COMMITTEE REPORT

Date:	9 July 2026	**Ward:**	Holgate
Team:	West Area	**Parish:**	Holgate Planning Panel

Reference:	25/02252/FUL
Application at:	York Central Leeman Road York
For:	Construction of a new pedestrian and cycle bridge with associated infrastructure following demolition of existing bridge
By:	Network Rail Infrastructure Ltd
Application Type:	Full Application
Target Date:	13 July 2026
Recommendation:	Approve

1.0 THE SITE & PROPOSAL

Site description

1.1. The application site comprises an area of approximately 0.44 hectares located within the southern portion of the York Central development area, bridging the gap between the Holgate ward to the south and the emerging York Central site to the north.

1.2. The site currently accommodates the existing Wilton Rise Footbridge (also known as Cinder Lane Footbridge), a narrow (approximately 1.7 metres wide), stepped, three-span steel structure dating from the 1960s. The existing bridge is inaccessible to wheelchair users, mobility scooters, and cyclists without dismounting. The structure spans the Holgate to Skelton Junction railway corridor, crossing two electrified railway lines and one non-electrified siding.

1.3. To the south of the railway line (the Holgate Ward side), the site context is predominantly residential, fronting onto Upper St Paul's Terrace and Wilton Rise, with the Holgate Community Garden situated to the north-west of the application boundary. To the north of the railway line (the York Central side), the immediate surroundings currently consist of operational railway infrastructure, including the Cinder Building, Holgate Depot, and the Rail Operating Centre (ROC), which will

interface with the future residential and commercial phases of the York Central development (notably future Development Plots B and E).

Planning background

1.4. The application relates to the wider York Central site, the major 45-hectare brownfield regeneration area located to the west of the city centre and to the rear of York Railway Station. Outline Planning Permission (reference 18/01884/OUTM) was granted on 24 December 2019 for a comprehensive mixed-use redevelopment, comprising up to 2,500 homes, significant office and retail floorspace, a hotel, and the expansion of the National Railway Museum, alongside associated infrastructure and public realm.

1.5. The provision of improved pedestrian and cycle connectivity is a fundamental requirement of the outline consent. Specifically, condition 42 of the outline permission requires the approval and implementation of a scheme for a pedestrian and cycle link between the York Central site and Holgate Road (via Wilton Rise or Chancery Rise). The condition stipulates that this link must include a bridge over the rail line (to replace the existing Wilton Rise footbridge) with a minimum width of 4.0 metres and maximum gradients of 5%.

1.6. Whilst the principle of the bridge replacement is established under the outline consent, this proposal has been submitted as a stand-alone full planning application rather than an application for approval of reserved matters application under the outline consent. This is because the bridge alignment, determined through a separate option selection process, proposes a landing point on Upper St Paul's Terrace on the Holgate side. This specific landing point falls outside the approved red-line boundary of the original York Central outline planning permission, thereby necessitating a full planning application to secure the requisite approvals.

The proposal

1.7. The application seeks full planning permission for the 'construction of a new pedestrian and cycle bridge with associated infrastructure following demolition of existing bridge.'

1.8. The proposed development comprises a new two-span steel girder bridge with a stiffened U-deck configuration. It would provide a continuous 4.0-metre-wide deck to accommodate both pedestrian and cycle movements. The structure is designed to provide step-free access, featuring a primary ramped alignment with a gradient of 1:22 (circa 4.5%) and integrated level resting points (landings) at key directional changes.

1.9. In terms of materiality and appearance, the bridge would be constructed primarily of weathering steel, which the applicant suggests is a reference to the city's industrial railway heritage. The parapets would be 1.5 metres in height across the majority of the structure. Over the electrified railway lines, the parapet height will increase to 1.8 metres to meet Network Rail safety standards, incorporating a 0.3-metre perforated extension designed to prevent climbing whilst retaining user visibility.

1.10. An alternative access and egress point would be provided via a newly constructed staircase on the York Central side, linking towards Cinder Street. The bridge deck will feature a heavy-duty, slip-resistant surface, and the scheme is proposed to include integrated, downward-facing LED lighting within the parapet structure. Surface water drainage is proposed to be managed via channels within the deck, discharging into existing drainage networks at Upper St Paul's Terrace and Cinder Lane. The proposed scheme also includes the installation of hostile vehicle mitigation bollards at the landing points and the provision of public seating.

1.11. The existing Wilton Rise Footbridge would be demolished following the completion of the first phase of the new bridge, to ensure a continuous Public Right of Way is maintained during the construction programme.

Scheme amendments and re-consultation

1.12. During the course of the application's consideration, the scheme was formally amended by the applicant in response to feedback received from the Local Planning Authority, internal Council officers, local residents, community groups and the York Central Development Partner. The latterly submitted Road Safety Audit and Forward Visibility Assessment also informed these revisions.

1.13. The amended submission differs from the original scheme in the following ways:

a) Introduction of 'soft segregation': The originally proposed unsegregated deck has been amended to include 'soft segregation' in the form of a raised white line. This formally demarcates a 1.5-metre-wide dedicated pedestrian route on the northern side of the bridge deck, with the remaining 2.5 metres allocated for cyclists.

b) Expansion of the staircase landing: The landing area at the top of the steps (which would lead down to the future York Central development plots) has been significantly enlarged from 9.1 square metres to 19.8 square metres. The separation distance between this landing and the main bridge deck has also been increased from 2.5 metres to 4.5 metres. The applicant suggests this provides increased waiting and manoeuvring space for wheelchair users and reduces the potential for

conflict.

c) Realignment of the staircase: As a direct consequence of the expanded landing area, a minor realignment (incorporating a bend) has been introduced to the stairs. The adjacent ramped segment of the bridge has been correspondingly reduced in length from 65 metres to 64 metres.

d) Red-line boundary adjustments: The application's red-line boundary has been amended to formally include the removal of specific conifer trees that were intended for removal but omitted from the original Site Location Plan. An additional adjustment was made at the base of the bridge on the York Central side to facilitate an appropriate re-entry route into the pedestrian and cycle network.

1.14. The application has been subject to two formal rounds of consultation with consultees and the public. The first round of consultation was undertaken on the original scheme and concluded on 23 December 2025. Following the receipt of the revised plans and documentation, a full second round of consultation was undertaken on the amended scheme, which concluded on 29 May 2026.

1.15. Latterly, the applicant has submitted a series of 'clarificatory' drawings for the information of the Local Highway Authority. These drawings do not introduce design changes, but show the following:

- Large scale engineering details/ dimensions of the landing areas
- A side-by-side stair landing
- A levels section

1.16. Officers will update Members at the meeting of the Committee, should these details alter the point of view of the Highway Authority, as set out in its latest formal comment.

2.0 LEGISLATIVE AND POLICY CONTEXT

2.1. Planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

CITY OF YORK LOCAL PLAN

2.2 The City of York Local Plan was formally adopted on 27 February 2025 and forms the Statutory Development Plan. The following policies are of primary relevance:

Policy DP2: Sustainable Development

Policy SS4: York Central

Policy D1: Placemaking

Policy D2: Landscape and Setting

Policy GI2: Biodiversity and Access to Nature

Policy ENV5: Sustainable Drainage

Policy T1: Sustainable Access

Policy T5: Strategic Cycle and Pedestrian Network Links and Improvements

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

2.3 The NPPF sets out the government's planning policies and is a material consideration. The following are of particular relevance:

Section 2: Achieving sustainable development

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 12: Achieving well-designed and beautiful places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

3.0 CONSULTATIONS

3.1. The application has been subject to two distinct rounds of consultation. The first round was undertaken on the originally submitted scheme and concluded on 23 December 2025. Following the receipt of revised plans and documentation, a full second round of consultation was undertaken on the amended scheme, which concluded on 29 May 2026.

INTERNAL – FIRST ROUND

3.2. Local Highway Authority

- Deck width: the proposed 4.0m usable deck width is acceptable and consistent with local precedents for unsegregated shared-use infrastructure (e.g., Millennium Bridge, Scarborough Bridge).

- Visibility and safety: requests a pedestrian and cyclist forward visibility assessment. Concerns are raised regarding restricted intervisibility on the inner edges of deck radii, which may create blind spots and compromise pedestrian safety against cyclists travelling downhill.

- Accessibility: highlights the absence of dedicated resting space for wheelchair users and notes that the proposed bench position on the York Central side creates a blind spot. Tactile/ corduroy paving must be correctly specified throughout the site.

- Staircase provision: clarification is required on how cyclists will navigate the stairs, ensuring sufficient width for simultaneous passing and the provision of a dedicated cycle-wheel rail. Blind spots at the rear of the staircase require mitigation.

- Design standards: requests detailed justification demonstrating compliance with CD 353, LTN 1/20, and CD 195 regarding maximum gradient lengths, intermediate landings, and horizontal radii. Recommends bollard spacing aligns with LTN 1/20 (1.5m minimum).

- Drainage and maintenance: ACO drainage specifications and long-term maintenance arrangements require clarification; plastic channel covers are unacceptable. Surface water must not discharge onto the public highway.

- Additional matters: requests inclusion of refuse facilities, confirmation of access for winter maintenance vehicles, and notes that street lighting must be assessed at landing points. Street furniture details should be secured via condition.

3.3. CYC Access Officer

- Segregation: objects to the shared surface approach, requiring complete segregation of cyclists and pedestrians.

- Gradient and landings: raises concerns regarding the steepness and distance between resting points. Requires landings to be provided at interval heights of 500mm to reduce the visually daunting scale of the ramp for wheelchair users.

- Safety and visibility: Requires all blind spots to be designed out to minimise collision risks between different users. Recommends addressing the safety at the top of the staircase to allow adequate resting space for pedestrians, wheelchair users, and pushchairs without obstructing the safe passing of others.

- Infrastructure: requires appropriate and safe use of tactile paving, accessible signage, and compliance with CYC Accessible Seating Guidance. Street furniture details must be agreed prior to the granting of permission.

3.4. CYC Public Rights of Way Officer

- Public access: notes that recorded public footpath York 131 crosses the existing bridge. Supports the proposed wider bridge deck and step-free access, which aligns with the National Planning Policy Framework by enhancing public rights of way and sustainable transport.

- Legal processes: advises that the footpath will require a legal diversion under the

Town and Country Planning Act 1990 or the Highways Act 1980. Any temporary closures during construction must be communicated and applied for in advance.

3.5. City Archaeologist

- Archaeological potential: notes a generally low risk of impact, except regarding railway landscaping/structures and potential Roman burials near the Cinder Lane landing.

- Mitigation strategy: agrees with the submitted Archaeological Remains Management Plan (ARMP) proposing Preservation in-situ, Rapid Assessment Triage, and Watching Briefs.

