



## **Approve Planning Permission**

### **TOWN AND COUNTRY PLANNING ACT 1990**

**To:**

Chris Jones  
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City Point  
29 King Street  
Leeds  
LS1 2HL

**Application at:  
For:**

York Central Leeman Road York  
Outline planning application with all matters reserved for the redevelopment of York Central, Leeman Road to provide a mixed-use development of up to 379,729 m2 of floorspace Gross External Area (GEA) primarily comprising up to 2,500 homes (Class C3), between 70,000 m2 and 87,693 m2 of office use (Class B1a), up to 11,991 m2 GEA of retail and leisure uses (Classes A1-A5 or D2), hotel with up to 400 bedrooms (Class C1), up to 12,120 m2 GEA of non-residential institutions (Class D1) for expansion of the National Railway Museum, multi-storey car parks and provision of community uses all with associated works including new open space, ancillary car parking, demolition of and alterations to existing buildings and associated vehicular, rail, cycle and pedestrian access improvements.

**By:** Network Rail And Infrastructure Limited And Homes England,  
**Application Ref No:** 18/01884/OUTM  
**Application Received on:** 20 August 2018

## **CONDITIONS OF APPROVAL:**

1 No development shall commence other than enabling works of any phase, sub-phase or building until approval of details of: Access; Appearance; Landscape; Layout; Scale (hereinafter referred to as the reserved matters) has been 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 application is granted in outline only under Part 3, Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of matters referred to in this condition have not been submitted for formal consideration.

INFORMATIVE: Enabling works is defined as (1) site investigations (including archaeological investigations), sampling or surveys; (2) site decontamination and remediation; (3) ground improvement; (4) plot demarcation and pegging out; (5) construction of haul roads and associated accesses for construction and site preparation traffic; (6) installation of approved schemes of drainage; flood attenuation and structural landscaping; (7) the demolition of any existing buildings or structures; (8) the clearance or re-grading of the Site; (9) works connected with infilling; (10) the provision of any security fencing; (11) works for the provision of drainage or mains services to prepare the Site for development; (12) any other preparatory works as may be agreed in writing with the Council; and (13) carrying out of works associated with any approved schemes of environmental mitigation or mitigation relating to any of the above.

2 The first application for approval of reserved matters shall be made to the Local Planning Authority no later than 3 years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 and 92 of the Town and Country Planning Act 1990 amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 Application(s) for approval of all the reserved matters of the development hereby permitted shall be made to the local planning authority before the expiration of 20 years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 and 92 of the Town and Country Planning Act 1990 amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4 The development hereby permitted shall be begun before the expiration of 3 years from the date of approval of the last of the reserved matters.

Reason: Required to be imposed pursuant to Section 91 and 92 of the Town and Country Planning Act 1990 amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

5 No part or phase of Development shall commence within Development Zones K and/or P, as shown on the approved Parameter Plans, unless and until all estates and interests in the land comprised in that part or phase of Development are subject to and bound by the terms relating to Development Zone K or P, as appropriate, set out in the Section 106 Agreement dated 24 December 2019 between Network Rail Infrastructure Limited, the Homes and Communities Agency and the Council of the City of York.

Reason: As the Local Planning Authority would not have granted outline planning permission in the absence of a signed S.106 Agreement and at the time of this permission being issued the applicant was not able to bind all relevant interests in the site to the terms of the planning obligations it contains. This condition restricts development on land until such time that it is bound by a confirmatory deed and the planning obligations contained in the S.106 agreement are therefore enforceable, in order to secure the phased comprehensive residential development of the site, in accordance with Policy DM1 of the City of York Publication Draft Local Plan.

6 The development hereby permitted shall be carried out in accordance with the following plans (and reports):-

Parameter Plans - YCL -ALM -ZZ-XX-RP-DR-0001 Revision A dated January 2019 -  
YC-PP 002A, 003A, 004, 005A, 006, 007, 008A, 010, 011, 012.

Development specification document - YCL-ARP-ZZ-XX-RP-TX-0006  
Revision A dated January 2019

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

7 The development hereby permitted shall be carried out in accordance with the Design Guide reference YCL-ALM-ZZ-XX-RP-AX-0003 REV A dated January 2019. Any variation to the approved Design Guide shall be first approved in writing by the Local Planning Authority.

Each reserved matters application for a building, phase or sub-phase of the development, shall be accompanied by a compliance statement explaining how that phase, or sub-phase (including a building) accords with the approved Design Guide and Parameter Plans.

Reason: This is an outline planning permission which will be developed in multiple phases. Compliance with the approved parameters and design guide is required to deliver a coherent approved vision, in accordance with design guidance as detailed in National Planning Guidance.

8. The uses hereby permitted shall not exceed or fall below (where a minimum is stated) the following specified unit numbers or Gross External Floorspace (GEA) ranges:

Office (Class B1(a)/B1(b)) - between 70,000sqm and 87,693sqm

The total retail and leisure floorspace (Use Classes A1, A2, A3, A4, A5 and D2) hereby approved shall not exceed 11,991 sq.m Gross External Area (GEA), inclusive of any mezzanine floorspace, of which:

- No more than 3,144 sq.m (GEA) shall be occupied by Class A1 retail floorspace selling comparison goods, and of this figure no individual comparison goods unit may exceed 500 sq.m (GEA);
- No more than 3,500 sq.m (GEA) shall be occupied by Class A1 retail floorspace selling convenience goods, and of this figure no individual convenience goods unit may exceed 2,500 sq.m (GEA) and only one convenience goods unit may exceed 280 sq.m (GEA);
- No more than 3,597 sq.m (GEA) shall be occupied by Class A2, A3, A4, and A5 floorspace (in combination);
- No more than 1,750 sq.m (GEA) shall be occupied by Class D2 floorspace, and Class D2 uses shall be limited to gymnasiums and related fitness centres.

