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Meeting	Planning Committee A
Date	7 July 2022
Present	Councillors Cullwick (Chair), Pavlovic (Vice-Chair), Ayre, Barker, Fisher, Looker, Rowley (Substitute for Cllr Doughty), Crawshaw (Substitute for Cllr Melly), Baker (Substitute for Cllr D'Agorne), Lomas (Substitute for Cllr Kilbane) and Orrell (Substitute for Cllr Waudby)
In Attendance	Becky Eades (Head of Planning and Development Services) Louise Milnes (Development Management Officer) Heidi Lehane (Senior Solicitor) Helene Vergereau (Traffic and Highway Development Manager) Tony Clarke (York Central Highway Authority Lead)
Apologies	Councillors D'Agorne, Melly, Kilbane, Doughty, Waudby

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## **6. Declarations of Interest 16:36**

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda. None were declared.

## **7. Public Participation 16:37**

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

## **8. Minutes 16:37**

Resolved: That the minutes of the last meeting of Planning Committee A held on 9 June 2022 be approved and then signed by the chair as a correct record.

## **9. Plans List**

### **16:37**

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

### **2a) Railway Museum, Leeman Road, York [21/02793/REMM] 16:37**

Members considered a major Reserved matters application from the Board of Trustees of The Science Museum for the layout, scale, appearance, landscaping, and access for the construction of Central Hall (F1 use class) including entrance hall, exhibition space and café with associated access, parking, landscaping, and external works following the demolition of the mess room and other structures pursuant to 18/01884/OUTM at the Railway Museum, Leeman Road, York.

The Head of Planning and Development Services gave an update noting that additional representations had been received, and the NRM response in respect of concerns raised regarding accessibility by Class 3 mobility wheelchairs/scooters. In their response the NRM confirmed that it would not differentiate between different classes of wheelchair and so Class 3 wheelchair users will be able to make use of the Walkway Route, including the passage through Central Hall. An advice note from Legal had been prepared for Members. The Head of Planning and Development Services also noted that written representations were attached to the speakers list for the meeting.

The Head of Planning and Development Services gave a presentation on the application noting that the principle of the closure of Leeman Road and alternative pedestrian and cycling routes was part of the outline planning permission and outline conditions. She added that the walkway agreement was a separate entity to the planning application. In response to a Member question regarding the applicant stating at the stopping up inquiry that the route would be determined as part of the reserved matters application, the Head of Planning and Development Services clarified that the walkway agreement is separate to planning. She clarified that there was the outline consent and condition 45 of the outline planning permission which requires detail of the walkway.

### Public Speakers

Cllr K Taylor (Ward Cllr) spoke in objection to the application on behalf of residents. He referred to the number of objections to the scheme and asked the committee to defer the application.

David Finch (Chairperson of the Friends of Leeman Park) spoke in objection to the application on behalf of the Friends of Leeman Park. He detailed safety concerns regarding the riverside path and asked that a condition be included to state that construction at the NRM could not begin until the riverside route had finished. In response to a Member question, he noted that it was hoped that the riverside path would be widened.

Alice Williams spoke in objection to the application, explaining how the decision to approve would have detrimental effects on the residents of York. She expressed concern regarding a lack of engagement from the applicant and accessibility for all.

Christine Johnson spoke in objection to the application as a resident of St Peter's Quarter. She explained her concerns regarding safety, in particular to women due to the change in the route to St Peter's Quarter.

Ian Bissell, also a resident of St Peter's Quarter, spoke in objection to the application. He explained how those residents would be adversely affected by the plans. He noted that there was no equalities impact assessment (EIA).

Roger Pierce spoke in objection to the application on behalf of WalkYork. He suggested alternative walkways through the site and when asked, clarified what form these could take.

Jane Burton spoke in objection to the application on behalf of York Disability Rights Forum. She explained that the removal of the road route would significantly affect disabled people, particularly those reliant on taxis. She expressed concern regarding parking for blue badge holders and the lack of an EIA. In response to Member questions, she explained that:

- The lack of a designated pathway between the two doors was a problem for partially sighted people. They would not be able to use the route.
- Mobility cycles allowed freedom of movement and access and they would have to go around the NRM.

Clive Matthews spoke in objection to the application on behalf of York Cycle Campaign. He noted that there had been no EIA and that the plan curtailed pedestrian access and prohibit cyclists and would cause a serious loss of amenity with the greatest impact on vulnerable people. When asked about a workable solution, he suggested access around the Rijksmuseum in Amsterdam as a solution.