- Conditions: recommends a standard 3-stage condition to secure a Written Scheme of Investigation (WSI), site investigation/post-investigation assessment, and the deposition of a final report. Also requests a basic photographic record (Historic England Level 1) of the existing bridge prior to demolition.

3.6. CYC Design and Conservation Officer

- Existing bridge: assesses the existing bridge as a mid-20th century structure of low local historic interest; has no objection to its demolition.

- Design and materials: supports the general aesthetic but recommends revising the lower plinth to precast concrete and refining the design of the walkway columns to appear more elegant. Guarding materials, gap sizes, downlighting, and signage should be controlled by condition.

- User experience and safety: raises concerns over visibility for lower-height users due to solid guarding and parapet heights. Suggests exploring additional seating/ resting points at 50m intervals and examining potential design measures to slow cyclists on long straight runs to minimise mode conflict.

- Heritage setting: requests a design study assessing the visibility of York Minster from Upper St Paul's Terrace, suggesting minor modifications to the bridge design if necessary to preserve views.

3.7. Lead Local Flood Authority

- Drainage strategy: advises that infiltration methods are unsuitable due to the presence of made ground and potential contamination. Unrestricted surface water discharge to the public combined sewer is unacceptable and must not enter the recently constructed Networks S2 and H2.

- Conditions: recommends a condition to secure detailed surface water drainage proposals. This must include attenuation up to the 1 in 100-year (+30% climate change) event. Stand-off distances for existing public sewers must also be

observed.

3.8. CYC Landscape Architect

- Tree removal: raises no objection to the removal of seven early-mature, Category 'C' Ash trees (showing signs of Ash die-back) to facilitate the Upper St Paul's Terrace landing. Notes the removal of five cypress trees falls outside the red line boundary.

- Mitigation and enhancements: recommends securing a detailed landscape scheme via condition to mitigate tree loss. Suggests consulting local residents and the Holgate Community Garden group regarding the location of replacement planting.

3.9. CYC Public Protection Service

- Construction impacts: recommends a pre-commencement condition securing a Construction Environmental Management Plan (CEMP) to mitigate noise, vibration, dust, and lighting impacts upon nearby residential dwellings, including a formal complaints procedure.

- Contaminated land: notes the site's previous use as a railway depot. Recommends standard 4-stage contaminated land conditions (Site Investigation, Remediation Strategy, Verification Report, and Unexpected Contamination) to ensure the site is safe and suitable for its proposed use.

3.10. CYC Ecologist

No comment received.

3.11. CYC Tree Officer

No comment received.

EXTERNAL – FIRST ROUND

3.12. Holgate Planning Panel

- Connectivity and routing: recommends exploring an alternative route behind Wilton Rise ('Chancery Rise') linking the A59 Holgate Road to the new footbridge. This is suggested to mitigate increased pedestrian and cycle traffic on Upper St Pauls Terrace.

- Infrastructure integration: highlights the need for the scheme to integrate seamlessly with the wider community, necessitating upgrades to surrounding pedestrian and highway infrastructure. Specifically notes the poor condition of the road surface and pavements on Wilton Rise, suggesting upgrades (potentially via CIL funding or similar) are required to ensure safe access to the bridge, acknowledging its current unadopted status.

- Design and accessibility: requests assurances that the proposed stairs from the station will be fully accessible and open to the public to provide a viable alternative to the long ramp. Suggests the stairs could be widened to better accommodate users.

- Layout and land use: seeks clarification on the proposed ramp leading to the railway station, observing that it appears to terminate within an existing Network Rail car park and may obstruct the main entrance to the Network Rail compound.

- Highway Safety: emphasises the need for the safe segregation of pedestrians and vehicles along the routes towards the National Railway Museum (NRM) and the primary station entrances.

- Construction phasing: queries the construction programme, specifically whether the existing footbridge can remain operational during the build out of the new infrastructure to ensure continuity of access.

3.13. North Yorkshire Police Designing Out Crime Officer

- Design: welcomes the proposed design and layout, noting that it successfully addresses longstanding safety concerns associated with the existing structure. Specifically commends the proposed lighting levels, sightlines, and anti-climb measures incorporated into the parapet over the railway tracks.

- Residential amenity concerns: raises a specific concern regarding the proposed placement of benches on Upper St Paul's Terrace, Cinder Lane, and the bridge landings. Advises that locating seating in close proximity to residential properties can negatively impact residential amenity, as benches in these settings have the potential to become focal points for antisocial behaviour during the evening.

3.14. Yorkshire Water

- Surface water drainage: requires a condition preventing the piped discharge of surface water prior to the approval of comprehensive drainage details. The applicant must demonstrate adherence to the surface water disposal hierarchy, providing evidence as to why infiltration or watercourse disposal are not reasonably practical before discharging to the public sewer.

- Discharge rates and attenuation: if discharging to the public sewer, evidence of existing positive drainage must be provided. Discharge must be restricted to the existing rate less a minimum 30% reduction (based on a 1-in-1-year storm event) to account for climate change.

- Plan amendments: advises that the submitted 'Bridge Layout Plan' requires amendments to illustrate surface water storage, flow control rates, and evidence of existing impermeable areas. This matter can be secured via condition.

- Existing infrastructure protection: identifies the presence of a 450mm and a 225mm diameter public combined water sewer crossing the site. While the 225mm sewer is controlled by Building Regulations, the 450mm sewer requires a strict 5-metre stand-off distance on either side of its centre-line. Ground levels over the sewer must not be altered, and manhole access must remain unrestricted. Yorkshire Water concludes that the public sewer is unlikely to be directly affected by building-over proposals in this instance.

3.15. Network Rail

No comment received.

3.16. Friends of Holgate Community Garden

- Has concerns regarding implicit wayfinding and the management of onward traffic moving from the bridge into Upper St Paul's Terrace.

- Highlights the risk of collisions between cyclists and pedestrians, alongside an increased risk of anti-social behaviour (ASB) and vandalism in the community garden.

- Requests clarity on the viability of the alternative Chancery Rise route, noting past assurances that access routes would not negatively impact the garden.

- Suggests the adoption and resurfacing of Wilton Rise should it be chosen as the onward route, noting a lack of direct engagement with residents on this matter.

- Seeks assurance that the community garden will not be used to site plant machinery or portacabins during the construction phase.

3.17. York Access Forum

- Strongly objects to the unsegregated, shared-use space, stating it creates severe safety risks for blind, visually impaired, and mobility-impaired pedestrians.

- Notes the distance between landings on two sections exceeds the required 50m (measuring 60m and 73m), and omits required landings every 500mm in rise.

- Argues the design actively ignores established guidance, including Inclusive Mobility standards, LTN 1/20, and the City of York Council's own Transport Strategy calling for segregated paths.

- Suggests an inadequate Diversity Impact Assessment (DIA) that fails to propose sufficient mitigation for pedestrian-cyclist conflict.

3.18. York Disability Rights Forum

- Objects to the 4m shared-use space, which deters safe movement for pedestrians with impairments and contradicts LTN 1/20 and Inclusive Mobility guidance.

- Highlights that the provision of landing points is inadequate, citing the lack of 2m landings for every 500mm rise, long unbroken gradients (62m and 73m runs), and the hazard of placing landings on bends with poor sightlines.

- States that previous early engagement with disabled groups was inadequate and that their explicit recommendations for segregated space have been ignored.

3.19. York Cycle Campaign

- Supports the provision of an accessible route that will reduce journey times and provide a safer alternative to Holgate Road.

- Requests the gradients and landing lengths be reviewed to strictly comply with the desirable maximums set out in LTN 1/20.

- Identifies a potential user conflict at the midpoint stairs due to 90-degree corners and tall parapets reducing inter-visibility; suggests a more open splay.

- Recommends increasing the spacing between anti-ram bollards from 1.35m to 1.5m to safely accommodate adapted cycles.

- Recommends securing full CCTV coverage of the bridge via a planning condition.

INTERNAL – SECOND ROUND

3.20. Local Highway Authority

- Highway safety and segregation: does not raise an objection on highway safety grounds (NPPF paragraph 116) regarding the proposed ‘soft segregation’. However, it is noted this does not comply with national guidance due to insufficient width, meaning the bridge will effectively function as a shared space.

- Further information required: recommends that further information is provided prior to the determination of the application. This includes justification for ramp lengths exceeding standard gradients without rest stops, confirmation of level landings, horizontal alignment details, visibility splays for the central landing, and a formal lighting design.

- Road Safety Audit: further concerns are raised regarding the methodology and assumptions of the submitted Road Safety Audit, which must be fully resolved.

3.21. CYC Access Officer

- Soft segregation and route layout: soft segregation is considered essential for the safety of disabled people, visually impaired individuals, and families with young children, particularly to mitigate the risk of collisions between pedestrians and cyclists at blind corners and landing points. The pedestrian section must be located on the north side of the bridge to ensure users can safely access the stairs without

having to cross the cycle lane.

- Landings and tactile paving: there is a strong expectation for the inclusion of level landings to provide necessary resting points along the long incline, which aligns with Network Rail's own accessible design guidance. Furthermore, appropriate tactile paving must be installed at the required locations in accordance with Department for Transport (DfT) guidance.

- Handrails: should it be determined that intermediate landings cannot be provided, the absolute minimum acceptable mitigation is the installation of an unbroken, continuous handrail that complies with Part M of the Building Regulations. The currently suggested 1.5m high handrail is unacceptable, as it is too high for wheelchair users and small children to use safely, and it could cause individuals with reduced mobility to lose their balance.

3.22. City Archaeologist

- Archaeological Impacts: notes that the proposed changes do not alter the previous assessment of potential archaeological impacts.

- Conditions: raises no objection, subject to the attachment of a planning condition requiring works to be monitored in accordance with an agreed, updated Archaeological Remains Management Plan (ARMP) that reflects the most recent design.

3.23. CYC Design and Conservation Officer

- Existing bridge: notes that the existing bridge is of low historic interest and its demolition is acceptable.

- Conditions: support is offered subject to the resolution of several detailed design matters via planning conditions. Recommended conditions include securing: the detailing of modifications to the retained abutments; material selection and samples; final design resolution for seating and landings; mitigation measures to ensure pedestrian safety and visibility on tight bends; the finish of the precast concrete plinths; linear downlighting detailing; and signage proposals to minimise visual clutter.

- Further recommendations: notes a preference for more elegantly designed walkway columns and requests a design study regarding views of York Minster, though acknowledges the latter is unlikely to be a pivotal issue.

3.24. CYC Public Protection Service

- Construction impacts: raises no objection but notes the site's proximity to residential dwellings. Recommends a condition requiring a detailed Construction Environmental Management Plan (CEMP) to suitably mitigate noise, vibration, dust,

and lighting impacts during the demolition and construction phases.

- Contaminated land: notes the site's historic use as a railway depot. Recommends a suite of four standard contaminated land conditions to secure a site investigation, remediation strategy, verification of works, and a protocol for the reporting of unexpected contamination.

