

COMMITTEE REPORT

Date: 20th September 2012 **Ward:** Huntington/New Earswick
Team: Major and Commercial Team **Parish:** Huntington Parish Council

Reference: 12/02545/REMM

Application at: Land Including Huntington Stadium To The West Of Jockey Lane Huntington York

For: Reserved matters application for details of appearance, landscaping, layout and scale of mixed-use development comprising, the demolition of existing buildings and the erection of a 6,000 seat community stadium with conference facilities (use class D2) and community facilities (use classes D1 non-residential institution, D2 assembly and leisure and B1 office), retail uses (use class A1), food and drink uses (use classes A3/A4 & A5) recreation and amenity open space, with associated vehicular access roads, car parking, servicing areas and hard and soft landscaping granted under outline permission 11/02581/OUTM

By: Oakgate (Monks Cross) Limited

Application Type: Major Reserved Matters Application (13w)

Target Date: 23 October 2012

Recommendation: Approve

1.0 PROPOSAL

1.1 At Main Planning and Transport Committee on 23rd May 2012 it was resolved to grant outline planning permission, subject to conditions and legal agreement, for 'a mixed-use development comprising, the demolition of existing buildings and the erection of a 6,000 seat community stadium with conference facilities (use class D2) and community facilities (use classes D1 non-residential institution, D2 assembly and leisure and B1 office), retail uses (use class A1), food and drink uses (use classes A3/A4 & A5) recreation and amenity open space, with associated vehicular access roads, car parking, servicing areas and hard and soft landscaping' at Monks Cross South. The planning permission was issued on 5th July 2012.

1.2 The outline application considered means of access with details of appearance, landscaping, layout and scale of the development to be considered within reserved matters applications. The outline application also contained an illustrative masterplan, land use parameters plan, building heights parameters plan, and a design code to show how the site could be developed. The principle of development has been established through the grant of outline planning permission. This permission included restrictions on floorspace, car parking spaces, and building heights.

1.3 This reserved matters application covers the main retail part of the Monks Cross South site. The area of the application site including the stadium and multi-use games area is not part of this application. This reserved matters application covers appearance, landscaping, layout and scale for the retail and restaurant part of the outline application site.

1.4 The application site is approximately 3km north east of the city centre and located south of the existing Monks Cross Shopping Park in Huntington. Broadly the application site is bounded by Jockey Lane to the south and east, Martello Way and the Monks Cross Park and Ride to the west, and the retail units served off Kathryn Avenue and Julia Avenue to the north.

1.5 There are no Conservation Areas or Listed Buildings in close proximity to the application site.

1.6 The outline planning permission contained conditions which limited the amount of floorspace for the three large retail units to 29,728 sq m gross, 22,668 net. Since the outline application was approved, discussions have advanced with potential end users of the buildings. As a result, the applicant's wish for Unit A to be reduced in size by 1858 sq m and for Unit B (smaller middle unit) to be increased in size by 1858 sq m. There would be no overall increase in retail floorspace within the three large retail units and it is considered that this change remains within the confines of the conditions attached to the outline planning permission.

1.7 A separate condition on the outline planning permission decision notice restricted the amount of floorspace which could be built within the restaurant and kiosk cluster to the west of the site. The Design Code submitted with the outline application stated that there would be four restaurants and one retail kiosk. The applicant's discussions with potential end users of these units have resulted in a redistribution of the floorspace approved for retail kiosk and restaurant use. The reserved matters application contains four restaurants and four retail kiosks, however there has been no increase in the total gross internal floor area which was stated and approved within the Design Code. Therefore, it is considered that the reserved matters application is in accordance with the floorspace restrictions stated and conditioned at outline stage.

1.8 An Environmental Impact Assessment was undertaken for the outline planning application. The outline planning application documents identified certain parameters for the development. The likely environmental effects of these parameters were assessed and mitigation measures secured. The proposals contained within the reserved matters application are within the parameters set at outline stage. Additionally there has been no material change in site circumstances. Therefore, it is considered that the development proposed within the reserved matters application would not create any environmental issues not considered at

outline stage. Therefore, it is determined that an EIA is not required in respect of this reserved matters application.