Cllr Melly (Ward Cllr) spoke in objection to the application on behalf of residents. She suggested that the conditions in the outline planning permission had not been met and that the benefits of the application did not outweigh the harm. She explained the harm caused by the application and that the benefits of the wider York Central development were not relevant to this application. In answer to Member questions, she explained:

- That there was no condition on the outline planning permission or stopping up order for improvements to the riverside route. She explained the two ways of accessing the route from St Peter's Square and the location of the island neighbourhood.
- The routes through the site including those that were and were not conditioned. She noted the route that traffic would take.
- That Ward Councillors had no input on the walkway agreement. She explained the number of times she had been in contact with the case officer.
- That the walkway agreement was shared for information at the stopping up order public inquiry. She listed the comments of the inspector at that inquiry.
- The outline planning permission included a freely available direct route, and the proposed route was not direct. The parameter plan for the outline planning permission showed a direct route.
- The Director of the NRM declined a meeting with Ward Councillors and MP.
- The route needed to be obvious and reasonably direct.

[The meeting adjourned from 17:55 to 18:03]

Sarah Loftus (Managing Director of Make it York (MiY)) spoke in support of the application on behalf of MiY. She explained that MiY welcomed the application. She added that the NRM is a world class attraction free to residents and visitors. On the visitor economy she noted that York attracted 8.4million tourists which brought income and created employment. She noted that the proposed development helped keep York relevant and the Central Hall would provide Learning and Development opportunities for people in the city.

Laurence Beardmore (President of the York and North Yorkshire Chamber of Commerce) spoke in support of the application on behalf of the Chamber. He noted that it was an aspiring plan. He noted that the plans would support railway heritage and signpost to the future. He added that the Central Hall plans had the support of businesses, and they would gain

as a result, and the plans were part of vision 2025 to become a world class visitor attraction and anchor for York Central. In response to questions from Member he explained that:

- The plans were a key part of York Central and would increase visitor numbers and jobs for the hospitality sector. It would also enhance the NRMs reputation by being a world class visitor attraction.
- The 1.2million extra visitors was based on NRM estimations.
- Regarding the York Central office space, not all businesses could hybrid work and there was a shortage of commercial space in York resulting in businesses moving away from or not coming at all because of the shortage. York Central would provide commercial space.

Natalie Webster (Homes England) spoke in support of the application on behalf of Homes England. She noted that the development would increase visitor numbers. She explained that Homes England had been working with York Central partners to ensure that there was comprehensive car parking across the site. Members asked several questions to which she responded that:

- There was multiple car parking provision as part of the York Central development.
- The commitment of Homes England was to deliver what had been included as part of the outline planning permission.
- Homes England were providing a highway route through the site.
- James Farrar (Local Enterprise Partnership (LEP) spoke in support of the application on behalf of the LEP. He explained that the proposals were economically important as they would improve tourism by attracting families. He noted that the cultural quarter would make York attractive to businesses. He added that the decision made by the Committee would send a clear message to developers regarding the vision for York Central. In answer to Member questions, he noted that:
  - The development would bring a new raft of people both domestic and international to York and would put York on the map again.
  - Regarding existing residents fitting in with placemaking for York Central it was his understanding that there would be widespread engagement regarding York Central.
  - How the development would bring in a developer interested in placemaking.

- He believed the plan put forward by the NRM was aspirational and would set the tone for that side of York.
- Driving innovation was about creating a place where people wanted to be.

Judith McNicol (Director of the National Railway Museum) spoke in support of the application on behalf of the applicant. She explained that the central hall would be a landmark entrance to York and York Central. She noted that it would safeguard the national collection, create jobs, and would act as a gateway. She explained that there had been consultation with neighbours and stakeholders and would create safer, greener, alternative routes for road users. She added that the central hall was being sensitively built, would help achieve net zero carbon and she noted the benefits of the railway futures gallery. She had a number of colleagues in attendance at the meeting to answer questions and in response to Member questions she and they explained that:

- Regarding the route through the site, there was a need to be cautious that the NRM was a national museum and the terrorism threat had to be thought about.
- At the outline planning application stage routes were considered and the decision was taken to close a section of Leeman Road. Condition 45 references the route through the site. It was noted that routes were available for car users, pedestrians, and cyclists and that the walkway route was an alternative route that was additionally available and was as direct as possible. There were two routes that more or less followed the route of Leeman Road and the location of these were explained.
- The original route for the walkway was longer and the proposal in the application before Members was to follow the route of the road. The deliberations of the public inquiry inspector were noted.
- From May 2023 the NRM would go to a seven day a week opening and there would be signage indicating routes through the site.
- Consultation was undertaken on different routes and going through the building was the best option.
- The walkway route would be available seven days a week when the museum was open.
- The NRM would not dictate how people behaved when moving through the site and it was hoped that residents would come through the central hall.