The overall floor-space shall not exceed 379,729 sq m.

Reason: To ensure that the development does not exceed the range or scale of those environmental impacts assessed and measured in the Environmental Statement in accordance with Policy SS4 of the City of York Publication Draft Local Plan and Paragraph's 72 and 122 of the NPPF.

9 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking or re-enacting this Order, the use of the B1a office floor space hereby permitted shall be restricted to this use only and shall not be used for any other use without the prior written consent of the Local Planning Authority.

Reason: To ensure employment provision is delivered as part of development in accordance with Policy SS4 and EC1 of the City of York Publication Draft Local Plan and Paragraph's 80 - 82 of the NPPF and is retained thereafter.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment, as defined under part 16 - communications of The Town and Country Planning (General Permitted Development) (England) Order 2015 (and in subsequent amendments), shall be erected on any part of the development, without planning permission first being granted by the Local Planning Authority.

Reason: To ensure the visual impact of telecommunications equipment can be properly considered, in accordance with Policy D1 of the City of York Publication Draft Local Plan and Paragraph 113 of the NPPF given the scale of development permitted and the potential impact of such on strategic views of the Central Historic Core Conservation Area and its heritage assets.

11 No development shall commence, other than enabling works of any phase, sub-phase or building until a detailed Phasing Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details (unless superseded by a subsequent strategy approved in writing by the Local Planning Authority).

The strategy shall include the phasing of open space and infrastructure (including all roads, pedestrian and cycle routes within the Access and Circulation Routes Parameter Plan) and illustrate how these would be delivered in conjunction with the development zones.

Reason: To ensure the development is carried out in appropriate phases in accordance with the range and scale of impacts assessed and measured in the Environmental Statement and to ensure the promotion of sustainable modes of transport.

12 No development shall commence, other than enabling works of any phase, sub-phase or building and construction of the Primary Vehicle Route (as defined by parameter plan YC-PP 006: Access and Circulation Routes), until a detailed phasing strategy for car parking has been submitted to and approved in writing by the Local Planning Authority.

The strategy shall include details of the phasing of the provision of all existing, any temporary, and proposed short and long stay public car parking

and parking associated with the approved commercial uses; the number of spaces available for use at all times and how the provision is provided in line with the amount of development on-site and associated uses.

Reason: To ensure the development is carried out in appropriate phases in accordance with the range and scale of impacts assessed and measured in the Environmental Statement and to ensure the promotion of sustainable modes of transport, in accordance with section 9 of the NPPF.

13 Prior to first occupation or use of the development hereby approved a management and maintenance strategy for the public open space shall be approved in writing by the Local Planning Authority and shall be adhered to for the lifetime of the development.

The strategy shall set out the approach to ensuring open space defined as being available for general public use shall remain accessible to the public for the lifetime of the development.

Reason: To ensure adequate green infrastructure in accordance with paragraphs 91 and 96 of the NPPF.

14 Each reserved matters application shall be accompanied by a survey of the existing ground levels and a plan of the proposed ground levels. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development, in accordance with Policy ENV2 of the City of York Publication Draft Local Plan and considering matters such as amenity, visual impact and flood risk.

15 Prior to commencement of development a Construction Environmental Management Plan for the relevant phase or sub phase (including a building) shall be approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the relevant construction period.

The plan shall include:

- Condition (dilapidation) survey of the highways to be jointly undertaken with the Council and the results to be agreed in writing with the Local Planning Authority.
- Arrangements for parking of vehicles for site operatives and visitors.
- Storage areas for plant and materials used in the construction of the development
- The location of site compounds.
- Details of wheel washing facilities for the cleaning of wheels of vehicles leaving the site, including location and type.
- Suitable road sweeping measures.

- A programme of works including phasing, and measures for the control of (construction) traffic to and from the site, and within the site, during construction (note that traffic associated with construction should avoid access from Kingsland Terrace where practical, to avoid impact on residential amenity).

- A scheme for recycling/disposing of waste resulting from demolition and construction works.

- Dust

- A site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment (a Dust Management Plan). Mitigation measures may include, but would not be restricted to, appropriate measures to ensure dust generated by the development does not travel beyond the site boundary, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust.

- Air Quality

The air quality impacts associated with construction vehicles and non-road mobile machinery (NRMM) and the proposed mitigation measures, commensurate with the identified risk.

- Noise

Details on hours of construction, deliveries, types of machinery to be used, noise mitigation and details of any monitoring and compliance with relevant standards.

- Vibration

Details on any activities which may result in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on mitigation.

- Lighting

Details on artificial lighting and measures which will be used to minimise impact, such as restrictions in hours of operation, the location and angling of lighting.

Reason: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties in accordance with Policy ENV2 of the City of York Publication Draft Local Plan.

16 Prior to the commencement of each phase or sub-phase (including a building), samples of materials to be used for the external envelope of the buildings within the relevant phase or sub-phase shall be submitted to and approved in writing by the Local Planning Authority.

Where brickwork is proposed sample panels of the brickwork to be used shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. The panel(s) shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and visual amenities of the site and wider area, in accordance with Policies SS4 and D1 of the City of York Publication Draft Local Plan and Paragraph 127 of the NPPF.

17 No development other than enabling works of any phase, sub-phase or building shall take place until details of the position, design, materials and type of all permanent boundary treatment for that phase, sub-phase or building have been submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected in accordance with the approved details before the phase, sub-phase or buildings to which they relate are occupied.

Reason: To safeguard the character and visual amenities of the site and wider area, in accordance with Policies SS4 and D1 of the City of York Publication Draft Local Plan and Paragraph 127 of the NPPF.

18 No development other than enabling works of any phase, sub-phase or building shall take place until a scheme detailing the method of storage and disposal of litter and waste materials for that phase, sub-phase or building has been submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers. The approved scheme shall be implemented before that phase, sub-phase or building is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

Reason: To safeguard the character and visual amenities of the site and wider area, in accordance with Policies SS4 and D1 of the City of York Publication Draft Local Plan and Paragraph 127 of the NPPF.



