



Approve Reserved Matters

TOWN AND COUNTRY PLANNING ACT 1990

To:

Mr Chris Jones
Avison Young
First Floor City Point
29 King Street
LEEDS
LS1 2HL

Application at:

York Central Leeman Road York

For:

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

By:

Homes England, Network Rail Infrastructure Ltd & CYC,

Application Ref No:

20/00710/REMM

Application Received on:

17 April 2020

CONDITIONS OF APPROVAL:

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

Location Plan/Red Site Boundary YCL-ARP-RM1-XX-DR-GX-1001 Rev P04.1
Reserved Matters & Outline Approval Boundaries
YCL-ARP-RM1-XX-DR-GX-1002 Rev P03
General Arrangement 1 of 12 YCL-ARP-RM1-XX-DR-CH-0101 Rev P06
General Arrangement 2 of 12 YCL-ARP-RM1-XX-DR-CH-0102 Rev P06
General Arrangement 3 of 12 YCL-ARP-RM1-XX-DR-CH-0103 Rev P06

General Arrangement 4 of 12 YCL-ARP-RM1-XX-DR-CH-0104 Rev P06
General Arrangement 5 of 12 YCL-ARP-RM1-XX-DR-CH-0105 Rev P06
General Arrangement 6 of 12 YCL-ARP-RM1-XX-DR-CH-0106 Rev P06
General Arrangement 7 of 12 YCL-ARP-RM1-XX-DR-CH-0107 Rev P06
General Arrangement 8 of 12 YCL-ARP-RM1-XX-DR-CH-0108 Rev P05
General Arrangement 9 of 12 YCL-ARP-RM1-XX-DR-CH-0109 Rev P06
General Arrangement 10 of 12 YCL-ARP-RM1-XX-DR-CH-0110 Rev P06
General Arrangement 11 of 12 YCL-ARP-RM1-XX-DR-CH-0111 Rev P06
General Arrangement 12 of 12 YCL-ARP-RM1-XX-DR-CH-0112 Rev P06
Typical Highway Section 1 of 7 YCL-ARP-RM1-XX-DR-CH-0121 Rev P03
Typical Highway Section 2 of 7 YCL-ARP-RM1-XX-DR-CH-0122 Rev P03
Typical Highway Section 3 of 7 YCL-ARP-RM1-XX-DR-CH-0123 Rev P03
Typical Highway Section 4 of 7 YCL-ARP-RM1-XX-DR-CH-0124 Rev P04
Typical Highway Section 5 of 7 YCL-ARP-RM1-XX-DR-CH-0125 Rev P03
Typical Highway Section 6 of 7 YCL-ARP-RM1-XX-DR-CH-0126 Rev P03
Typical Highway Section 7 of 7 YCL-ARP-RM1-XX-DR-CH-0127 Rev P01
Existing Site Levels YCL-ARP-RM1-XX-DR-GX-1006 Rev P01
Proposed Site Levels YCL-ARP-RM1-XX-DR-GX-1007 Rev P01
East Coast Mainline Bridge Plan YCL-KNI-RM1-SP-DR-CB-1000 Rev P02
East Coast Mainline Bridge Cross Section YCL-KNI-IP2-EB-DR-CB-1001 Rev P02
East Coast Mainline Bridge Elevations YCL-KNI-IP2-EB-DR-CB-1002 Rev P02
East Coast Mainline Bridge Detail YCL-KNI-RM1-SP-DR-CB-1003 Rev P02
East Coast Mainline Bridge Abutments YCL-KNI-RM1-SP-DR-CB-1004 Rev P02
East Coast Mainline Bridge Parapets YCL-KNI-RM1-SP-DR-CB-1005 Rev P03
East Coast Mainline Bridge Steelwork YCL-KNI-IP2-EB-DR-CB-1005 Rev P02
Severus Bridge Plan YCL-KNI-RM1-WE-DR-CB-1000 Rev P01
Severus Bridge Elevation/Section YCL-KNI-RM1-WE-DR-CB-1001 Rev P02
Severus Bridge Steelwork YCL-KNI-RM1-WE-DR-CB-1002 Rev P02
Severus Bridge Parapet YCL-KNI-RM1-WE-DR-CB-1003 Rev P01
Severus Bridge Parapet YCL-KNI-RM1-WE-DR-CB-1004 Rev P02
Severus Bridge Sections YCL-ARP-RM1-WE-DR-CB-2001 Rev P01
Coal Drops Location Plan YCL-ARP-RM1-CD-DR-CH-0001 P01.1 (for illustrative purposes)