- There was not a direct route from St Peters Quarter.
- As part of the 2018 consultation the police were concerned that there wouldn't be a safe route to be open 24 hours a day. The 2018 consultation looked at seven options with residents and it was explained why other options were not feasible.
- The problem with using the existing underpass was explained. The priority for the NRM was the safe movement of residents and visitors. They had looked at a design that worked for all people, with flat access.
- There was an access consultant for the 2025 vision and a lot of work had been undertaken on the open for all strategy. A living person user group had been recruited and they had looked at the open for all strategy.
- There would be a way finding team for the central hall and the importance of staff availability to support blind and partially sighted people through the great hall was noted.
- The Equalities Impact Assessment was the responsibility of the council.
- The route from Leeman Road to Marble Arch and the location of the tactile crossings on the route was explained. The entry and exit doors were also explained.
- Electric vehicle (EV) charging was provided at two of the 14 disabled parking spaces and there would be points across the site. It was not known how many EV charging points there would be until other applications came forward.
- The two EV charging points would be completed by Autumn 2025. The infrastructure for EV would not be put into the 14 disabled parking spaces but there would be cabling along those spaces.
- The work being undertaken on historic buildings was noted and the history of the mess room was explained, noting that it was not listed and that retaining it would sever the routes across the site.
- The concerns of the police designing out crime officer regarding bollard lighting had been superseded.
- Cyclists, including mobility cycles could not pass through the site.
- How the projected visitor numbers had been estimated.

- The travel plan was a supporting document in the application, and it covered staff and visitors. Free staff parking was being addressed by the museum.
- A number of planning applications for the site had already been delegated.

[The meeting adjourned from 19:43 to 19:55]

The Chair reminded Members of the officer recommendation. In response to questions to officers it was clarified that:

- It was not known how overlooked the new route on Leeman Road would be and there would be street lighting along that route.
- That the Committee were considering the walkway route and access arrangements, not the walkway agreement. The Senior Solicitor was asked and clarified that a walkway agreement dealt with the footway over or through a building, and that there was no legal requirement to consult on a walkway agreement.
- Comments from highways officers that referred to internal operations were not in the scope of the reserved matters application.
- The application, including the area to be considered by the Committee was clarified.
- The new route through the site was a longer and safer route through the infrastructure. The committee had to consider the application before it and whether the arrangements in the application were acceptable.
- The pathways would be part of future reserved matters applications. Museum Square would be an open space and the detail of the layout of the square would be part of a different application.
- The routes agreed as part of the outline planning application were clarified.
- Officers did not have the detail of the surfacing as at that stage, the space needed to remain open for access.
- There was no Equalities Impact Assessment (EIA). The public sector equalities duty applied to all council business and planning officers had to consider it. An EIA could be used to evidence it, but it could be evidenced in different ways. As part of their assessment, officers had looked at the impact on disabled people including gradients, widths, and disabled parking.

- The detail on car parking was included in the conditions. The multistorey car park was earmarked for the NRM.
- In the reserved matters application plans showed guard rails along the south side of the route to the crossing.
- The Senior Solicitor confirmed that the walkways agreement could be amended and that this had been delegated to officers by the Executive. It was further clarified that, officers in consultation with the Executive Member could amend the walkways agreement but that it was not a matter for consideration by this committee.
- It was confirmed that the applicant could apply for non-determination the following Monday.

Following debate Cllr Ayre moved the officer recommendation to approve the application. This was seconded by Cllr Fisher. On being put to the vote with five Members voting in favour and six against, the motion fell.

Further debate followed, and in relation to the EIA Members were advised that equalities had been taken into account through the design and access statement. Cllr Pavlovic moved deferral of the application for an EIA to be undertaken. This was seconded by Cllr Barker. On being put to the vote with seven Members voting in favour and four voting against, deferral of the application was carried, and it was decided;

Resolved: That the application be deferred for an Equalities Impact Assessment to be carried out by officers in respect of the walking route shown edged yellow on Drawing Number 201564\_NRM\_OP\_SW\_0001 Rev 05.

Reason: In order to take into account the needs of people with protected characteristics.

Cllr Cullwick, Chair

[The meeting started at 16:30 and finished at 21:29]

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