3.25. CYC Public Rights of Way Officer

No comment received.

3.26. Lead Local Flood Authority

Makes a comment referring to their observations in the first round.

3.27. CYC Landscape Architect

No comment received.

3.28. CYC Ecologist

No comment received.

3.29. CYC Tree Officer

No comment received.

EXTERNAL – SECOND ROUND

3.30. North Yorkshire Police Designing Out Crime Officer

Has no further comments to make regarding the submitted amendments. Advises that all previous consultation responses provided by North Yorkshire Police remain extant.

3.31. Yorkshire Water

States that no new comments are required regarding the re-consultation on the submitted drawings and technical details. Confirms that the comments and planning conditions previously recommended in their correspondence dated 12 December 2025 remain applicable to the proposed development.

3.32. Holgate Planning Panel

No comment received.

3.33. Network Rail

No comment received.

3.34. Friends of Holgate Community Garden

- The submitted Biodiversity Assessment indicates a substantial loss in habitat biodiversity units (-72.94%), failing to deliver the statutory +10% Biodiversity Net Gain (BNG) required.

- Cumulative ecological impact is considered significant due to the prior unannounced removal of mature trees by Network Rail, which has already degraded local habitat value and bird activity.

- The loss of mature trees has removed a natural barrier that previously screened the community garden from noise, light, and particulate pollution generated by the Carriageworks and York Central development.

- The group requires clear, enforceable conditions verified at future milestones to guarantee a 10% BNG before they will withdraw their objection.

3.35. York Access Forum

- Strongly supports the inclusion of a segregated pedestrian and cycle facility across the 4m usable deck space, which adheres to LTN 1/20 guidance.

- Highlights that segregation is vital for the safe travel of blind, visually impaired, deaf, hearing-impaired, and mobility-constrained individuals.

- Notes the proposal aligns with the stated aims of York's Transport Strategy to increase segregated facilities.

- Acknowledges a lack of appropriate landings but suggests this could be mitigated by providing suitable handrails.

3.36. York Disability Rights Forum Access Group

- Welcomes the implementation of LTN 1/20 design principles, specifically the inclusion of soft segregation between cyclists and pedestrians using subtle surface texture changes and colour differentiation.

- Raises concern regarding the insufficient number of landings on the bridge.

- Suggests the installation of a double handrail as a workable mitigation measure for the lack of landings.

4.0 REPRESENTATIONS

4.1 The application has been subject to two distinct rounds of consultation. The first round was undertaken on the originally submitted scheme and concluded on 23 December 2025. Following the receipt of revised plans and documentation, a full second round of consultation was undertaken on the amended scheme, which

concluded on 29 May 2026.

FIRST ROUND

4.2. The application was advertised by neighbour letter and site notice resulting in 12 objections, 9 letters of support and 3 neutral letters (the points raised in the neutral letters are listed in the objections/ support section, as appropriate).

4.3. A summary of the points of objection made in representations received in relation to the initial scheme:

a) Highways and transport:

- Unsegregated shared space: severe safety concerns regarding the mixing of pedestrians and cyclists without segregation, which poses risks to deaf, visually impaired, elderly, and mobility-impaired users.

- Gradient and landings: the continuous gradient lacks sufficient handrails and landing points, rendering it hazardous or unusable for manual wheelchair users and those with ambulatory difficulties.

- Bollard width: the proposed 1.35m distance between bollards may exclude wider adapted cycles and mobility scooters.

- Routing via Upper St Paul's Terrace: Directing high volumes of cyclists (including high-speed e-bikes) into a narrow, quiet residential cul-de-sac presents a severe highway safety and conflict risk.

- Preference for Chancery Rise: multiple respondents argue the bridge should be aligned to Chancery Rise to provide a more direct, flatter route that avoids residential streets and mitigates the steep hill on Holgate Road for wheelchair users.

- Road condition: the current surface of Wilton Rise is deemed entirely unsuitable for increased cycle and pedestrian traffic.

- Parking: increased anti-social parking from taxis using the area as a new drop-off point for the station.

b) Residential amenity:

- Noise and disturbance: a significant anticipated increase in noise and disturbance from cycle traffic and late-night pedestrian footfall moving through historically quiet, no-through residential streets.

- Privacy and overlooking: the elevated structure and widened viewing areas will allow direct sightlines into the private windows and gardens of adjacent properties on Upper St Paul's Terrace.

- Anti-Social Behaviour (ASB): the creation of a 24-hour route, combined with

secluded under-structures and the provision of seating/ benches, will invite late-night loitering, vandalism, and ASB directly adjacent to homes.

- Lighting and pollution: increased light pollution and general urbanisation affecting adjacent properties.

c) Community and green space:

- Loss of community space: the landing structure, abutments, and subsequent traffic will permanently remove and fundamentally urbanise a heavily utilised, resident-maintained community green space at the end of Upper St Paul's Terrace.

d) Ecology and trees:

- Biodiversity net loss: the proposal represents a 59.18% habitat biodiversity loss and 100% linear habitat loss, failing to meet Environment Act 2021 requirements.

- Tree protection: proposed concrete abutments and excavations are situated directly within the Root Protection Areas (RPAs) of existing boundary trees, contradicting the applicant's own Preliminary Ecological Appraisal.

e) Design, procedure, and assessment flaws:

- Lack of consultation: inadequate site notices provided for residents of Wilton Rise.

- Flawed assessments: the Diversity Impact Assessment (DIA) is cited as incomplete and non-compliant, omitting impacts on adjacent vulnerable residents. No formal assessments for ASB risk, lighting, or cycle speeds have been provided.

- Failure to assess alternatives: the application lacks a robust assessment of alternative routes (such as Chancery Rise) which would alleviate cumulative impacts on residents.

4.4. A summary of the points of support made in representations received in relation to the initial scheme:

a) Principle of development and accessibility:

- Essential infrastructure: the existing footbridge is outdated, inaccessible, and unsafe due to steep steps; a replacement is urgently required.

- Active travel: the bridge will significantly improve sustainable transport options, encouraging families and commuters to cycle or walk instead of relying on private vehicles.

- Inclusive mobility: the step-free design represents a major improvement for disabled users and the elderly, opening up a vital active travel corridor to the city centre.

b) Design and safety:

- Thoughtful design: the inclusion of edge downlighting, rather than overhead lighting, is supported for minimising light pollution.

- Safety improvements: the new bridge will provide a much safer, well-lit alternative to navigating the narrow and dangerous Holgate Road bridge for cyclists and pedestrians.

SECOND ROUND

4.5. The application was advertised by neighbour letters and site notice resulting in 2 objection letters.

4.3. A summary of the points of objection made in representations received in relation to the amended scheme:

a) Residential amenity:

- Concerns that the development will fundamentally alter the quiet, family-oriented character of the local cul-de-sac.

- Fears that turning the area into a main thoroughfare to the city and station will result in unacceptable increases in footfall, noise, nuisance, and anti-social behaviour (ASB).

b) Principle of development and site selection:

- Objects regarding a lack of genuine public consultation on alternative routes for the bridge.

- Suggests that alternative, less disruptive routes exist, such as utilising the proposed works machinery bypass route into the York Central site.

c) Highways, safety and design:

- Soft segregation and width: the newly introduced ‘soft segregation’ via a painted white line is ineffective and creates constrained, hazardous spaces. The resulting 1.5m footway falls below the 2.0m recommended by British Standards and DfT Inclusive Mobility guidance, whilst the remaining cycle lane is deemed too narrow to safely service a major commuter route.

- User conflict and speed: painted lines are frequently crossed by users, actively increasing the risk of collision, contrary to LTN 1/20 guidance. Specific concerns are raised regarding cyclist momentum on downhill gradients, and the applicant's safety audit is criticised for relying on an unrealistic assumed cyclist speed of just 10 km/h (6 mph).

- Requested amendments: calls for the bridge deck to be physically widened, the introduction of distinct, colour-contrasted surfacing to clearly demarcate walking and cycling zones, the application of visual layout symbols every 20 metres, and the re-

evaluation of safety modelling using realistic commuter speeds and volumes.

5.0 APPRAISAL

5.1. Accounting for the relevant planning policies, consultation comments, representations and all other material planning considerations, Officers consider the key issues for consideration by the Committee in the determination of this application to be:

- Principle of Development
- Highways, Accessibility, and Inclusive Design
- Design, Landscape, and Impact on Character/ Appearance
- Neighbour Amenity
- Biodiversity Net Gain (BNG) and Ecology
- Surface Water Drainage and Flood Risk
- Archaeology
- Maintenance Arrangements
- Managing ground contamination risk
- The Equalities Duty

Principle of Development

Policy context

5.2. Policy SS4 (York Central) of the Local Plan establishes the comprehensive regeneration of the wider site as a strategic priority for the city, explicitly requiring excellent permeability and connectivity with surrounding neighbourhoods. This strategic aim is further reinforced by Policy T1 (Sustainable Access), which mandates the delivery of safe, accessible, and attractive infrastructure to prioritise active travel, alongside Policy T5 (Strategic Cycle and Pedestrian Network Links and Improvements), which specifically requires the provision of appropriate strategic active travel links.

5.3. At the national level, sections 2 (Achieving sustainable development), 8 (Promoting healthy and safe communities) and 9 (Promoting sustainable transport) place significant emphasis on the creation of high-quality walking and cycling networks to reduce reliance on the private car, promote active travel, and ensure that major development sites are genuinely accessible to all.

Assessment

a) Accessibility and connectivity

5.4. In the view of Officers, the proposed replacement of a substandard, stepped bridge with an accessible, 4.0-metre-wide active travel corridor directly fulfils the aforementioned policy objectives. The proposal facilitates a critical strategic link between the established Holgate community and the emerging York Central development. Consequently, the fundamental principle of the development is policy-compliant.

b) Planning history

5.5. In assessing the principle of this development, Officers advise that the Committee should have regard to the planning history of the site, which represents a material consideration. The principle of providing a new pedestrian and cycle bridge over the railway corridor in the vicinity of Wilton Rise was established through the granting of outline consent for the York Central scheme (reference 18/01884/OUTM).

5.6. Crucially, the defining parameters of the bridge currently applied for - specifically its 4.0-metre deck width and 5% gradient - were assessed and subsequently approved during the outline planning stage . At the time the outline consent was granted, a minimum width of 4.0m and maximum gradient of 5% were deemed suitable parameters to safely accommodate the anticipated volume of pedestrian and cycle movements via this route.

5.7. Condition 42 of the York Central outline consent requires the developer to provide a pedestrian and cycle link over the railway. If the current application were to be refused, this condition remains extant and binding, and the applicant would still be obligated to deliver a structure to satisfy the outline consent.