1.9 The applicant undertook significant public consultation as part of the outline planning application. As the plans have not altered significantly from the indicative site layout included within the previous public consultation process, the level of public consultation by the applicants in respect of the reserved matters application has not been as extensive. The applicant has sent letters to key stakeholders and local residents regarding the reserved matters application, encouraging them to make any comments to the Local Planning Authority.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Contaminated Land GMS Constraints:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

Scheduled Ancient Monuments GMS Constraints: SMR NO. 34718; Roman Camp On Huntington South Moor

2.2 Policies:

CYGP1 -Design

CYGP9 -Landscaping

CYNE1 -Trees,woodlands,hedgerows

CYNE7 -Habitat protection and creation

CYT4 - Cycle parking standards

3.0 CONSULTATIONS

INTERNAL

3.1 Economic Development Unit - The development of Monks Cross South would contribute positively to York's economy. The reserved matters application has altered the floor space of the individual units a little, however this does not change EDU's position regarding the proposal.

3.2 Flood Risk Management Team - No objections.

3.3 Environmental Protection Unit - No comments, however wish to remind the applicants of conditions attached to the outline planning permission which cover issues including construction and environmental management plan, contaminated land, lighting, noise, odour, and electric vehicle recharge points.

3.4 Integrated Strategy Unit - No comments.

3.5 Design, Conservation and Sustainable Development (Landscaping) - The development is set within a naturalistic landscape infrastructure which extends across the distributor road and into the car park where remaining lengths of the existing hedgerow and trees are retained. The car park is supplemented with large-species trees to provide shade and visual amenity. Smaller species trees are included along the retail boulevard. Significant further design work is required for the public plaza/space before the detail of this can be approved.

3.6 Sport and Leisure - No comments.

3.7 Highway Network Management - Details to be provided at Committee.

EXTERNAL

3.8 Huntington Parish Council - No objections.

3.9 English Heritage - The Monks Cross South site is adjacent to a Roman 'practice camp' Scheduled Monument. The proposed landscaping works, taking place in only the retail and restaurant part of the site, will not have an impact on this heritage asset.

3.10 Natural England - No comments to make specifically regarding this application. General Natural England advice regarding conserving biodiversity is highlighted.

3.11 Environment Agency - No further comments to make beyond those submitted as part of the outline application consultation.

3.12 Yorkshire Water - There are water mains and a sewer laid within highways in the site boundary, this infrastructure can be protected via New Roads and Street Works Act legislation. The local sewer network does not have capacity to accept any discharge of surface water from the proposal site. The application states that SUDs will be used, advice should be sought from appropriate authorities regarding this. Surface water runoff should pass through an interceptor prior to discharge to a sewer. Conditions suggested to be added to any approval regarding drainage.

3.13 Ainsty Internal Drainage Board - No comments to make.

3.14 Highways Agency - No comments to make.

3.15 Visit York - No correspondence received at the time of writing the report.

3.16 Police Architectural Liaison Officer - Continued dialogue is taking place in respect of 'designing out crime'. This has ensured that any issues that have arisen have been discussed and agreed at an early stage. The applicants are aiming to achieve 'Park Mark - Safer Parking Award Scheme' in respect of the retail units car parking areas. No concerns are raised in respect of this application.

3.17 Local residents - One letter received. The submitted plans fail to show correctly the pond/drainage area behind no. 19/ 20 Kathryn Avenue with the large pond is missed off completely. This large water expanse provides for drainage for all the properties 18/19/20 Kathryn Avenue. These properties have suffered from subsidence requiring underpinning in some cases with a change in the water table in the area. Also the large pond area is used by many forms of wild life in the area including frogs, toads and newts. Newts are regularly found in the area.