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

2 Notwithstanding the detail shown on General Arrangement Plans 1 to 12 inclusive and Typical Highway Sections 1 to 7 inclusive, details for hard and soft landscaping, lighting, street furniture, boundary treatments and drainage and the cycle provision between Hudson Boulevard and Marble Arch (as shown on plan ref General Arrangement 6 of 12 YCL-ARP-RM1-XX-DR-CH-0106 Rev P06) are not approved.

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

3 Notwithstanding the detail shown on the plans hereby approved the following details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the East Coast Mainline Bridge:

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

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

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

4 Notwithstanding the detail shown on the plans hereby approved the following details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the Severus Road Bridge and Severus Pedestrian and Cycle Bridge:

- a) Samples of all visible materials in their chosen finish including the concrete (in situ/pre cast), steel(s), glass, gratings, deck treatment, any over claddings and exposed system components such as fixings. These materials should be provided for inspection together so that a full assessment of their suitability as a materials package can be assessed.

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

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

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

5 Prior to any works commencing within the former Coal Drops (the extent is illustrated by a red cloud on Coal Drops Location Plan Reference YCL-ARP-RM1-CD-DR-CH-0001 P01.1) detail of the proposed infill material and temporary surfacing treatment, together with details of proposed site levels and scaled drawings showing the alterations to the Coal Drops walling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full.

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

6 Prior to commencement of development further detail for lighting of roadways, footways and any areas of public realm (Millennium Green and Coal Drops) shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details. The detail shall include the following:

- a) An explanation of how artificial lighting would conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations as detailed in the Institute of Light Professionals Guidance Notes for the Reduction of Obtrusive Lighting;
- b) Demonstrate that consideration has been given to the location and type of lighting proposed in the most sensitive ecological locations of the site;

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

7 Prior to commencement of development a site specific Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

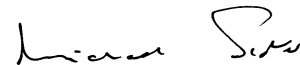
13 No development shall commence until details of the surface water and highway drainage proposed for the infrastructure has been submitted to and approved in writing by the Local Planning Authority. The details approved shall thereafter be implemented in full.

Reason: In the interests of highway safety.

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

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

Date: 13 November 2020



M. Slater
Assistant Director for Planning and Public
Protection

FOR RIGHTS OF APPEAL, SEE OVERLEAF

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 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Worked with the Applicant during the course of the application to seek clarity and amendments where necessary in order to ensure that the overall layout and design was satisfactory and accords with the design parameters established at outline stage.

2. HIGHWAY INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways

Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact highway.adoption@york.gov.uk and for any Street Works Consents please contact streetworks@york.gov.uk

3. COMMITTEE INFORMATIVES:

In determining this application Committee Members request that the Applicants work with the Council in order to:

- 1. Ensure that the detailed design of the proposed bridges are more user friendly for pedestrians and cyclists; and**
- 2. To review the sustainability measures in particular with respect to traffic management.**

Appeals to the Secretary of State

- . If you are aggrieved by the decision of the City Council to attach conditions to the grant of planning permission, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within SIX months of the date of this. You must use a form which you can get from The Planning Inspectorate, at 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (tel: 0117 372 8000) or apply online via their web site (www.planning-inspectorate.gov.uk).
- . The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- . The Secretary of State need not consider an appeal if it seems to him that the City Council could not have granted planning permission for the proposed development, or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under the Order.
- . In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

Purchase Notices

- . If either the City Council or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state, nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- . In these circumstances, the owner may serve a purchase notice on the City Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

- . In certain circumstances, compensation may be claimed from the City Council if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- . These circumstances are set out in Section 120 and related provisions of the Town and Country Planning Act 1990.

Note

This permission does not absolve you from the need to obtain approval under the Building Regulations, or to obtain approval under any other Bye-Laws, Local Acts, Orders, Regulations and statutory provision in force, and no part of the proposed development should be commenced until such further approval has been obtained.