5.8. The outline permission is a material planning consideration which carries weight. It establishes that the provision of a pedestrian and cycle link over the railway is considered to be acceptable in principle. Any reserved matters application for the bridge would need to be in line with the outline permission including the parameters set by condition 42. A reserved matters approval could not be withheld on a ground that has already been decided in principle at the grant of outline planning permission as that would be to reopen an issue already decided and frustrate the permission granted.

c) Interaction with the York Central outline consent

5.9. While the current proposal comes forward as a stand-alone full planning application, the extant outline consent carries significant weight. As discussed, the

functional necessity, scale, and broad location of the infrastructure have already been judged acceptable and necessary by the Local Planning Authority.

5.10. To ensure Members have full clarity on how this stand-alone full planning application (25/02252/FUL) interacts with the wider York Central regeneration scheme, it is necessary to consider its relationship with the enabling outline consent.

5.11. Condition 42 of that consent reads as follows:

Prior to the first occupation of any development in development zones B, C, D, E and F (Excluding Reserved Matters referenced 23/02255/REMM and any subsequent approvals to facilitate amendments to that Reserved Matters consent and the building) 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. Public access to the facility shall be provided at all times. The details shall include: a) The alignment of the route; b) Provision of segregated cycle routes where appropriate; c) The bridge with a minimum width of 4m and maximum gradients of 5% as any point (unless otherwise agreed); d) Materials and finishes (including enhancements) of surfaces; e) Lighting details; f) Landscaping; g) Drainage; h) Details of any other physical infrastructure necessary for the delivery of the scheme.

5.12. Because the optimal alignment for the new bridge necessitates a landing point on Upper St Paul's Terrace - which sits marginally outside the approved red-line boundary of the York Central outline consent - this bridge cannot be delivered as a 'reserved matters' application or via the approval of details process. It must, legally and procedurally, be considered on its own merits as a stand-alone full planning application.

5.13. However, Officers advise the Committee that whilst any permission granted is 'stand-alone' and could technically be implemented as such, the granting of this permission does not absolve the York Central Development Partner from the broader requirements of Condition 42. Crucially, Condition 42 requires the approval and implementation of the entire pedestrian and cycle link extending all the way to Holgate Road (whether via Wilton Rise or Chancery Rise), as well as the permanent onward connections within the York Central site itself. The current application boundary only captures the physical bridge structure and its immediate landing points.

5.14. Therefore, while approving this application secures the physical infrastructure

(the bridge over the railway) necessary to facilitate the link, the wider obligations of Condition 42 remain extant. The final, permanent routing from the bridge's landing points outwards to Holgate Road and inwards through the York Central development plots will still need to be formally submitted, assessed, and discharged by the Local Planning Authority under the parameters of the outline consent at a later date. Members can therefore be assured that approving this physical bridge structure does not 'sign-off' on the wider, finalised highway routing for the holistic York Central connection to the Holgate area of the city.

Section summary

5.15. In summary, the principle of constructing a new, high-quality pedestrian and cycle bridge in this location is firmly established and finds unequivocal support within both national and local planning policy. The proposed infrastructure directly fulfils the strategic connectivity and active travel objectives set out in the City of York Local Plan and the NPPF, representing a significant accessibility improvement over the existing connection. Furthermore, the necessity, scale, and general location of the bridge are underpinned by the extant York Central outline permission, which carries significant material weight in establishing the requirement for the bridge. While approving this stand-alone application secures the essential physical crossing over the railway, it rightly leaves the broader onward connectivity requirements of the outline consent to be fulfilled at a later date. Officers therefore conclude that the overarching principle of the development is acceptable.

Highways, access and inclusive design

Policy context

5.16. The City of York Local Plan places significant emphasis on the creation of safe, accessible, and sustainable transport infrastructure and networks. Policy T1 (Sustainable Access) demands safe and appropriate access for all user groups, and Policy T5 specifically targets improvements to the strategic cycle and pedestrian network. Furthermore, Policy D1 (Placemaking) necessitates inclusive design that can be used safely and easily by all. These local policies are a reflection of the relevant national planning policies set out within the NPPF, which require development to promote sustainable transport modes and give priority first to pedestrian and cycle movements (paragraphs 108 to 117, Section 9). Additionally, Section 8 of the NPPF requires development to promote healthy, inclusive, and safe places that are highly accessible.

Assessment

5.17. The proposed bridge features a 4.0-metre-wide deck with a 1:22 gradient

broken by landing areas, providing a step-free route over the railway corridor. Initially, the application proposed an unsegregated, shared-use deck. However, following post-submission engagement with local residents, the Access Officer and others, the scheme was subsequently amended.

5.18. In considering this section, and the application as a whole, Members are advised that the scheme must navigate a complex intersection of competing national standards. Specifically, the requirements of active travel guidance (LTN 1/20), highway design standards (DMRB), and Network Rail's strict safety parameters for crossing electrified railway lines are inherently incompatible. For example, Network Rail's mandate for substantial vertical clearances and tall, solid parapets – necessary to prevent electrocution and object drops – directly conflicts with LTN 1/20's requirements for gentle, accessible gradients and open, permeable parapets to ensure clear user visibility and personal security. Furthermore, accommodating high clearances at gentle gradients requires exceptionally long approach ramps, which is problematic given the spatial constraints of the site. Consequently, Officers would advise that that decision-making in this instance cannot be based on achieving strict compliance with every individual standard. Rather, it requires a pragmatic balancing exercise on the basis of these carefully considered compromises, and Officers suggest that necessary departures from ideal standards, are an unavoidable prerequisite to delivering a safe and viable piece of infrastructure in this location.

a) Division of deck space

5.19. The revised design introduces a 'soft segregation' approach along the bridge deck, utilising a raised white line to demarcate a 1.5-metre-wide dedicated pedestrian route on the northern edge and a 2.5-metre cycle route on the southern side. Furthermore, the amended scheme expands the staircase landing area (increasing it from 9.1 square metres to 19.8 square metres) and increases the stair's separation from the main deck to 4.5 metres. To accommodate this improved manoeuvring space, the staircase incorporates a minor realignment and the adjacent ramped section has been fractionally reduced in length.

5.20. The introduction of soft segregation has drawn differing perspectives from consultees. The Council's Access Officer is in favour of the amendment, highlighting that the disabled community view unsegregated shared spaces in such constrained environments with significant anxiety. The Access Officer notes that positioning pedestrians on the northern side is highly beneficial, as it allows pedestrian users to access the new staircase directly without having to cross the cycle lane. Conversely, the Highway Authority has raised concerns regarding the soft segregation, noting

that it deviates from some national design standards (DMRB CD 353) and that the usable width, constrained by the bridge parapets, means the deck may effectively operate as a shared space in practice.

5.21. Whilst these differing viewpoints are acknowledged, the applicant has submitted a Stage 1 Road Safety Audit specifically to demonstrate the feasibility of the 'soft segregation' arrangement. Given the complex balance of spatial limitations and the competing needs of different user groups, this soft segregation approach - coupled with the expanded staircase landing - is considered to be a suitable and acceptable compromise.

b) Alignment, gradient/ height and form

5.22. In response to the Highway Authority's further requests for more information and additional drawings, Officers advise that these requests are very unlikely to result in a change to the design at this stage. This application itself has been under consideration and discussion for over seven months, during which time the various options and possibilities have been worked through at length (detailed pre-application discussions took place before the application was submitted). Officers consider that sufficient information has been supplied to enable a robust decision, and Members now need to consider the proposal currently before them.

5.23. It is acknowledged that the bridge design – in terms of its alignment, gradient and form - does not represent the 'best of all worlds'. As identified by the Local Highway Authority and recognised by Officers, the deck radii might be tighter, the intermediate landings spaced further apart, and the landings themselves possibly shorter than is optimal.

5.24. The design parameters are influenced by the requirements of Condition 42 of the York Central outline consent (a material planning consideration) and are restricted by the rigid safety clearances required over the electrified railway lines together with the limited flexibility in terms of the positioning of the landing points (constrained by existing residential development at Upper St Paul's Terrace and the Network Rail Operating Centre entrance on the York Central Side). Within the available geographical envelope, introducing larger intermediate landings would necessitate either a longer ramp (which is spatially impossible to accommodate within the site boundary) or a steeper gradient between the landings (which is highly undesirable and would severely compromise accessibility for wheelchair users).

5.25. In Officers' view, the design compromises do not render the scheme unacceptable; rather, the alignment, gradient/ height and form of the bridge are

necessary, acceptable, and safe compromises born out of physical site constraints.

c) Handrail provision

5.26. The Council's Access Officer is of the view that including handrails for the stairs, the ramped approaches, and the main length of the bridge would significantly improve the structure's accessibility, especially for wheelchair users. The Access Officer notes that this provision might also go some way towards mitigating the less-than-ideal frequency of the intermediate rest landings discussed above.

5.27. During discussions with the applicant regarding this requirement, it has been established that a handrail cannot be sited on the virtually flat section of the bridge that directly spans the electrified railway line. The applicant has clarified that attaching a handrail in this specific location presents an unacceptable climbing, trespass, and safety risk which they cannot carry.

5.28. Notwithstanding this operational constraint over the railway lines, the applicant is prepared to accept a condition requiring the installation of a handrail for the full length of the inclined sections on the pedestrian side of the bridge (amounting to a total length of approximately 140 metres). Officers suggest that such a condition is applied. In the view of Officers, the inclusion of this handrail is a reasonable safeguard that responds positively to the Access Officer's feedback and, provided it is carefully detailed, is unlikely to significantly impact the usable deck space.

d) Phasing of delivery - maintenance of access

5.29. The delivery of the new bridge (and demolition of the existing bridge) will need to be carefully phased to ensure connectivity is maintained between Holgate and the city centre during construction. As demonstrated on the submitted 'Public Right of Way Phasing Plan', the construction is proposed to occur across three distinct phases. Phase 1 will see the construction of the new main spans whilst the existing Public Right of Way is maintained over the existing Wilton Rise footbridge. Phase 2 will involve the provision of an indicative temporary access route (with localised diversions via Cinder Lane) while the elevated walkway elements are constructed and the existing bridge is demolished. Phase 3 will see the opening of the permanent, step-free pedestrian and cycle route. Officers recommend that a condition is applied to any permission the Committee may grant requiring a detailed plan for phased delivery (including timings). It is necessary to ensure that any cycle route diversion (for a period of time in Phase 2 the established cycle route need to be diverted) is not in place for an excessive period.

5.30. The phasing process will necessitate the diversion of existing rights of way and the establishment of new routes. It is anticipated that these new routes will be

legally designated as 'cycle tracks', accommodating both pedestrian and cyclist access.

5.31. Members should note that the legal processes required to enact these changes - anticipated to be progressed pursuant to Section 257 of the Town and Country Planning Act 1990 - is an entirely separate legal process to the determination of this planning application. The applicant will need to address this through the appropriate formal application if planning permission is granted.