Concerns also raised regarding the new junction on Kathryn Avenue for deliveries to the new stores. Currently it is only through good luck that there has not been a serious accident on the sharp bend on Kathryn Avenue. This is currently used heavily by buses yet HGV vehicles are regularly parked on the junction delivering vehicles to Stoneacre Ford blocking the whole road. At the same time cycles are encouraged to be on the pavement until the same junction again causing an increased danger. By having the new access to the new stores in this position and next to the designated pedestrian access (from Monks Cross 2 to Monks Cross) then again surely the risk of accident is increased. Would it not be more sensible to have the HGV access straight from the main road adjacent to Rogers of York where the vehicles would avoid all the smaller roads and avoid clogging up the main car/ bike/ vehicle entrance to Julia Avenue/Sainsbury's and Monks Cross, again this measure would reduce the chances of serious accident. This also does not include the increased traffic both vehicle and pedestrian created on Kathryn Avenue due to access to the Sports facilities. Looking at the plans for this new junction it also shows an area for HGV holding (waiting) to enter the service yard to the rear of the stores. However it also shows this very close to the designated pedestrian access. There are concerns especially about young children using this route both from the new centre and also the Sports facilities if a HGV holding area is too close or indeed too small meaning that said HGV's overflow onto the main junction as regularly happens currently.

4.0 APPRAISAL

4.1 Members are required to consider issues of appearance, landscaping, layout and scale, in determining this application.

4.2 The proposed development is broadly in line with indicative plans shown on the illustrative masterplan submitted as part of the outline planning application. A land use parameters plan was conditioned as part of the outline planning application whereby certain areas of the application site were zoned for different uses. The proposed layout is in accordance with this zoned plan. The layout consists of large retail units towards the north of the site with car parking to the west, south and east of these units. Restaurants and small retail kiosks would be located to the west of the site adjacent to the eastern edge of the Monks Cross Park and Ride site. To the north of this is a public space plaza. The multi use games area to the north and stadium to the west of this public plaza will be the subject of a separate reserved matters application. To the south of the car park is a new link/access road which connects Martello Way and Jockey Lane with the retail car park. To the south of the link/access road is a substantial area of land dedicated to landscaping and ecology works. This green infrastructure also extends around the east and west of the application site boundary. Two substantial lines of landscaping which run north-south through the site would be retained within 20m wide green corridors. The access points for pedestrians/cyclists and motor vehicle users are as approved within the outline planning permission.

4.3 The main retail frontage faces south towards the car park and Jockey Lane beyond. The frontage consists of three individual shop units creating a frontage of approximately 212m. Unit A, expected to be occupied Marks and Spencer and Unit C, expected to be occupied by John Lewis also have primary side elevations.

4.4 The layout of the proposed development is simple in design with the main frontage facing towards the car park and the main access road. Whilst it may have been preferable for the proposed development to face north and east towards rather than away from existing retail developments in the area, there are a number of site constraints and requirements of the proposed end users of the site which meant that this was not feasible. Therefore, the north elevation of the three large retail units provides for delivery and service access. This is consistent with the indicative masterplan submitted as part of the outline application. The north elevations of the three proposed retail units accordingly have the appearance of rear elevations. Primarily only glimpse views between existing buildings will be afforded in respect of the rear elevations of Units B and C. The rear of Unit A will be more visually prominent with views from Kathryn Avenue and the sports and leisure facilities to the north west being afforded. The applicant has sought to soften this view through the incorporation of tree planting and a post and wire hedge fence. It is considered that this would help the appearance of the area at ground level. On the western edge of the north elevation of Unit A, a signage zone is proposed. It is considered that this would assist with giving the unit some identity when viewed from the rear and aiding navigation. However, the layout of the proposed development does create difficulties in creating an inclusive and sustainable development where people walk between the various retail and leisure uses in the area.