19 Prior to the commencement of each phase or sub-phase (including a building), details of general security measures for that phase or sub-phase (including a building) 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: To ensure that the appropriate security measures are in place, to create a safe environment for all by reducing the opportunities for crime and anti social behaviour in accordance with Policy D1 of the City of York Publication Draft Local Plan and Paragraph 91(b) of the NPPF.

INFORMATIVE: Secure by design measures shall cover, but shall not be restricted to -

- CCTV
- Security Lighting
- Location, access and design of post-boxes, utility meters and entry systems
- Details of shuttering to any opening
- Details of secure refuse storage and home composting facilities
- Communal areas
- Boundary treatments
- Secure vehicle and cycle parking

20 Any Reserved Matters Application including design shall include an assessment of the daylight and sunlight conditions for the existing and proposed residential dwellings on and around the application site. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The detailed design of any buildings on individual plots shall then incorporate mitigation measures recommended by the assessment.

Reason: In the interests of good design and residential amenity, in accordance with paragraph 127 of the NPPF.

21 Any Reserved Matters Application including design shall include an assessment of the wind conditions on and around the application site. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall explain the subsequent detailed design, along with any necessary mitigation of any relevant buildings as a consequence of the assessment, in the interests of safety and to provide a comfortable environment for future users.

Reason: In the interests of good design, to avoid hazards from wind and to ensure an attractive, comfortable and safe public realm.

22 Any Reserved Matters Application including design shall include a strategy for lighting of external/public areas (including play space and any

sports facilities). The strategy 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.

The strategy shall explain how artificial lighting to the development would conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for the relevant Environmental Zones, as detailed in the Institute of Light Professionals Guidance Notes for the Reduction of Obtrusive Lighting.

Reason: In the interests of good design and amenity and to avoid light pollution in accordance with the NPPF, in particular paragraphs 127 and 180.

23 Prior to, or concurrently with the first reserved matters application a site wide strategy for public realm, hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority.

The strategy shall include, but is not limited to -

- Street types
- Street furniture
- Way-finding
- Surfacing materials for roads and pavements
- Public lighting
- Public art

Each reserved matters application for a building, phase or sub-phase of the development, shall be accompanied by a compliance statement explaining how that phase, or sub-phase (including a building) accords with the approved strategy.

Reason: In the interests of good design, to ensure an adequate and cohesive vision for development which will come forward in phases and potentially by multiple developers.

24 No development other than enabling works of each phase, sub-phase or building shall commence until a detailed scheme for hard and soft landscaping including open space and children's play facilities to serve that phase, sub-phase or building has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

The details of landscaping shall include, but not be limited to, the following:

- The location and crown spread of all existing trees and hedges to be retained (in a solid line) or removed (in a dashed line) in accordance

- with the information in the Arboricultural Report (JCA report 14179/ChC), including neighbouring trees adjacent to the site boundary.
- Proposed earthworks including existing and proposed site contours, and spot heights.
  - Locations of utility routes, in particular in relation to tree planting, such as surface/foul water drainage, street lights, underground water attenuation, electricity, water, telecommunications.
  - Species, stock size, density (spacing), and position of trees, shrubs, hedging, bulbs and other plants; and seed mix, sowing rate, and mowing regimes.
  - Details and specifications of ground preparation, tree pits/trenches, soil cells, means of support, protection and watering.
  - Timing and phasing of planting.
  - Layout of equipped areas of play and details and specifications of all outdoor play equipment and safety surfacing (following the principles established in section 3.5 of the approved Design Code).
  - Layout and details of the fitness trail where applicable.
  - Location and details of public art, where applicable.
  - Details of all proposed hard landscape works, including retaining walls, steps, ramps, paving materials, and other hard surfacing and landscape features.
  - Locations and detailed design of street furniture.
  - Locations and details of all proposed boundary treatments such as fencing, railing, hedging, walls, gates, or other means of enclosure, including means of preventing trespass onto railway land. The boundaries of ownership and responsibilities for landscape maintenance following completion, sales and/or hand over should be clear from the landscape scheme.
  - Locations of utility routes, in particular in relation to tree planting, such as surface/foul water drainage, street lights, underground water attenuation, electricity, water, telecommunications.
  - A detailed landscape maintenance schedule for the establishment and management of the various soft landscape types.

The approved scheme shall be implemented within a period of six months of the completion of the relevant phase.

Any trees or plants which from the substantial completion of the planting and development phase, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season in perpetuity with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. This also applies to any existing trees that are shown to be retained within the approved landscape scheme.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site in the interests of

the character and appearance of the area, in accordance with City of York Publication Draft Local Plan policies SS4, D1 and D2.

25 Prior to the commencement of any phase or sub phase (including a building) of the development (including demolition), an Arboricultural Method Statement (AMS) including a Tree Protection Plan and a schedule of tree works, associated with that phase or sub-phase, regarding protection measures for the existing trees shown to be retained on the approved drawings, including any adjacent trees close to the site boundary, shall be submitted to, and approved in writing by the Local Planning Authority. The documents shall be in accordance with BS5837:2012 'Trees in Relation to Design, Demolition and Construction - Recommendations'.

This statement shall include details and locations of protective fencing, site rules and prohibitions, phasing of works, ground protection, site access during demolition/construction, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials, locations and means of installing utilities, location of any site compound and marketing suite. The statement shall also include methodology and construction details and existing and proposed levels where a change in surface material and/or boundary treatments is proposed within the root protection area of existing, retained trees.

The development shall be carried out in accordance with the approved AMS; and a copy of the statement will be available for inspection on site at all times.

Reason: To prevent damage to trees during construction works, in accordance with Policy GI4 of the City of York Publication Draft Local Plan.