Section summary

5.32. The proposed bridge delivers an important 4.0-metre-wide, step-free crossing over the railway corridor. Following detailed consultation, the design incorporates a 'soft segregation' approach to manage both pedestrian and cyclist movements, providing an acceptable and suitable compromise within a constrained spatial environment. While acknowledging that the bridge's alignment, gradient, and form represent a compromise, Officers are satisfied that these are necessary and safe solutions dictated by strict railway safety clearances and fixed site boundaries. Furthermore, the provision of a handrail along the inclined sections of the route will be secured by condition, offering a reasonable safeguard that further improves accessibility for wheelchair users. In discussions directly with Officers the Highway Authority has latterly recommended that a condition requiring a full ‘4 stage road safety audit’ (RSA) is applied, as a suitable safeguard given some of the design compromises, particularly in terms of the soft segregation scheme. An RSA of this type involves an independent post construction safety review, with modifications made to the bridge as recommended, and then a further review after 12 months of use with further agreed modifications made to address any safety issues arising. Finally, a phased construction plan, also secured by condition, will ensure essential connectivity is maintained during the works, that the temporary cycle route disruption is minimised and the route diversions are safe. Ultimately, the scheme accords with the sustainable and inclusive design objectives of Local Plan Policies T1, T5, and D1, as well as the NPPF, and is therefore considered acceptable from highways, access, and inclusive design standpoints.

Design, landscape and impact on the character and appearance of the area

Policy context

5.33. In terms of the Local Plan, Policy D1 (Placemaking) requires development to improve poor existing urban and natural environments, enhance York's special qualities, and make a positive design contribution to the city. This is complemented by Policy D2 (Landscape and Setting), which supports proposals that protect and

enhance landscape quality and character, thereby creating a comfortable association between the built and natural environments. Finally, Policy GI4 (Trees and Hedgerows) requires development to recognise the value of existing tree cover, demanding suitable replacement planting in instances where the loss of trees is justified.

5.34. At the national level, the NPPF underpins these local objectives. Section 12 (Achieving well-designed and beautiful places), specifically paragraphs 131, 135, and 139, dictates that planning decisions should ensure developments are visually attractive, sympathetic to local character, and function well over their lifetime, actively establishing a strong sense of place.

Assessment

5.35. From an aesthetic perspective, Officers consider the design of the proposed bridge to be acceptable and compliant with both local and national design policies. The structure will replace a visually poor, mid-twentieth century stepped footbridge with a pedestrian and cycle link of contemporary design. The bridge adopts a functional but refined aesthetic, combining a stiffened U-deck configuration with a weathering (Corten) steel finish. This material palette echoes the industrial and railway heritage of the immediate context, creating a structure that in Officers' view will sit comfortably within the emerging York Central development whilst forming a legible southern gateway to the site.

5.36. The scale and massing of the bridge are dictated by the structural requirements of spanning an active, electrified railway corridor. The necessity for a long, ramped structure (approximately 241 metres) is an unavoidable consequence of providing a step-free 1:22 gradient from the elevated Upper St Paul's Terrace down to the York Central site. While this results in a substantial new structure, it is considered a well-mannered engineering response to the topographical constraints.

5.37. From a landscape perspective, the proposal necessitates the removal of seven early-mature Ash trees at Upper St Paul's Terrace to accommodate the new landing. However, as noted in the submitted Arboricultural Report, these trees are already showing significant signs of Ash die-back (affecting approximately 30% of their crowns). Consequently, officers accept that their loss is justified to facilitate this essential infrastructure.

5.38. The Council's Head of Design and Conservation (DC) has reviewed the scheme and raised several points. The DC Officer agrees that the existing bridge has minimal historic or aesthetic value and supports its removal. The DC Officer also acknowledges that the overall design approach is carefully considered and

appropriate, and that the updated 'soft segregation' layout (introduced to manage cyclist/pedestrian conflicts) represents a sensible compromise given the deck width constraints.

5.39. However, the DC Officer maintained an objection to the design of the supporting columns on the 'elevated walkway' section. The main span over the railway utilises an elegant, cranked 'Y-shaped' ribbed column, whereas the elevated walkway utilises a simpler 'T-shaped' column. The DC Officer argued that extending the Y-shaped design to all columns would be more elegant. The applicant has declined this amendment, citing significant cost of the additional steel and the limited visibility of these specific columns. Officers agree with the DC Officer on the point; however, in balancing the design merits, it is considered that the proposed T-shaped columns are functionally acceptable and do not render the scheme visually harmful to a degree that would warrant refusal.

5.40. The DC Officer also requested a design study to assess the visibility of York Minster from Upper St Paul's Terrace across the new bridge, suggesting minor design modifications might maintain this view. The applicant has declined to provide this. Officers note that while preserving strategic views is a key principle of Policy D1, the outline consent for York Central (Parameter Plan YC-PP 010) already establishes maximum building heights for the development plots directly between the bridge and the Minster (up to 43.5m AOD). As these future buildings will be highly likely to obscure the view of the Minster from this specific vantage point regardless of the bridge's detailed design, officers consider it unreasonable to insist upon this assessment or demand design compromises to protect a view that will ultimately be very likely lost to the wider consented development.

5.41. The Council's Landscape Architect raises no objections to the loss of the Ash trees at Upper St Paul's Terrace, given their deteriorating condition from Ash dieback. While the Landscape Architect requested replacement planting - suggesting consultation with the Friends of Holgate Community Garden to locate trees nearby - this cannot be secured. The application site is heavily constrained and comprises largely operational railway, offering no feasible space for on-site soft landscaping. Furthermore, because the community garden falls outside the applicant's red-line boundary and control, it is not possible for the Local Planning Authority to lawfully impose a planning condition requiring this off-site mitigation.

Section summary

5.42. The proposed bridge delivers a visually acceptable, contemporary replacement for the existing structure, utilising a Corten steel finish that successfully echoes the site's railway heritage. Its substantial scale and massing are

acknowledged as necessary and well-mannered engineering responses to strict topographical and railway clearances. The removal of seven deteriorating Ash trees is justified due to disease, and while replacement planting cannot be legally secured within the constrained site, this does not outweigh the scheme's wider benefits. Officers have carefully balanced the Design and Conservation Officer's comments regarding column design and Minster views; however, the proposed T-shaped columns are considered functionally acceptable without causing visual harm, and consented future development will likely obscure the relevant views regardless. Ultimately, the scheme aligns with the placemaking and landscape objectives of Local Plan Policies D1, D2, and GI4, as well as the NPPF, and is therefore considered highly acceptable from design, landscape, and visual impact standpoints.

Neighbour amenity

Policy context

5.43. The overarching policy framework safeguarding residential amenity and community safety is established at both the national and local levels. The NPPF specifically states in paragraph 135(f) that planning decisions should create places with a high standard of amenity for existing and future users. It further requires that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

5.44. Locally, the adopted City of York Local Plan (2025) reflects these principles. Policy ENV2 (Managing Environmental Quality) dictates that development will only be permitted where it does not unacceptably harm the amenities of existing and future occupants. Furthermore, Policy D1 (Placemaking) requires development to be designed to reduce crime and the fear of crime, promoting public safety throughout the day and night.

Assessment

5.45. The application has generated a significant degree of public interest, with numerous representations raising concerns regarding the potential impact of the new bridge on residential amenity. Specifically, local residents have expressed significant apprehension that routing a primary active travel corridor into the quiet, residential cul-de-sac of Upper St Paul's Terrace will fundamentally alter its character.

5.46. It is acknowledged that the introduction of a new bridge will undoubtedly alter the dynamics of the immediate area. Officers accept that the development will result in some degree of impact, particularly concerning an increase in footfall and cycle

traffic, and the associated noise and disturbance that accompanies a 24-hour pedestrian and cycle route.

5.47. However, in assessing this impact against the policy framework, it is the view of officers that this increase in activity does not equate to 'undue' or unacceptable harm that would warrant refusal of the application. The noise generated by pedestrians and cyclists is transient in nature and is not considered to be of a level or character that would cause significant detriment to the living conditions of neighbouring occupiers, especially when balanced against the overwhelming strategic benefits of providing this inclusive infrastructure.

5.48. Looking more broadly than Upper St Paul's Terrace, it's noted that the area currently hosts an established pedestrian footbridge, and while the new structure will cater to a broader range and greater number of users, the fundamental principle of a thoroughfare in this area of the city is historically established.

5.49. Public representations have also raised concerns regarding a potential rise in Anti-Social Behaviour (ASB) and crime, fearing that the new bridge and its associated seating areas will invite late-night loitering and vandalism adjacent to residential properties and the Holgate Community Garden. In assessing these concerns, officers have engaged in discussions directly with the Police Designing Out Crime Officer. The advice received clearly indicates that there is currently no evidence to suggest an existing ASB problem associated with the current Wilton Rise bridge that would be displaced onto Upper St Paul's Terrace. Furthermore, there is no evidence of an existing ASB issue on Upper St Paul's Terrace or within the community garden itself that would be exacerbated by the new structure.

5.50. Crucially, the Police have advised that the introduction of regular, legitimate pedestrian and cycle traffic across the new bridge is likely to act as a deterrent to ASB, providing increased natural surveillance. The Police have confirmed that should any isolated ASB issues occur following the bridge's opening, they would be addressed through routine patrols and appropriate policing measures.

5.51. Officers also note a tension regarding the detailed design of the bridge landing on Upper St Paul's Terrace. While the Access Officer strongly advocates for the provision of rest seating (benches) to ensure the bridge is genuinely inclusive for mobility-impaired users, the Police have cautioned that benches in secluded areas can occasionally act as a focal point for ASB. It is important to clarify that this specific, detailed design tension does not need to be definitively resolved at this stage. The precise location, design, and inclusion of the bench will be carefully managed through a discharge of conditions application concerning the final hard landscaping and street furniture details. Both the Access Officer and the Police

Designing Out Crime Officer will be fully consulted during this subsequent process to ensure an appropriate, safe, and inclusive final design is achieved.

Section summary

5.52. The introduction of the new bridge will undoubtedly increase footfall and cycle traffic along Upper St Paul's Terrace, which will alter the character of that environment; however, Officers conclude that the resulting transient noise and activity do not constitute unacceptable harm to residential amenity. While significant public concerns have been raised regarding potential anti-social behaviour (ASB) and crime, the Police Designing Out Crime Officer advises that the introduction of regular, legitimate users will actually increase natural surveillance and act as a deterrent. Additionally, detailed design tensions regarding the provision of rest seating - balancing inclusive access requirements against crime prevention advice - will be carefully managed through future 'approval of details' application process. Ultimately, the scheme aligns with the amenity and public safety objectives of Local Plan Policies ENV2 and D1, as well as the NPPF, and is therefore considered acceptable from a neighbour amenity standpoint.