4.5 The proposed Unit A is 11.5m in height. The frontage onto the car park contains a variety of materials which helps to give the building some vertical emphasis and visual interest. At ground floor level the materials proposed are predominantly glazing and a natural stone coloured masonry. At first storey level the proposed building is vertically clad in grey aluminium with sections of glazed curtain walling with an aluminium brise soleil to provide shading for this south elevation. A section of the frontage measuring approximately 18.5m by 8.6m would be a living green wall system.

4.6 The proposed curtain walling wraps around the south west corner of Unit A to create a reasonably attractive corner feature at first storey level. Whilst the west elevation of Unit A contains some windows at first storey level and an external entrance, overall its appearance is as a secondary rather than primary elevation. Given the relationship between this side elevation and the community open space plaza and the community stadium, officers have worked with the applicants in an attempt to improve the west elevation to bring more life and interest to the community areas. Whilst the elevation under consideration is not particularly active and does not contain strong architectural details, operator requirements have severely restricted the options available. The retention of the entrance on the west elevation is considered of significant importance and an additional benefit which has been secured on the revised plan is the intention to create a green wall through the use of climbing plants. The revised plan show a 3m high area of climbing plants landscaping between the entrance and the northern edge of the building. It is considered that this will give a softer and more attractive boundary to the public open space plaza, rather than a solid relatively featureless wall which was previously proposed.

4.7 Unit B, expected to be occupied by Next, would measure 11.5m in height. The front elevation is designed to appear light weight with a significant element of glazing framed within a simple stone/ceramic clad frame. Unit B only has a primary elevation facing south towards the car park. This unit is more narrow than the two units which sit either side, it is considered that the proposed design which is simple and light weight in appearance is appropriate. This will provide some visual break in the bulk of the frontage of the three large retail units.

4.8 The proposed Unit C also measures 11.5m in height. The design of the building includes a simple palette of materials. The proposed building is primarily glazed and clad with a natural stone coloured Rainscreen. Unlike Units A and B, Unit C does not have a consistent building line. The south west corner of the building is in line with the frontages of Units A and B. The building frontage then angles back towards the centre and entrance point before angling forwards to create a sharp and strong corner feature. The glazing on this corner wraps around onto the east elevation. The east elevation of this building is considered to be important as it faces towards Jockey Lane and the existing Monks Cross Shopping Park beyond this. The east

elevation of the building has been designed to be active with the creation of a large glazed entrance area towards its northern end. The east elevation is given further visual interest with the use of a spacer channel between the cladding. It is considered that the proposed design of Unit C is acceptable in this relatively prominent corner location.

4.9 Approved as part of the outline application was a building heights parameters plan. This plan set a height which the buildings cannot exceed in height. For the three large retail units the maximum height set was 13m. The proposed units at 11.5m in height are in accordance with these approved parameters. There is the potential that some plant may need to be sited on the roof of the three large retail units; however, these would not exceed the 13m maximum height.

4.10 The restaurant and kiosk area towards the west of the site was given a height parameter of 7m. The plans submitted as part of this application show that these buildings would measure between 5m and 5.8m in height. Allowing for roof plant which would be enclosed by timber acoustic screening, the total height of the buildings would not exceed 7m.

4.11 The proposed development includes four retail kiosks and four restaurants. These units would sit within two rows separated by a central walkway which continues forward to create the pedestrian boulevard in front of the three large retail units. This walkway would link the Park and Ride site with the restaurants and kiosks and beyond to the main retail park. The walkway provides a suitable gateway to the site from the Park and Ride to the west and could help to encourage sustainable transport choice. The restaurants and kiosks have been designed as two rows of units with a consistent design theme. The bespoke units have not been designed to the standard appearance of the individual operators. It is considered that this creates a more uniform appearance creating a greater sense of place and raising the visual quality above the standard appearance of many restaurant areas within retail parks. Designing the kiosks and restaurants at the same time as the large retail units also allows for a more consistent use of materials within the whole site. The proposed kiosks and restaurants are designed with large expanses of glazing with cladding in natural colours selected to complement but not match those used on the three large retail units. All materials to be used would require approval, however the indicative small scale samples of the materials submitted by the applicant are considered appropriate.