26 The demolition of the Smith's Shop building (located at the end of Carleton Street), including any pre-demolition works to the roof, shall not commence unless the local planning authority has been provided with either:

- a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To avoid harm to, and maintain the favourable conservation status of a European Protected Species.

27 No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures (not including removal of rail tracks) that may be used by breeding birds shall take place between 1st March and 31st August

inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the local planning authority.

Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended

28 Application(s) for reserved matters for any phase or sub phase (including a building) of the development shall include an up to date (no more than 2 years old) Preliminary Ecological Appraisal and any further necessary habitat or species surveys as recommended by the appraisal.

Reason: To ensure baseline ecological information and any associated mitigation is up to date and relevant, particularly where there might have been changes in the distribution or abundance of mobile species on site.

29 Should any invasive species, as identified under the Wildlife and Countryside Act 1981, be identified on-site, an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority. The protocol will detail the containment, control and removal of the invasive non-native species and the measures shall be carried out in accordance with the approved scheme.

Reason: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce plant or cause to grow wild any plant listed on Schedule 9 Part 2 of the Act" and prevent further spread of the plant which would have a negative impact on biodiversity and existing or proposed landscape features.

30 Each reserved matters application other than for the Primary Vehicle Route (as defined by parameter plan YC-PP 006: Access and Circulation Routes) shall provide details of measures to be provided within each building, phase or sub-phase of development, as appropriate, for the creation of new wildlife features to secure net gains for biodiversity. These will include:

- bat roost, bee bricks and bird nesting features within new buildings and structures,
- native species rich landscaping scheme, and
- incorporation of areas of 'open mosaic habitat on previously developed land'. Features suitable for this habitat include green/brown bio-diverse roofs.

Details shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In accordance with Paragraph 175 of the NPPF (2018) to encourage the incorporation of biodiversity improvements in and around developments, especially where this can secure measurable net gains for biodiversity.

31 A landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the local planning authority prior to, or concurrently with, the first reserved matters application.

The content of the LEMP shall include the following -

- Description and evaluation of features to be managed.
- Ecological trends and constraints on site that might influence management.
- Aims and objectives of management.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management actions.
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- Details of the body or organization responsible for implementation of the plan.
- Ongoing monitoring and remedial measures.

The LEMP shall also include 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. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) 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 approved plan will be implemented in accordance with the approved details.

Reason: In accordance with Paragraph 175 of the NPPF (2018) to encourage the incorporation of biodiversity improvements in and around developments, especially where this can secure measurable net gains for biodiversity.

32 No later than the submission of the first reserved matters application which includes residential dwellings, a Site Wide Housing Mix Strategy for the proposed mix of dwellings (defined by number of bedrooms) shall be submitted to and approved by the Local Planning Authority. The

development shall be implemented in accordance with the approved Strategy, or any such strategy subsequently approved by the Local Planning Authority.

Each reserved matters application relating to a phase or sub-phase (including a building) for residential development shall include a schedule of the mix of dwellings proposed within that phase, or sub-phase (including a building) and explain how this relates to the amount and mix of housing approved for the overall development.

Reason: To create a sustainable new community with a range of dwelling size, which contribute towards meeting need, as identified in the local Strategic Housing Market Assessment(s), in accordance with section 5 of the NPPF and City of York Publication Draft Local Plan policies SS4 and H3.

33 At least 5% of the dwellings at the development hereby permitted shall be made available for sale as self-build or custom build (as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)).

Prior to, or at the time of submission of the first reserved matters application, which includes residential development, the location of the dwellings/plots shall be submitted to and approved by the Local Planning Authority.

Within each relevant reserved matters application the location of the dwellings/plots, sale price (which shall be fairly related to the associated site/plot costs), specification (which shall include serviced plots, as defined in National Planning Guidance), means of marketing, and timeframe for delivery shall be submitted to and approved by the Local Planning Authority.

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

Where dwellings/plots have been appropriately marketed for at least 12 months, in accordance with the approved details, and have not sold, the relevant plots may be built out as conventional plots for market housing by the developer.

Reason: To provide housing in accordance with locally identified need, in accordance with NPPF section 6 and City of York Publication Draft Local Plan policy H4: Promoting self build and custom housing.

34 At least 10% of the dwellings shall be provided to Wheelchair Adaptable/Wheelchair Accessible Standards and such provision shall be provided across a mix of bed-sizes and tenures within each phase of the development. The details of such provision shall be submitted as part of any reserved matters application for residential development. The Wheelchair

Accessible/Wheelchair Adaptable dwellings shall be provided prior to the first occupation of the dwellings within that phase or sub-phase (including a building) within which the wheelchair dwellings are located.

Reason: To ensure the provision of wheelchair accessible housing in a timely fashion that would address housing need, produce a sustainable mix of accommodation and provide appropriate choices and housing opportunities for wheelchair users and their families in accordance with Policies DP3 and H3 of the City of York Publication Draft Local Plan and Paragraph 61 of the NPPF.

35 Prior to the occupation of the 750th residential dwelling, appropriate space for a primary care facility for up to 4 general practitioners (including waiting areas, practice rooms and other necessary associated facilities) shall be made available within the site unless otherwise agreed in writing with the Local Planning Authority.

The facility shall be provided in accordance with details which shall have been agreed with the local Clinical Commissioning Group (or subsequent competent authority) and approved in writing by the Local Planning Authority.

Reason: to provide adequate facilities to cater for need arising from the development, in accordance with policy HW5: Healthcare Services of the City of York Publication Draft Local Plan.

36 Prior to the occupation of the 1,000th residential dwelling, specialist housing to provide for the needs of older people, comprising at least 50 residential units for independent living and 70 residential units for extra care shall have been provided on the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide housing in accordance with locally identified need, in accordance with NPPF section 6 and City of York Publication Draft Local Plan policy H9: Older People's Specialist Housing.

