together with details of proposed site levels and scaled drawings showing the alterations to the Coal Drops walling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full.

Reason: In order to ensure that the proposals can be fully understood and that they accord with the approved Design Guide and that the proposals do not result in harm to heritage assets beyond that approved within the OPA Environmental Statement.

- 6. Prior to commencement of development further detail for lighting of roadways, footways and any areas of public realm (Millennium Green and Coal Drops) shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details. The detail shall include the following:
 - a) An explanation of how artificial lighting would conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations as detailed in the Institute of Light Professionals Guidance Notes for the Reduction of Obtrusive Lighting;
 - b) Demonstrate that consideration has been given to the location and type of lighting proposed in the most sensitive ecological locations of the site;

Reason: In the interests of good design, to give proper regard to heritage and ecology impact arising from lighting and to avoid light pollution in accordance with the NPPF, in particular paragraphs 127 and 180.

7. Prior to commencement of development a site specific Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following:
 - a) Details/plans of the areas of habitat creation and retention with a clear breakdown of the size of each area, what the area will contain and timescales for creation;
 - b) A description and evaluation of the features which are to be managed;
 - c) Ecological trends and constraints on site that might influence management;
 - d) Aims and objectives of management and options for achieving these objectives;
 - e) Details of how the areas of new habitat will be monitored and managed in short and long term;
 - f) Details of the body or organization responsible for implementation of the plan.
 - g) Ongoing monitoring and remedial measures.
 - h) Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
 - i) The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The site specific LEMP shall not be approved in writing by the Local Planning Authority until the site wide LEMP (Condition 31 of the outline planning permission 18/01884/OUTM) has been approved in writing by the Local Planning Authority. The proposals shall thereafter be carried out in full accordance with the site specific LEMP as approved.

Reason: In order to secure the incorporation of biodiversity improvements in the development in order to mitigate against losses accepted as part of the outline approval.

8. The proposals shall be carried out in full accordance with the conclusions set out in Section 6 (Pages 27 to 28) of the Condition 28 Preliminary Ecological Appraisal (ref: YCL-ARP-RM1-XX-RP-YP-2801) and Page 2 of the Condition 30 Biodiversity Enhancement Management Plan (ref: YCL-ARP-RM1-XX-RP-YP-3001) both dated April 2020 submitted as part of the reserved matters application, unless otherwise first approved in writing by the Local Planning Authority.

Reason: In order to ensure that habitats and species are appropriately protected throughout the development.

9. Prior to the development commencing full detailed plans showing the design and materials for roads, footways, cycleways and other highway areas shall be submitted to and approved in writing by the Local Planning Authority. Such roads, footways, cycleways and other highway areas shall be constructed in accordance with such approved plans prior to the road being brought into use.

Reason: In the interests of good planning and road safety.

10. The proposed roads shall not come into use until the highway works to the southern extent of Water End as shown on the approved General Arrangement Plans (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with the approved plans, or arrangements entered into which ensure the same.

Reason: In the interests of the safe and free passage of highway users.

11. A three stage road safety audit carried out in line with advice set out in GG119 Road safety audit (formerly HD 19/15), and guidance issued by the council, will be required. Reports for Stages 1 and 2 must be submitted to and agreed in writing by the LPA prior to works commencing on site. The Stage 3 report must be submitted to and agreed in writing by the LPA prior to the roads being brought into use.

Reason: To minimise the road safety risks associated with the changes imposed by the development.

12. Prior to the proposed roads being brought into use a strategy to regulate and manage vehicle parking, stopping and waiting of motor traffic shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To promote sustainable travel and in the interests of highway safety and visual amenity, in accordance with sections 9 and 12 of the NPPF.

13. No development shall commence until details of the surface water and highway drainage proposed for the infrastructure has been submitted to and approved in writing by the Local Planning Authority. The details approved shall thereafter be implemented in full.

Reason: In the interests of highway safety.

14. Prior to commencement of development in Areas 1 and 2 (as identified in Figure 7 of the Archaeological Remains Management Plan (ARMP) Sept 2020) a detailed Archaeological Remains Management Plan which includes the detailed results of 2020 evaluation and hydrological investigation as well as final subsequent mitigation strategy including evaluation and mitigation measures in accordance with the Archaeological Remains Management Plan detailed in the York Central Environmental Statement Volume 3 Appendix 8H Archaeological Remains Management Plan January 2019 Revision A shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The site contains archaeological features and deposits that must be subject to detailed evaluation prior to commencement and it has not been possible to complete the ARMP in detail at this stage.

7.0 INFORMATIVES:

HIGHWAY INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact highway.adoption@york.gov.uk and for any Street Works Consents please contact streetworks@york.gov.uk

Contact details:

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