4.12 It is considered that the restaurants and kiosks should, as far as possible, be double fronted. Initial plans had a dominant east elevation facing towards the retail park, however it was felt that other elevations were not strong enough. As the restaurants and kiosks have the Park and Ride to the west, retail units to the east, and public open space plaza to the north, it is important that the proposed units have active frontages in these directions. Through work with the applicant a stronger west elevation has been created. This includes the use of more glazing,

entrances, outside seating areas, and the inclusion of a planting screen around the bin stores. There are restrictions to creating a truly double fronted restaurant and retail kiosk, however it is considered that the revised plans have created an active frontage. Restaurant 1 has a north elevation facing the public open space plaza. Two new sets of doors have been created from the north elevation of the restaurant to allow greater interaction between the public space and the restaurant. This helps to give the public plaza some life and interaction from the south. It is hoped in time that the stadium will provide much greater purpose to this space. Double doors have also been added to the south elevation of Restaurant 4 to create access to a sitting out area. The creation of entrances on the west elevation of the restaurants leading to outside seating areas will allow people to enjoy the afternoon sun whilst creating an active frontage onto the Park and Ride. It is considered that this helps to create a more sustainable and inclusive development where the restaurants have an active frontage onto the Park and Ride site rather than just the proposed retail park. The creation of a more active frontage on the west elevation is also considered of benefit in relation to the Community Stadium in terms of linking up the two developments and encouraging movement between the uses.

4.13 The most important social space within the original outline application site was the community open space plaza to the east of the stadium, north of the restaurants and kiosks and west of Unit A. This area sits between the sport and leisure uses to the north and west and the retail and restaurant uses to the south and east. For this reason the applicant was asked to provide a framework for its future development within the Design Code. The Design Code states that this area should provide for a range of community and recreational uses which provide for congregation, excitement and adrenalin. The area was to include green space with tree planting. The uses for the area were proposed to include children's play space, street theatre and performance area. Informal recreational space which could be used for play and reflection was proposed with the use of mounding, natural materials, and informal seating integrated within the planting. In terms of quality the Design Code refers to design excellence with features of iconic quality to enhance the sense of arrival and the creation of an impressive setting. Creative lighting was proposed to help engender the sense of an evening- use environment providing safe and user friendly spaces for public use.

4.14 It is felt that the proposals that have come forward as part of the reserved matters application do not currently meet the high standards set out in the Design Code. Mounding and planting is proposed but in a way which provides a buffer to the MUGA rather than an inclusive environment with interaction between the spaces. The remainder of this area is hardstanding with trees which appear to guide a visitor through the space rather than encourage them to stop and enjoy the community area. The applicant has agreed to carry out significantly more detailed work into how this part of the site could be developed to a high standard and encouraging community use as set out in the approved Design Code. The applicant has been asked to draw up some indicative schemes to provide comfort to Officers

and Members that the community open space will be appropriately designed. A condition could then be added to any approval requiring full detailed designs to be submitted and approved.

4.15 A condition is attached to the outline planning permission requiring public art to be integrated into the development. These details have not been submitted as part of the reserved matters application, but it is felt that the public open space plaza would be a highly suitable location for such works. A public art strategy is required to be submitted and approved prior to the commencement of the retail development, it is anticipated that this can be approved at the same time as the detailed design for the public open space plaza. It is understood that meetings have already taken place with the Head of Arts, Heritage and Culture, to discuss a budget and potential public art works.

4.16 The proposed development is required, by condition, to achieve a BREEAM 'very good' rating as well as at least 10% of the predicted energy requirements for the buildings being obtained from low or zero carbon technologies. As part of the requirements for this condition the applicant has submitted a strategy for meeting this target. The strategy sets out that the three technologies which are being investigated in order to achieve the target; these are heating and cooling from the aquifer, photovoltaic panels, and air source heat pumps. Either one or a combination of these technologies would be used. The three options were selected from a list of eight potentially viable systems with those considered to be most suitable for this site taken forward for further investigation.