37 The development shall be carried out in adherence with the Framework Travel Plan Revision A dated 21 January 2019. Each reserved matters application for any building, phase and sub-phase shall include a development specific Travel Plan, which shall be approved in writing by the Local Planning Authority prior to first occupation of the relevant phase. Development shall be carried out in accordance with the approved details.

Reason: In order to achieve the agreed targets for achieving sustainable travel, in accordance with paragraphs 109, 110, 111 of the NPPF



38 If, in light of monitoring required in accordance with the Framework Travel Plan, the number of vehicle trips made to and from the approved development exceed the Target (30% reduction) specified in Table 13 of the Framework Travel Plan (and reproduced in Table 1 below), no part of the development that is not already occupied at that point shall be occupied until either additional measures designed to reduce said trips have been proposed, agreed and included within all relevant Travel Plans operating on the site, and / or supplementary information has been provided to demonstrate to the satisfaction of the Local Planning Authority (in consultation with Highways England) that trips over and above those specified in Table 1 can be satisfactorily accommodated on the highway network.

Table 1: Threshold Levels of Trips During Peak Periods

(30% reduction)	Residential	Office	Hotel	Total	Target
AM Peak two- way trips	555	439	82	1076	753
PM Peak two- way trips	735	413	67	1215	850

Reason: To promote sustainable travel and to prevent significant impacts on the highway network in accordance with paragraph 108 of the NPPF.

39 The reserved matters application for the Primary Vehicle Route (as shown on Parameter Plan YC-PP 006: Access and Circulation Routes) which includes the western access from Water End shall include the following details:

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

Reason: To ensure promotion of sustainable travel, and in the interests of operation of the highway network and in the interests of good design, in accordance with sections 9 and 12 of the NPPF.

40 The reserved matters application(s), which include block F (as defined in the Parameter Plans), shall include details of provision for accommodating bus priority measures (inbound 3.5m wide bus lane). The details shall include landscaping to be installed in advance of installation of the bus lane.

These details shall be approved by the Local Planning Authority prior to the commencement of the relevant works and the development shall be carried out in accordance with the approved details.

Reason: In the interests of place-making and promoting sustainable travel, as the scheme will potentially require such provision to avoid bus journey delay at peak times (as detailed in the associated legal agreement).

41 The Primary Vehicle Route where it would pass through Leeman Road Tunnel and Station Rise to its junction with Station Road, shall include the following elements -

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

Reason: To ensure promotion of sustainable travel, and in the interests of operation of the highway network and in the interests of good design, in accordance with sections 9 and 12 of the NPPF.

42 Prior to the first occupation of any development in development zones B, C, D, E, and F a scheme for the pedestrian and cycle link between the access and circulation routes within York Central site and Holgate Road (either via Wilton Rise or Chancery Rise as annotated as options 3a and 3b on parameter plan YC-PP 006 Access and Circulation Routes) shall be approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

Public access to the facility shall be provided at all times.

The details shall include -

- the alignment of the route;
- provision of segregated cycle routes where appropriate;
- the bridge with a minimum width of 4m and maximum gradients of 5% at any point (unless otherwise agreed);
- materials and finishes (including enhancements) of surfaces;
- lighting details;
- landscaping;
- drainage;

- details of any other physical infrastructure necessary for the delivery of the scheme.

Reason: To ensure promotion of sustainable travel, and in the interests of operation of the highway network and in the interests of good design, in accordance with sections 9 and 12 of the NPPF.

43 Prior first occupation or first use of any development in zones B, C, D, E, and F (unless otherwise approved in writing by the Local Planning Authority) details of inclusive access into the railway station, which will connect into the inclusive access and circulation routes within York Central and the railway station, shall be approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure promotion of sustainable travel, and in the interests of operation of the highway network and in the interests of good design, in accordance with sections 9 and 12 of the NPPF.

44 Prior first occupation or first use of any development in zones B, C, D, E and F details of the cycle hub, which shall include the timeframe for delivery, shall be approved by the Local Planning Authority.

The details shall include covered and secure cycle parking provision for a minimum of 300 cycles, luggage storage, w.c., showering and changing facilities.

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

Reason: To ensure promotion of sustainable travel, and in the interests of operation of the highway network and in the interests of good design, in accordance with sections 9 and 12 of the NPPF.

45 Prior to the closure of Leeman Road for pedestrians and cyclists a scheme for a new alternative route for pedestrians and cyclists and details of a pedestrian access through the National Railway Museum extension shall be submitted to and approved in writing by the Local Planning Authority.

The approved alternative new access for pedestrian and cyclists shall be implemented before Leeman Road is closed for pedestrians and cyclists. The pedestrian access through the National Railway Museum shall be implemented on the opening of the extension and made available during hours of opening.

Reason: to encourage sustainable travel in accordance with section 9 of the NPPF.

46 Prior to, or at the same time as, the first reserved matters application details of public transport infrastructure, including the timing of delivery, shall be submitted for approval to the Local Planning Authority. Details shall include, but will not be limited to the following information:

- Location of proposed Bus Stops and lay-by facilities
- Details of bus turning facilities at the station
- Location of taxi collection / drop off
- Details of Bus Stop facilities
- Measures to give public transport priority over private vehicles

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

Reason: To promote and facilitate sustainable modes of travel, in accordance with Policies T2 and T3 of the City of York Publication Draft Local Plan and Section 9 of the NPPF

47 Prior to the first use of any multi-storey car park a Car Parking Management Strategy for the relevant facility shall be approved in writing by the Local Planning Authority. The facility shall be operated in accordance with the approved strategy.

The Strategy shall include details of:

- the maximum duration of stay for all users
- the number of parking spaces per user type
- details of pricing

Reason: To manage the car parking demand across the development and encourage modal shift to more sustainable forms of transport in accordance with Policy T8 of the City of York Publication Draft Local Plan and Section 9 of the NPPF, whilst ensuring car parking does not dominate the street scene or other public spaces.