Biodiversity Net Gain (BNG) and Ecology

Policy and legal context

5.53. Locally, Policy G12 of the adopted City of York Local Plan expects development proposals to conserve and enhance York's biodiversity. Section 15 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Furthermore, under Schedule 7A of the Town and Country Planning Act 1990, the proposed development is legally subject to a statutory requirement to deliver a minimum 10% Biodiversity Net Gain (BNG). This framework allows for the required gain to be achieved on-site, off-site, or through the purchase of statutory biodiversity credits where local provision is not viable.

Assessment

5.54. The applicant has submitted a Biodiversity Assessment alongside the official Statutory Biodiversity Metric calculations. The assessment establishes an on-site baseline of 2.76 area habitat units within the red line boundary. The existing on-site baseline habitats primarily consist of a mix of low and higher distinctiveness grassland, individual trees, lines of trees, and urban habitat parcels. Due to the nature of the development, the scheme will necessitate the clearance of a significant proportion of this existing vegetation. The scheme will retain 0.75 units, resulting in a net on-site loss of 2.01 area habitat units (a -72.94% change).

5.55. The applicant's submission demonstrates that exploration for on-site habitat creation has taken place. However, due to physical constraints, land ownership boundaries, and strict Network Rail operational requirements, achieving the required 10% uplift on-site is unviable. Consequently, to meet the statutory requirement, 2.29 biodiversity units must be delivered off-site. The applicant has confirmed these will be secured prior to the commencement of development.

5.56. In response to the application, an objection has been received from the Friends of Holgate Community Garden. The objection highlights the projected 72.94% loss in on-site habitat units and expresses concern that the development falls below the standard requirement for biodiversity enhancement. Furthermore, the objection cites the cumulative ecological impact of mature tree removals undertaken by Network Rail in February 2026 adjacent to the community garden, demanding clear, enforceable conditions to verify BNG delivery.

5.57. Officers acknowledge the concerns regarding the localised reduction in habitat value - particularly the loss of existing grassland and tree cover - and the cumulative impact of wider operational works. However, the statutory BNG framework expressly anticipates and permits off-site mitigation where on-site delivery is demonstrably unviable. The statutory metric utilises a defined baseline to calculate the required uplift, legally mandating that the 10% net gain is achieved regardless of whether it is delivered within the site boundary or off-site. Therefore, while there is a localised loss, the scheme will result in a legally secured, overall net enhancement to biodiversity. In terms of neighbour comments in respect of recent vegetation clearance near to the application site, it should be held in mind that it is within Network Rail’s gift to clear trees and vegetation within operational land.

Section summary

5.58. To ensure the statutory requirements and the concerns of the local community are comprehensively addressed, officers recommend that BNG matters are secured via a specific planning condition.

5.59. Whilst a standard statutory condition automatically applies to this permission (preventing development until a general Biodiversity Gain Plan is approved), an additional application-specific condition is deemed necessary in this instance. The condition is required to anchor the specific metrics established at the application stage (specifically, the on-site loss of 2.01 units and the absolute requirement for 2.29 off-site units). This prevents the submission of an altered baseline or differing metric calculations at the condition discharge stage, providing certainty to both the Local Planning Authority and the public.

5.60. Subject to the imposition of the condition, Officers are satisfied that the proposed development complies with the statutory BNG requirements, the NPPF and Policy G12 of the City of York Local Plan. The scheme appropriately navigates the site's physical constraints whilst legally securing the necessary enhancements to the wider natural environment.

Surface water drainage and flood risk

Policy context

5.61. Local and national (NPPF section 14) planning policies dictate that new development must be safe from flooding and should not increase flood risk elsewhere. The Local Plan outlines the framework for surface water management. Policy ENV4 (Flood Risk) sets out the requirements for developments to mitigate against current and future flood events, while Policy ENV5 (Sustainable Drainage) dictates the specific hierarchy and requirements for surface water disposal, mandating that developments on brownfield land restrict surface water flow to 70% of the existing runoff rate (a 30% reduction) and that SuDS methods should be utilised.

Assessment

5.62. The applicant has outlined their proposed surface water drainage strategy within the submitted Design and Access Statement and the latterly submitted 'Bridge Layout Plan'. In the Design and Access Statement they also explain that the existing bridge lacks any positive drainage, instead relying on spitter pipes and downpipes along the landings and abutments.

5.63. The proposed drainage strategy is to manage surface water via ACO drains running along the sides of the bridge deck (channels within the deck). These drains will feed into a carrier drainage system concealed within the bridge structure. From this system, the run-off is proposed to be discharged into the existing public combined sewer networks on either side of the railway line: the first 28-metre span connecting to the system in Upper St Paul's Terrace, and the remainder discharging into the newly constructed drainage network (Network H2) on the York Central side (Cinder Lane/ Cinder Street).

5.64. The Council's Drainage Engineer (acting as the LLFA) has reviewed the proposal and confirmed that the use of infiltration methods (such as soakaways) is not feasible due to the nature of the made ground across the wider York Central site (which includes clinker, ash, and potential contaminants). Consequently, discharging to the public sewer network is considered the only viable option. However, the Drainage Engineer has highlighted a constraint regarding the applicant's current

indicative proposals: the public sewer networks do not have the capacity to accept an unrestricted discharge of surface water. It is imperative that the discharge rate is formally restricted to ensure that no surface water generated from the new bridge inadvertently overwhelms the established capacities of the new York Central drainage networks (Networks S2 and H2) or the existing Upper St Paul's Terrace network.

5.65. While the broad strategy of connecting to these systems is supported, a detailed surface water drainage design - incorporating appropriate attenuation and flow restriction mechanisms to manage run-off up to the 1 in 100-year storm event (plus a 30% allowance for climate change) - will need to be submitted and approved prior to the commencement of development. Both the LLFA and Yorkshire Water are satisfied that this outstanding detailed design work can be appropriately secured through a planning condition.

Section summary

5.66. The proposed surface water drainage strategy will capture deck run-off via integrated channels and discharge it into the public combined sewer networks on both sides of the railway corridor. Due to ground contamination precluding the use of sustainable infiltration methods such as soakaways, this connection to the sewer system is acknowledged by the Lead Local Flood Authority as the only viable solution. However, to ensure existing and proposed sewer capacities are not overwhelmed, it is imperative that the discharge rate is formally restricted. Both the LLFA and Yorkshire Water are satisfied that a detailed surface water drainage design - incorporating the necessary attenuation and flow restriction mechanisms to manage a 1 in 100-year storm event - can be appropriately secured by planning condition. Ultimately, the scheme accords with the flood risk and sustainable drainage objectives of Local Plan Policies ENV4 and ENV5, as well as the NPPF, and is therefore considered acceptable from drainage and flood risk standpoints.

Archaeology

Policy context

5.67. The protection and understanding of the historic environment is a key tenet of both local and national planning policy. Locally, Policy D6 (Archaeology) of the adopted City of York Local Plan requires development proposals to be accompanied by an evidence-based heritage statement and ensures that proposals will not result in harm to the significance or setting of archaeological remains unless outweighed by public benefits. Where impact is acceptable, it requires detailed mitigation measures to be agreed.

5.68. At the national level, the NPPF seeks to safeguard heritage assets. Section 16 (Conserving and enhancing the historic environment) dictates that Local Planning Authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (paragraph 207). It further expects developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (paragraph 218).

Assessment

5.69. The application site is situated within an area known to possess significant archaeological potential, relating to prehistoric activity, Roman burials and landscaping, and the extensive development of the 19th century railway industry.

5.70. To address this, the applicant has submitted a detailed Archaeological Remains Management Plan (ARMP) specifically for the Cinder Lane/ Wilton Rise Footbridge scheme. This document scopes the potential impacts - such as the demolition of the existing bridge, ground level reduction, pile foundations, and new drainage works - and sets out a targeted mitigation strategy. The applicant proposes a mitigation approach centred on ‘Preservation in-situ, Rapid Assessment Triage, and Watching Briefs’. This methodology has been utilised effectively across the wider York Central site, managed by a Lead Consultant Archaeologist acting as a Clerk of Works.

5.71. The City Archaeologist has reviewed the ARMP and confirms that the overall archaeological risk posed by the footbridge development is generally low, as much of the area is already disturbed and the proposed works are not anticipated to penetrate deeply. The primary areas of potential impact include possible shallower Roman deposits at the Wilton Rise/ Upper St Paul's Terrace landing, pile caps interacting with former stream channels, and new drainage near Cinder Lane potentially disturbing Roman burials.

5.72. The City Archaeologist agrees with the applicant's proposed mitigation strategy, confirming that the Rapid Triage and Watching Brief approach is proportionate and preferable to more invasive methods (such as 'Strip, Map and Sample' or full excavation) given the constraints of the site and the level of (contamination related) risk. The City Archaeologist also notes that a basic photographic record (Historic England Level 1) of the existing unlisted bridge should be completed prior to its demolition. Following the submission of amended plans during the life of the application, the City Archaeologist has confirmed that the revised layout does not alter this assessment, provided the ARMP is updated to reflect the final design.

Section summary

5.73. The application site lies within an area of known archaeological potential, particularly concerning Roman deposits and 19th-century railway activity. However, the City Archaeologist confirms that the overall risk posed by the new bridge is low due to the relatively shallow nature of the works and extensive previous ground disturbance. To manage any potential impacts from foundations or drainage, the applicant has submitted an Archaeological Remains Management Plan (ARMP). The proposed mitigation strategy - utilising a proportionate approach of 'Rapid Assessment Triage and Watching Briefs', alongside a required basic photographic recording of the existing bridge prior to demolition - is fully supported by Officers and is recommended to be secured by condition. Ultimately, the scheme accords with the historic environment objectives of Local Plan Policy D6 and Chapter 16 of the NPPF, and is therefore considered acceptable from an archaeological standpoint.

Maintenance Arrangements

5.74. The bridge superstructure is to be maintained by Network Rail. To address the planning requirements for the deck surface and lighting, conditions are recommended to secure the following:

a) Design and materials: approval of the specific surface treatments for the bridge deck prior to installation to ensure a high-quality finish and appropriate slip resistance.

b) Lighting: approval of the lighting systems before their implementation to guarantee adequate illumination for users while minimising any potential light spill or adverse impacts on surrounding areas or the railway.

c) Maintenance: approval of a comprehensive maintenance regime for the deck surface and lighting systems to ensure their long-term functionality and safety. 5.76. Furthermore, as discussed in the earlier section of this report, public access for pedestrians and cyclists will need to be secured through the establishment of appropriate rights of way, ensuring its continuous availability as a key pedestrian and cycle link. 5.77. These rights will exist irrespective of the maintenance arrangements of the bridge and/ or its deck.

Managing ground contamination risk

5.75. Policy ENV3 (Land Contamination) of the Local Plan dictates that development will not be permitted unless it can be demonstrated that the site is suitable for its proposed use, taking into account ground conditions and any risks arising from historical contamination.