4.17 Should heating and cooling from the aquifer be chosen this would require a kiosk to be installed around the pipework to house the pump, valves and associated electrical equipment. The heat exchangers would be to the rear of the retail units adjacent to other mechanical and electrical equipment associated with the building. If Photovoltaics are used, the panels would sit on the roofs of the buildings, covering up to 56% of the available roof area. The panels would be set below the proposed parapet. An air source heat pump system would require plant to be located to the rear of units adjacent to mechanical and electrical equipment. Smaller air source heat pumps would be required for the smaller units than the three large retail units. It is considered that whichever energy source is used (or combination of sources) that there would be no significant impact on the visual amenity of the buildings or the application site more widely.

4.18 One of the major strengths of the application site and the outline application which was approved, is the retention of significant landscape areas including trees. The perimeter landscape infrastructure reflects that which was previously approved under a full application with all of the trees proposed to be planted now of a native species. The meadow mix has been extended across the distributor road and the previously proposed ornamental planting under the existing trees has been omitted and meadow grass reinstated, completing the naturalistic setting of the site. This

will help to soften the visual impact of the proposed development and help to retain the naturalistic appearance of the landscape in the surrounding area.

4.19 Two landscape corridors run from north to south through the car parking area. Trees within these corridors would be retained within a 20m wide undeveloped green area. These substantial green corridors will provide some visual relief from the car park. Additional trees are proposed in four rows across the car park as well as along the retail frontage and around the main inner circulation road. Along the retail frontage is proposed bamboo and hedging which would provide structure and greenery and some height. Trees have been added intermittently both along the shop frontage and at the ends of the parking bays, which if successful would provide the effect of a boulevard as suggested in the Design Code. In time it is considered that the proposed planting would soften the appearance of the built development and provide a more pleasant environment for customers. The applicant has revised the landscaping scheme within the car parking area to include trees which would be large, broad-spreading species to provide greater levels of shade and greater visual impact.

4.20 The development has been designed to accommodate 1340 car parking spaces within the retail and restaurant car park. This is in accordance with the approved Design Code and the transport assessment which was submitted and assessed by Highway Officers. The site benefits from being well connected to parts of the city's cycle network. There is an off road cycle route along Malton Road to the site with cyclists able to go up New Lane and across the field to the Park and Ride site or to carry on up Malton Road and access the site via Martello Way. It is important that these strengths are built on and therefore the applicant was asked to submit a site cycle strategy showing how cyclists would enter and use the site and the location of the cycle parking areas.

4.21 Significant work has taken place with the applicant to draw up a cycle strategy that served the proposed retail occupiers as well as providing a safe and accessible option for cyclists. There are two key cycle entrances to the site from the west. The first is for those choosing to enter the site from across the field from New Lane. This cycle route runs to the north of the Park and Ride with cyclists entering the site across the public open space plaza. The second route is across the green landscape infrastructure and through the car park from Martello Way. Once within the site, cyclists will be encouraged to use a 4m shared pedestrian and cycle route which would lead to the front of Unit A. Users of this route would have priority over road users with crossings proposed over Martello Way and the internal circulation/access road. From the south a similar 4m wide shared pedestrian and cycle path would be created through the car park from the circulation/access road, this time leading to the front of Unit C. Access from the east is to be provided by two off road entry points which would be shared pedestrian and cycle routes. These entry routes would be accessed from the off road cycle lane along Jockey Lane. Following concern by the proposed retailers and the Police Architectural Liaison

Officer it was decided that the 5m wide boulevard along the retail frontage would be pedestrian only. However, cyclists will be able to cycle close to the retail unit entrances through the use of the road between the car park and the pedestrian boulevard. 208 cycle parking spaces are proposed, of which 84 would be covered. Through negotiations the revised plans now show cycle parking in convenient locations close to the key uses within the site. Full details of the cycle parking areas need to be submitted and approved as part of a condition within the outline planning permission. The condition requires the cycle parking to be installed prior to the first use of the retail operation. Highway Network Management are now content with the proposed cycling strategy and the number and location of the cycle parking facilities.