48 Prior to first occupation or use of the development a strategy to regulate and manage vehicle parking within the development shall be submitted to and approved by the Local Planning Authority.

The strategy shall include proposals to regulate and manage the parking, stopping and waiting of motor traffic; this shall include for a phased implementation of regulations, to be consistent with the delivery of new and/or modified adopted highway infrastructure.

Each reserved matters application for a phase, sub-phase or building shall include a site specific strategy which shall be approved in writing by the Local Planning Authority prior to commencement of the relevant phase, sub-phase or building and the development 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.

49 Prior to first occupation or use of the development a strategy for servicing (for delivery vehicles, waste collection and similar operations) within the development shall be submitted to and approved by the Local Planning Authority.

Each reserved matters application for a phase, sub-phase or building shall include a site specific servicing strategy which shall be approved in writing by the Local Planning Authority prior to commencement of the relevant phase, sub-phase or building and the development carried out in accordance with the approved details.

Reason: In the interests of good design, place-making and highway safety.

50 Each reserved matters application for any phase and sub-phase (including a building) shall incorporate sustainability measures relating to energy, water and waste in accordance with the framework set out in the Sustainability Statement (reference: YCL-ARP-ZZ-XX-RP-TX-0011 dated August 2018) or any subsequent Sustainability Statement approved in writing by the Local Planning Authority.

Also all new residential buildings shall achieve:

- At least a 19% reduction in Dwelling Emission Rate compared to the Target Emission Rate (calculated using Standard Assessment Procedure methodology as per Part L1A of the Building Regulations 2013).
- A water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Each reserved matters application for any phase and sub-phase (including a building) shall include a statement explaining how the scheme will achieve the aforementioned sustainability measures. The statement shall be approved by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To provide a mechanism to update the sustainability analysis at reserved matters stage to enable firm proposals to come forward and be assessed to ensure the York Central scheme is an exemplar development in

terms of sustainability in accordance with Policy CC1 and CC2 of the City of York Publication Draft Local Plan and Section 14 of the NPPF.

51 No phase or sub-phase (including a building) of the development which includes non-residential uses shall commence until a Design Stage Pre-Assessment Report showing that phase or sub phase (including a building) will achieve at least a BREEAM rating of 'Excellent' has been submitted to and approved in writing by the Local Planning Authority.

Within six months of completion of each phase or sub-phase (including a building) of the development hereby approved a Building Research Establishment issued Post Construction Review Certificate confirming that the phase or sub-phase (including a building) as a whole has achieved the BREEAM rating set out in the Design Stage Pre-Assessment Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a sustainable, co-ordinated and high quality form of development is delivered, in accordance with policy CC2 of the City of York Publication Draft Local Plan and Section 14 of the NPPF.

52 A strategy for providing electric vehicle charging facilities for each phase or sub-phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the relevant phase and the development shall be carried out in accordance with the approved details.

The strategy shall demonstrate each residential dwelling with dedicated off-street parking would incorporate a suitably rated electrical socket to allow charging of an electric vehicle. At least 2% of all on street and commercial parking shall be for the exclusive use of electric vehicles.

The approved facilities for electric vehicle charging points shall be provided prior to first occupation of any building within that phase or sub-phase and shall be appropriately maintained.

Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy ENV1 of the City of York Publication Draft Local Plan and Paragraph 110 of the NPPF.

53 Prior to or at the same time as submission of the first reserved matters application an emission mitigation statement shall be submitted to the Local Planning Authority.

The statement shall include a review of the existing damage cost calculation undertaken in relation to the operation of the site. It shall be prepared in accordance with City of York Council's Low Emission Planning Guidance and

shall detail the emission mitigation measures proposed for the site. An estimate shall be made of the impact that any proposed mitigation measures will have on emissions (i.e. mitigated mass of pollutant) and the financial costs of the mitigation measure to the developer.

The statement shall confirm the timeframe and any phasing of the proposed mitigation, and detail of any 'residual' emissions and damage costs likely to remain after all proposed mitigation measures have been applied. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the emissions mitigation proposed for a site is reasonable and proportionate to the emissions harm generated by the site in accordance with Policy ENV1 of the City of York Publication Draft Local Plan.

INFORMATIVE: The damage costs shall be calculated for a 5 year period in line with local guidance. This currently requires the use of DEFRA's latest Emissions Factor Toolkit (to estimate emissions) and IGCB's (Interdepartmental Group on Costs and Benefits) Air Quality Damage Costs for the specific pollutants of interest (it is noted that the five year total cost of mitigation has been calculated and agreed as £3,242,076; this figure may be adjusted when the exact amount of development is fixed).

54 No development (with the exception of enabling works) shall commence until a detailed employment, skills and training method statement has been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved employment, skills and training method statement and be on an open book monitoring basis.

The employment, skills and training method statement shall include (but not limited to) details of the following:-

- Measures relating to the construction phase of the development;
- A skills and employment plan, outlining opportunities for unemployed York residents in the construction phases of the development, including links to Work Clubs, Job Centre Plus and other stakeholders and groups;
- Target for on-site work experience and apprenticeship opportunities for York residents;
- Details of how the Developer and its contractors shall co-ordinate with the Council, Job Centre Plus and all other local partners to develop a partnership approach to incorporate pre-recruitment and work placement opportunities;
- Details of how the Developer will work with subsequent end users ensuring they engage with local partners to offer employment and training opportunities to unemployed residents.

- Initiatives to build community linkages, particularly in defined Priority Areas e.g. curriculum development activities with local school;
- Appropriate measures to encourage employment opportunities for local people
- An acknowledgement that the Developer shall have the final decision as to who is recruited for any job vacancy arising from the Development as long as it is in accordance with the approved statement and all recruitment information has been submitted to the Local Planning Authority on an open book basis.