5.76. At the national level, section 15 of the NPPF (Conserving and enhancing the natural environment) requires planning decisions ensure that a site is suitable for its proposed use, taking account of ground conditions and any risks arising from factors including contamination, such as that from former activities such as industry or railways.

5.77. The proposed development necessitates intrusive groundworks, including excavations for the bridge abutments, structural piling, and the installation of below-ground carrier drainage infrastructure. These works will take place within a heavily constrained environment characterised by extensive historical and current railway operations. The underlying ground conditions in this locality are known to consist of 'made ground', typically comprising ash, clinker, and potential railway-related contaminants.

5.78. The applicant has submitted a bespoke, site-specific Phase 1 land contamination assessment alongside the application and their overarching approach relies on safely managing ground disturbance during the detailed design and construction phases.

5.79. The Council's Public Protection Officer has formally reviewed the application and highlighted the potential risks associated with the site's historic railway use. To ensure that any historical contaminants are safely managed and do not pose an unacceptable risk to groundwater, or the wider environment, the Public Protection Officer has requested that a comprehensive suite of site investigation and remediation measures be secured.

5.80. Officers concur that these protections are necessary. The suggested conditions are proportionately tailored to require targeted site investigation within the areas of intrusive groundworks, alongside requirements for a remediation strategy (should contamination be found), subsequent verification reporting, and a protocol for managing any unexpected contamination encountered during the construction phase.

The Equalities Duty

5.81. In considering this application, the Council has had regard to its Public Sector Equality Duty (PSED) under Section 149 of the Equality Act 2010 to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not.

5.82. The existing bridge represents a severe barrier to mobility-impaired individuals, wheelchair users, and those with pushchairs. While the physical constraints of the site have necessitated compromises in the provision of rest

landings and deck widths, these have been proportionately balanced. The scheme transitions the crossing from a completely inaccessible stepped structure to a ramped, step-free facility that introduces soft segregation to protect vulnerable users. The proposal has been responsive to the needs of disabled users throughout the application process, and its approval would significantly advance equality of opportunity by integrating accessible infrastructure where none currently exists.

6.0 PLANNING BALANCE AND CONCLUSION

6.1. The application proposes the construction of a new 4.0-metre-wide, step-free pedestrian and cycle bridge, replacing the existing inaccessible, stepped Wilton Rise footbridge. The provision of this infrastructure is a fundamental requirement of the York Central outline consent (a significant material consideration) and is strongly supported by both local and national planning policies aimed at promoting sustainable, active travel and creating inclusive communities. The principle of development is therefore firmly established and acceptable.

6.2. In assessing the planning balance, Officers have weighed the significant public benefits of the scheme against the identified harms and necessary design compromises. The primary benefit of the proposal is the delivery of a highly accessible, strategic active travel corridor that overcomes a major physical barrier, linking the Holgate community with the emerging York Central development and the city centre. The bridge features a contemporary, Corten steel design that responds positively to the site's railway heritage, whilst a phased construction programme ensures essential connectivity is maintained throughout the build.

6.3. Officers acknowledge that the physical constraints of the site - dictated by rigid railway safety clearances and fixed land boundaries - have necessitated certain design compromises. These include deck radii and landing intervals that, while safe, deviate from optimal geometric standards, and the adoption of 'soft segregation' rather than physical separation between pedestrians and cyclists, which would only be possible on a wider bridge. Furthermore, the development will result in the loss of seven early-mature Ash trees, transient increases in footfall and noise for residents of Upper St Paul's Terrace, and an on-site biodiversity loss that must be mitigated through off-site Biodiversity Net Gain (BNG) provision.

6.4. However, these impacts have been assessed and appropriately mitigated. The submitted Road Safety Audit indicates that the 'soft segregation' approach is an acceptable solution for this constrained environment. The Police Designing Out Crime Officer is satisfied that the scheme will not exacerbate anti-social behaviour. Furthermore, planning conditions have been recommended to secure the (amongst other things) control of surface water drainage discharge rates, manage the detailed

design of lighting, handrails, and street furniture, and ensure archaeological monitoring is undertaken during groundwork.

6.5. In conclusion, the substantial public benefits of delivering this vital, inclusive infrastructure demonstrably outweigh the localised harms and necessary design compromises. The proposal complies with the overarching objectives of the City of York Local Plan and the National Planning Policy Framework. The application is therefore recommended for approval.

7.0 RECOMMENDATION

7.1. That the Committee resolves to:

- GRANT full planning permission, subject to the planning conditions outlined within this report.

7.0 RECOMMENDATION: Approve

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

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

2 Except where may be modified by the conditions of this permission, the development hereby permitted shall be carried out in strict accordance with the following approved plans and documents:

- Site Location Plan - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000100 P10
- Bridge Layout Plan - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000120 P09
- Walking Distances Map - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000121 P04
- Proposed Elevations - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000130 P06
- Main Span Steelwork - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000131 P03
- Elevated Walkway Steelwork - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000132 P04
- Stair Steelwork - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000133 P04
- Proposed Plan - Structure Ends Upper St. Pauls Terrace Cinder Lane - Drawing No.

183097-MHB-HOS-FB-PLN-ECV-000134 P06
- Proposed Elevation C-C - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000135 P03
- Proposed Elevation D-D, E-E & F-F - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000136 P03
- Proposed Elevations G-G, H-H & J-J - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000137 P03
- General Overview - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000140 P02
- Existing Structure - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000150 P04
- Public Right of Way Phasing Plan - Drawing No. 183097-MHB-HOS-FB-PLN-ECV-000160 P02

Reason: To avoid doubt.

3 Prior to the closure, diversion, or obstruction of any existing pedestrian or cycle route within the application site, a detailed Rights of Way Phasing Management Plan shall be submitted to and approved in writing by the Local Planning Authority.
The Plan shall formalise the temporary routing outlined in the submitted 'Public Right of Way Phasing Plan' (Drawing 183097-MHB-HOS-FB-PLN-ECV-000160 P02) and shall include:

a) Details demonstrating how a continuous and safe Public Right of Way will be maintained for the duration of the works;
b) A programme specifying time windows for the completion of the three construction phases of the bridge structure;
c) A timeframe or window for the opening of each phase to users (specifying a period of several weeks, rather than a precise date), commencing from the implementation of the planning permission; and
d) The specific diversion arrangements for the cycle link between Holgate and the York Central site during its closure at the Phase 2 point, including the exact duration of this closure period.

The development shall thereafter proceed in strict accordance with the approved Plan.

Reason: To protect the amenity of local residents, to ensure the continuous provision of a crucial active travel route, to minimise disruption to the cycle route, and to ensure the safe operation of the local highway network during the construction phase, in accordance with Policies T1 and ENV2 of the City of York Local Plan.

4 Prior to the commencement of development, a Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall act in accordance with the statutory requirements of Schedule 7A of the Town and Country Planning Act 1990 and shall be strictly based upon the biodiversity value parameters established in the approved Biodiversity Net Gain Assessment (Archer Ecology, March 2026). The Plan shall demonstrate the legally secured delivery of no

less than 2.29 off-site habitat biodiversity units.

Reason: To ensure the development results in a measurable biodiversity net gain of at least 10% in accordance with the Environment Act 2021, Policy G12 of the City of York Local Plan, and the National Planning Policy Framework.

5 Notwithstanding the approved plans, the development shall include the provision of handrails to both the access ramp and the connecting stairs. Prior to the installation of the relevant bridge parapets or stair guardrails, large-scale detailed drawings of these required handrails shall be submitted to and approved in writing by the Local Planning Authority.

The submitted details shall strictly demonstrate the provision of:

a) Save for the area of the stair landing, a continuous handrail affixed to the pedestrian side of the northern parapet of the access ramp, running to the east of (but not including) the section crossing the railway to the point the bridge terminates on the York Central side.

b) Handrails affixed to both sides of the connecting stairs.
Furthermore, the details shall demonstrate that the design, profile, and placement of the handrails are suitable for wheelchair users and those with restricted mobility, according with recognised inclusive design standards. The submission must also detail the specific interaction and method of fixing between the handrails and the main parapet and stair guardrail structures.

The development shall be carried out in full accordance with the approved details. Given that the ramp is to be delivered in phases, the handrail corresponding to each phase shall be fully installed prior to the first public use of that relevant phase. The approved handrails for the stairs shall be fully installed prior to the first public use of the stairs. All handrails shall be permanently retained as such thereafter.

Reason: To ensure inclusive design and a safe environment for all users, particularly those with mobility impairments, in accordance with Policies D1 and T1 of the City of York Local Plan and the National Planning Policy Framework.

6 Prior to the installation of the bridge superstructure, a comprehensive detailed lighting scheme for the bridge deck, staircases, and associated landing areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with applicable national design standards and ensure safe visibility for pedestrians and cyclists, whilst preventing undue light spill onto the adjacent railway network and residential properties. The approved lighting on any given section/ phase of the bridge shall be installed and operational prior to that section/ phase of the bridge being brought into public use.

Reason: In the interests of public safety, crime prevention, and residential amenity, to address the outstanding requirements of the Highway Authority, and in accordance with Policies D1, T1 and ENV2 of the City of York Local Plan.

7 Prior to the bridge being brought into public use, full details of the final deck surface treatments (including the specific slip-resistant properties of the proposed surfacing) and the precise layout and specification of all tactile paving shall be submitted to and approved in writing by the Local Planning Authority. The tactile paving must strictly accord with the latest Department for Transport (DfT) guidance. The works shall be implemented in accordance with the approved details.

Reason: To ensure the bridge is safe and fully legible for visually impaired users, in accordance with Policy D1 and T1 of the City of York Local Plan.

8 Prior to the first public use of the bridge, a comprehensive maintenance plan for the bridge deck surface, street furniture and lighting systems shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the schedule and responsibilities for ongoing inspection, cleaning, repair, and replacement of these elements, including winter maintenance of the deck. The bridge infrastructure shall thereafter be maintained in accordance with the approved plan.

Reason: To ensure the long-term safety, functionality, and visual appearance of the bridge for public use, ensuring it remains a high-quality pedestrian and cycle link, in accordance with Policies D1 and T1 of the City of York Local Plan.

9 Prior to the commencement of the bridge superstructure, physical samples and full details of all external materials and finishes (including the specification of the weathering Corten steel, any painted steel elements, and the precast concrete sections for the lower plinth) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed strictly in accordance with the approved details.

Reason: To ensure a high-quality visual appearance that respects the industrial heritage of the area and complies with Policy D1 of the City of York Local Plan.

10 Prior to the commencement of demolition works on the existing Wilton Rise footbridge, full detailed drawings of the proposed modifications to retain, make safe, and visually close off the existing brick abutments (including the use of reclaimed brick where appropriate) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure the retention and sensitive treatment of these remaining existing structures is visually appropriate, in accordance with Policy D1 of the City of York Local Plan.