4.22 The application site is located over 200m away from residential dwellings on Forge Close to the north west of Huntington Stadium. The major built development on the application site is set well away from the small cluster of dwellings to the south of the Malton Way/Jockey Lane/Martello Way roundabout. It is not considered that the proposed scale and layout of the development would have any significant impact on neighbouring amenity. The most significant neighbour amenity consideration relates to the stadium part of the development package which will be considered and addressed within a subsequent planning application. Issues of the impact of traffic on neighbouring amenity have already been considered when the outline application seeking approval for access to the site was approved in May. Conditions are in place on the outline application regarding such things as plant and machinery and construction management. These provide comfort that neighbouring amenity will not be significantly harmed as a result of the proposed development. There have been no letters of objection to the proposed development regarding neighbouring amenity.

4.23 Advice has been sought from the Countryside Assistant regarding the letter of concern which was submitted by a local resident regarding a pond to the north of the site and Great Crested Newts which are within it. The Countryside Assistant has confirmed that the pond mentioned has been taken into account and was included in the 2009, 2010 and 2011 Amphibian Surveys undertaken as part of the previous outline application. The pond to the rear of 19/20 Kathryn Avenue is referred to as Pond 2 in the Survey Report (dated 2011) and was found to contain Great Crested Newts and Smooth Newts as well as frogs and toads. The loss of this pond has been mitigated for in the landscaping of the site and as part of the wider Ecological Mitigation Scheme. Work will also be undertaken under licence from Natural England providing additional comfort that appropriate mitigation will take place. Regarding the concerns raised by the local resident regarding the use of Kathryn Avenue to the north of the site for delivery vehicles and servicing, it is noted that this issue was considered as part of the outline planning application when access was approved.

5.0 CONCLUSION

5.1 The proposed layout and scale of the development is in accordance with the approved land use and building heights parameters plans approved as part of the outline application. The layout and the scale of the development proposed is considered appropriate within the context of the site and the surrounding area. The retail and restaurant units have been designed with visual interest with each of the three large retail units having an individual appearance which will help to add interest and reduce the visual bulk of the proposed development.

5.2 Existing landscaping is being retained and supplemented with new planting where appropriate including an area around the west, south and east of the site as well as two tree lined green corridors running north to south through the proposed car park. Additional landscaping is proposed throughout the site including within the car park, along the retail frontage and in the public open space area. The landscaping proposed is supported by the Council's Landscape Architect.

5.3 Access to the site has already been approved as part of the outline application. Cycle and pedestrian access to the site has been considered with routes linking up to existing off site pedestrian and cycle routes. Cycle parking has been located in suitable and accessible locations throughout the key areas of the site.

5.4 For the reasons outlined above the application is recommended for approval. The key public open space area between the retail units and the proposed Community Stadium requires significant additional design work in order for it to function as a high quality community area as outlined within the approved Design Code. Officers are recommending a condition covering this area with the comfort that a Design Code has already been approved which sets out the standards required for this space and the type of uses it must accommodate. It is hoped that further design work will have been carried out before Committee and Members will be updated on this.

6.0 RECOMMENDATION: Approve

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

- List of drawings to be approved to be provided as an update at Committee.

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

2 Notwithstanding information submitted as part of this application, plans showing the detailed design of the 'Community Plaza' shall be submitted to an approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure an inclusive high quality public space is provided in accordance with the aims of the Design Code.

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually acceptable appearance.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to layout, scale, appearance, and landscaping. As such the proposal complies with Policies GP1, GP3, GP9, NE1, NE7, and T4 of the City of York Development Control Local Plan.

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