Reason: In the interests of ensuring the maximisation of local employment and training opportunities in accordance with Policies SS1 and SS4 of the City of York Publication Draft Local Plan and paragraph 8 of the NPPF.

55 Prior to commencement of development, an investigation and risk assessment (in addition to any assessment provided with the planning application) shall be undertaken to assess the nature and extent of any land contamination. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- A survey of the extent, scale and nature of contamination (including ground gases where appropriate).
- An assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: This condition is required prior to commencement, taking into account paragraph 54, 55 and 56 of the NPPF to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.



56 Prior to commencement of construction a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

57 Prior to first occupation or use of the relevant phase or sub-phase (including a building) the approved remediation scheme must be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

58 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. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

59 Prior to the importation of any subsoil and/or topsoil materials onto the proposed development site, the material shall be sampled and subject to laboratory analysis to confirm the suitability of the proposed material to

ensure it shall not pose a risk to human health under Part 11A of the Environmental Protection Act 1990 and the results submitted to and approved in writing by the Local Planning Authority.

Reason: To confirm before work commences on site that imported sub and/or topsoil will be protective of human health and the environment in the interests of residential amenity in accordance with Policy ENV3 of the City of York Publication Draft Local Plan and Paragraph 179 of the NPPF.

60 No development shall commence until full details of a scheme to assess the site for unexploded ordnance with remedial measures have been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved scheme.

Reason: In the interests of public health and safety.

61 Prior to any piling using penetrative methods, a method statement of such works shall be approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed activity does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework. (Environment Agency requirement)

62 Prior to development of any phase or sub-phase (including a building) which proposes residential dwellings, a detailed scheme of noise insulation measures for protecting dwellings from externally generated, non-construction related noise 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.

INFORMATIVE: The building envelope of all residential accommodation shall be constructed so as to achieve internal noise levels in habitable rooms of no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and 30 dB LAeq (8 hour) and LAFMax level during the night (23:00-07:00 hours) should not exceed 45dB(A) on more than 10 occasions in any night time period in bedrooms and should not regularly exceed 55dB(A). These noise levels shall be observed with adequate means of ventilation provided.

Reason: To protect the amenity of people living in the new property from externally generated noise and in accordance with the National Planning Policy Framework.

63 Prior to development of any phase or sub-phase (including a building) which proposes residential dwellings a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all

relevant residential buildings are designed and constructed so as to ensure that vibration generated by non-construction related activity does not exceed the following dose values (VDV) limits -

VDV daytime (07:00 - 23:00) (m.s-1.75) - 0.4

VDV night time (23:00 - 07:00) (m.s-1.75) - 0.26

As calculated in accordance with BS 6472: 1992, entitled 'Guide to Evaluation of Human Exposure to Vibration in Buildings' [1 Hz to 80 Hz].

The dwellings shall be constructed in accordance with the approved scheme and maintained throughout the life of the approved development.

Reason: In the interests of the amenities of nearby residents, in accordance with Policy ENV2 of the City of York Publication Draft Local Plan.

**INFORMATIVE:**

- Vibration values should be determined at the worst location on a normally loaded floor (usually the centre of the floor).
- Account should be made for potential amplification of vibration at upper floors
- It is expected that detailed design will be informed by additional detailed vibration surveys, which take account of decommissioning of the Freightliner Depot and some other existing buildings.

64 Details of all machinery, plant and equipment to be installed in or located on any non-residential premises, which is audible outside of those premises, shall be submitted to the local planning authority for approval prior to installation. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

65 Buildings, which in the schedule in table 8.15 - "Design responses to built heritage assets" of the Environmental Statement are recommended to be recorded prior to demolition shall be recorded (to Historic England Guide to Good Recording Practice Level 1 but shall include the interior to note any significant features) prior to demolition of the relevant building. The recordings shall be submitted to the Council in order to be placed on the local Historic Environment Record.

Reason: In order that a historical record of the listed building is kept, to record and enhance our understanding of heritage assets, in accordance with paragraph 197 and 199 of the National Planning Policy Framework.

66 Prior to determination of the first reserved matters application a detailed statement for the Geoarchaeological Deposit Model that sets out procedures and funding for regular updating and maintaining the model and making the model publicly available through City of York Council Historic Environment Record shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To allow for appropriate understanding of the significance of archaeology in accordance with NPPF paragraph 189 and to allow for adequate mitigation, taking into consideration paragraphs 193 to 199 of the framework as the Geoarchaeological Deposit Model is an important part of the evidence base that will support future applications for approval of details on this site.

67 Prior to determination of the first reserved matters application a detailed statement that describes a programme of waterlogged and organic deposit characterisation and monitoring 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.

The programme shall follow Historic England guidance (October 2016) and set out details of funding for the programme and deposition of data with City of York Council Historic Environment Record.

Reason: To allow for appropriate understanding of the significance of archaeology in accordance with NPPF paragraph 189 and to allow for adequate mitigation, taking into consideration paragraphs 193 to 199 of the framework as the site contains important waterlogged and organic deposits that must be monitored over the lifetime of the implementation of the proposed development

68 As part of any Reserved Matters Application for the design of each phase, or sub-phase (including a building) a detailed Archaeological Remains Plan for the relevant part of the development site 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.

The evaluation and mitigation measures (within each plan) shall be developed and implemented in accordance with the Archaeological Remains Management Plan detailed in the York Central Environmental Statement

Reason: The site contains archaeological features and deposits that must be subject to detailed evaluation prior to approval of details. The ARMP plan sets out a set of procedures that must be followed so that the information can be used to ensure either preservation in-situ of undesignated nationally significant deposits or provide for excavation, analysis, publication, archive deposition and public engagement.