11 Notwithstanding the submitted plans, no development shall commence on the bridge landings until a comprehensive detailed hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

a) Precise details of all hard surfacing materials beyond the bridge deck, along with details of how these materials will join with the existing highway/ footway infrastructure.
b) The exact location, design, and specification of all street furniture, including the proposed resting benches (ensuring they do not create pinch-points or hazards on the footway), any proposed signage and any proposed hostile vehicle mitigation or other barrier/ bollard.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure the development provides an attractive, safe public realm, successfully integrates into its landscape context, and adequately mitigates the loss of existing trees, in accordance with Policies D1 and D2 of the City of York Local Plan.

12 No development (including any demolition, preparatory, or enabling works) shall commence until a comprehensive Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.
The CEMP shall include, but not be limited to, the following detailed information:

a) Out-of-hours / night-time working protocol: recognising that the installation of the bridge superstructure over the active railway will require works during railway track possessions outside of standard hours, a specific protocol for these works must be provided. This shall include: i. The mechanism for notifying the Local Planning Authority and local residents (particularly on Upper St Paul's Terrace and Wilton Rise) in advance of any scheduled out-of-hours works. ii. Specific, enhanced noise and vibration mitigation measures to be deployed during these night-time periods. iii. Justification that such out-of-hours works are strictly limited to those tasks that cannot be safely undertaken during operational railway hours.

b) Community liaison: a strategy for ongoing community engagement, including a formal complaints procedure and the provision of a dedicated, named contact point for local residents to reach during all active construction hours (including night-time works).

c) HGV routing and deliveries: detailed routing plans for HGVs and delivery vehicles, demonstrating how access will be managed to minimise disruption to the local highway network and residential streets. This must include designated holding areas and delivery scheduling to avoid peak traffic hours.

d) Site compounds and storage: a layout plan showing the exact location of all site compounds, welfare facilities, and areas for the loading, unloading, and storage of plant, materials, and waste.

e) Contractor parking: details of on-site parking provision for site operatives, contractors, and visitors, including measures to strictly prevent contractor parking on adjacent residential streets.

f) Hoardings and security: details of the erection and maintenance of security hoarding, fencing, and gates, ensuring safe segregation from the public highway and adjacent public rights of way.

g) Noise and vibration management: a scheme to minimise noise and vibration generated during demolition and construction, including details of the piling methodology to be used and measures to suppress noise from plant and machinery.

h) Dust control: measures to control the emission of dust

i) Construction lighting: a scheme for temporary construction lighting demonstrating how illumination will be directed and shielded to prevent light spill, glare, or nuisance to adjacent residential properties and the operational railway.
The approved CEMP shall be strictly adhered to throughout the entire construction and demolition period.

Reason: To safeguard the residential amenity of neighbouring properties, protect the local environment, and ensure the safe and efficient operation of the local highway network during the construction phase, as the work will require railway track possessions and will likely take place out of normal hours of construction. This is a pre-commencement condition because these protective measures must be established and agreed prior to any works taking place on site, in accordance with Policies ENV2 and T1 of the City of York Local Plan and the provisions of the National Planning Policy Framework.

13 No development shall take place until a detailed scheme for the proposed means of surface water drainage, including details of any necessary balancing works, flow restriction mechanisms, and off-site works, has been submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall include:

a) The means of restricting the discharge to the public sewer. This must be restricted to the peak discharge rate (based on a 1 in 100 year storm event) less a minimum 30% reduction, to account for climate change and to ensure the capacity of receiving networks (including York Central Networks S2 and H2) is not exceeded.

b) The means by which surface water attenuation up to and including the 1 in 100-year storm event, plus a 30% allowance for climate change, shall be achieved.

c) Full surface water drainage calculations using computer modelling. This modelling must accommodate a 1 in 30-year storm event with no surface flooding, and no overland discharge off the site during a 1 in 100-year storm event. A 30% allowance for climate change must be included in all calculations, using a range of storm durations (with both summer and winter profiles) to establish the worst-case scenario.

The development shall be constructed strictly in accordance with the approved details prior to the bridge being brought into public use and shall be maintained as such thereafter.

Reason: To ensure that the site is properly drained and that no surface water discharges take place until appropriate provision has been made for its disposal. This is to prevent increased flood risk elsewhere, and ensure the capacity of the public sewer network is not compromised, in the interests of sustainable drainage and in accordance with Policies ENV4 and ENV5 of the City of York Local Plan and the NPPF.

14 A programme of post-determination archaeological mitigation, specifically archaeological monitoring, is required on this site. Archaeological monitoring shall proceed as described in the submitted Wilton Rise/ Cinder Lane Footbridge Archaeological Remains Management Plan (ARMP). The archaeological scheme comprises 3 stages of work. Each stage shall be completed and agreed in writing by the Local Planning Authority:

a) No demolition or development shall commence until an updated Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition or development shall take place other than in strict accordance with the agreed WSI. The WSI should conform to standards set by the Local Planning Authority and the Chartered Institute for Archaeologists. It shall also include a requirement for a basic photographic record (Historic England Level 1) of the existing footbridge prior to its demolition.

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

c) A copy of a report (and evidence of publication if required) shall be deposited with

the City of York Historic Environment Record to allow public dissemination of results within 2 months of completion, or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site lies within an area of archaeological interest and the development may affect important archaeological deposits which must be recorded prior to destruction, in accordance with Section 16 of the National Planning Policy Framework and Policy D6 of the City of York Local Plan.

15 Prior to the construction of the bridge superstructure of the pedestrian and cycle bridge, a combined Stage 1 and Stage 2 Road Safety Audit (RSA) shall be carried out in accordance with the Design Manual for Roads and Bridges (DMRB) GG 119, and submitted to and approved in writing by the Local Planning Authority. The submission shall include a Designer's Response to the RSA, detailing how any identified road safety issues will be addressed and incorporated into the detailed design of the bridge and its tie-ins to the existing and proposed active travel network. The development shall thereafter be constructed strictly in accordance with the approved detailed design and Designer's Response.

Prior to the first public use of the pedestrian and cycle bridge, a Stage 3 Road Safety Audit shall be carried out and submitted to the Local Planning Authority for written approval, alongside a Designer's Response detailing any necessary post-construction modifications. Any required modifications identified shall be implemented prior to first public use or in accordance with a timeframe to be agreed in writing with the Local Planning Authority.

Within 12 months of the first public use of the bridge (or another timeframe to be agreed in writing with the Local Planning Authority), a Stage 4 Road Safety Audit shall be carried out and submitted to the Local Planning Authority for written approval, alongside a Designer's Response. Any further remedial measures identified shall be implemented in accordance with a timescale to be agreed in writing with the Local Planning Authority.

Reason: To ensure that the detailed design, construction, and operation of the active travel infrastructure is safe for all users in the interests of highway safety. As the submitted preliminary RSA was limited in its scope to the testing of the feasibility of the proposed scheme of soft segregation of pedestrians and cyclists, a comprehensive 4-stage audit is required.

16 Prior to the commencement of any intrusive groundworks (including piling, excavations for abutments, and drainage infrastructure), a site investigation and risk assessment must be undertaken to assess the nature, scale, and extent of any land contamination within the specific areas of ground disturbance. The assessment must consider the potential risks to human health, groundwater, surface water, and other receptors. A written report of the findings must be submitted to and approved in writing

by the Local Planning Authority prior to the commencement of any intrusive groundworks.

Reason: To ensure that the site is suitable for its proposed use and that intrusive works do not mobilise historical contaminants from the site's former railway use, in accordance with Policy ENV3 of the City of York Local Plan and paragraph 196 of the National Planning Policy Framework. This is a pre-commencement condition because risks associated with ground disturbance must be understood and mitigated prior to any excavation taking place.

17 Where the site investigation required by condition 16 identifies that remediation works are necessary, no intrusive groundworks shall commence until a detailed remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy must demonstrate how the areas of ground disturbance will be made safe and suitable for their intended use and must include proposals for the verification of the remediation works.

Reason: To ensure that the proposed remediation works are proportionate, appropriate, and will remove unacceptable risks to identified receptors, in accordance with Policy ENV3 of the City of York Local Plan and the National Planning Policy Framework.

18 Where a remediation strategy has been approved under condition 17, the bridge shall not be brought into public use until the agreed remediation works have been fully carried out. Upon completion of those works, a verification report demonstrating the effectiveness of the remediation must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the agreed remediation works are fully implemented and to demonstrate that the site is safe for public use with respect to land contamination, in accordance with Policy ENV3 of the City of York Local Plan.

19 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All works in the affected area must cease until an investigation and risk assessment has been undertaken. If remediation is necessary, a bespoke remediation strategy must be prepared and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any previously unidentified contamination encountered during construction is appropriately managed and that the site remains safe for its proposed use, in accordance with Policy ENV3 of the City of York Local Plan and the National Planning Policy Framework.

8.0 INFORMATIVES:
Notes to Applicant

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

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 39) in seeking solutions to problems identified during the processing of the application.

2. BIODIVERSITY NET GAIN (BNG)

The statutory framework for Biodiversity Net Gain (BNG) set by paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 requires a Biodiversity Gain Plan to be submitted and approved prior to the commencement of development. The development cannot be lawfully commenced until this condition is satisfied.

Development may not begin unless:
(a) A Biodiversity Gain Plan has been submitted to the planning authority; and
(b) The planning authority has approved the plan

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, which is required in respect of this permission, is the City of York Council.

SUBMISSION REQUIREMENTS:
Under paragraph 14(2) of Schedule 7A, a Biodiversity Gain Plan must include the following:

a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
b) The pre- and post-development biodiversity value of the onsite habitat,
c) Any registered off-site biodiversity gain allocated to the development, and
d) Any biodiversity credits purchased to off-set the development and whether or not from a registered provider.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- Name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- A description of the development and planning permission reference number (to which the plan relates);
- The relevant date, for the purposes of calculating the pre-development biodiversity

value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- The completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and post-development biodiversity value;
- A description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- (Except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- Pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North;
- A description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date, and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and

If habitat degradation has taken place:
- A statement to this effect;
- The date immediately before the degradation activity;
- The completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
- Any available supporting evidence for the value.

There is a standard Biodiversity Gain Plan template available to complete which brings together many of these matters into one document.

https://assets.publishing.service.gov.uk/media/65df0c4ecf7eb16adff57f15/Biodiversity_gain_plan.pdf

Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).
3. INFORMATIVE:
You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact:

Streetworks for:

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

For Pavement Cafe Licence:
Pavement Cafe Licence - Section 115 (01904) 551550 - highway.regulation@york.gov.uk
4.

Contact details:
Case Officer: Dan Metcalfe
Tel No: 01904 553671