69 As part of any Reserved Matters Application for the design of each phase, or sub-phase (including a building) precise details of the extent, location and acceptability of basement areas and details of mitigation 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.

The extent of basements will be contingent on the information on the significances of archaeological deposits that will be provided through the detailed evaluation procedures set out in the detailed Archaeological Remains Plan.

Reason: To allow for appropriate understanding of the significance of archaeology in accordance with NPPF paragraph 189 and to allow for adequate mitigation, taking into consideration paragraphs 193 to 199 of the framework.

70 Where preservation of archaeology in-situ is not appropriate and where excavation is the recommended mitigation measure, a detailed written scheme of investigation that sets out details and funding for excavation, post-excavation analysis, publication, archive deposition and public engagement 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: To allow for appropriate understanding of the significance of archaeology in accordance with NPPF paragraph 189 and to allow for adequate mitigation, taking into consideration paragraphs 193 to 199 of the framework.

71 Where archaeological excavation takes place, no part of the development covered by the relevant application shall be occupied until the applicant has (a) submitted to the local planning authority and City of York Historic Environment Record and secure approval in writing from the local planning authority a report on the archaeological excavation and (b) provided details of acceptance of excavation and post excavation archive by either York Museums Trust or York Archaeological Trust.

Reason: To allow for appropriate understanding of the significance of archaeology in accordance with NPPF paragraph 189 and to allow for adequate mitigation, taking into consideration paragraphs 193 to 199 of the framework.

72 Any reserved matters application with development in either Flood Zone 2 or 3 shall include a site specific flood risk assessment which shall be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure future occupants are reasonably safe from flood risk, in accordance with NPPF, in particular paragraph 163.

73 Prior to construction of the Primary Vehicle Route details of compensatory flood water storage, for any loss of flood storage within flood zone 3 for the 1:100 year plus climate change flood event, 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: To prevent increased flood risk elsewhere as a consequence of the development in accordance with NPPF paragraphs 155 and 163

74 Prior to any surface water discharge into Holgate Beck the existing surface water discharge shall first be proven and agreed by the Local Planning Authority. Surface water may then be discharged at a rate of 70% of the existing proven areas that drain to Holgate Beck. Attenuation volume calculations, using computer modelling, shall accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 30% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to calculate the worst-case volume required.

Reason: To prevent increased flood risk elsewhere as a consequence of the development in accordance with NPPF paragraphs 155 and 163

75 Surface water run-off from any car parking area (s) comprising more than 49 spaces and any service yards must pass through an oil, petrol and grit interceptor/separator designed and constructed to have a capacity and details compatible with the sit being drained, prior to any discharge to an existing or prospectively adoptable sewer. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the aquatic environment and protect the public sewer network.

76 The site shall be developed with separate systems of drainage for foul, highway and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

77 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse is not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection,
- c) the means of restricting the discharge to public sewer to a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker but based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change, and
- d) attenuation volume calculations, using computer modelling, shall accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 30% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to calculate the worst-case volume required.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

78 No occupation of any phase, sub-phase or building of the development shall commence until details of on-site and off-site foul water sewerage for that phase, sub-phase or building has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme and the number of properties to be constructed within that phase, sub-phase or building.

Reason: To ensure the site can be properly drained without risk of flooding/pollution to the local aquatic environment, public health and public amenity.

79 Each phase of drainage works shall include details of the proposed means of access and management for maintenance and repair work of the proposed watercourses, swales, ditches, surface water attenuation features and drainage systems within the site. The details shall include appropriate landscaping within areas required for maintenance.

The details shall be approved in writing by the LPA prior to commencement of the relevant drainage works and the development shall be carried out in accordance with the approved details.

Reason: To allow sufficient access for maintenance and repair work and to ensure that the attenuation volume is available at all times.

80 Prior to any intrusive groundworks or tree-planting taking place, the means of protecting the public water supply mains located within the site boundary shall be submitted to and approved by the Local Planning Authority. No building or other obstruction including landscape features (including trees) shall be located over or within 5 metres either side of the centre line of the 6" (six inch) water. If the required stand-off distance is to be achieved via diversion or closure of the pipe(s), the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

81 Prior to any intrusive groundworks or tree-planting taking place, the means of protecting the public sewerage located within the site boundary shall be submitted to and approved by the Local Planning Authority. No trees shall be planted within 5 metres of any sewer located within the site. If the required stand-off distance is to be achieved via diversion or closure of the pipe (s), the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

82 There is to be no built development (not including any highway structures, hard-standing or landscaping) over or within an 8m easement to either side of the Holgate Beck culvert unless otherwise approved by the Local Planning Authority.



Reason: To satisfy the requirements of the Environment Agency in relation to protecting access for maintenance works from impediment to the Holgate Beck culvert in accordance with Policy ENV5 of the City of York Publication Draft Local Plan and Paragraph 165 of the NPPF.

83 Prior to the occupation of the 500th residential dwelling a scheme for on-site indoor community space, shall be submitted to and approved in writing to the Local Planning Authority. The approved scheme shall be implemented before the occupation of the 750th dwelling. The space shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To meet the community needs of occupiers of the development in accordance with policy HW2: New Community Facilities of the City of York Publication Draft Local Plan.

Date: 24 December 2019



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:

- Carried out wide ranging consultations
- Secured amendments to address concerns raised
- Agreed a suite of conditions to control development
- Negotiated Heads of Terms for S.106 Agreement.

2. There are public sewers crossing the sites, with various easement requirements, as established by Yorkshire Water. The developer(s) should note these requirements and legislation within the Water Industry Act if there is intent to divert any sewers.

3. Contaminated soil that is, or must be, disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to the Hazardous Waste pages on GOV.UK for more information.

4. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Holgate Beck, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

## 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 Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (tel: 0303 444 5433) or which can be downloaded from their web site (<https://www.gov.uk/appeal-planning-inspectorate>).
- . 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.