
Meeting of the Executive

25th July 2006

Report of the Head of Housing Services

Peasholme Relocation – Site Analysis

Summary

1. To advise the Executive of the outcome of the consultation on, and appraisal of, the possible sites for the relocation of the Peasholme Centre and to seek the Executive's views on which site would be most suitable.

Background

2. At the meeting on 30th May the Executive were advised that having applied the criteria established when determining the site requirements, only two sites met this criterion. These sites are:
 - 4 Fishergate;
 - Monk Bar Garage.
3. On the 26th May, the council issued a press release asking members of the public to identify any possible alternative sites. As a result of this, one site, 14 Jewbury was suggested by a member of the public.
4. At the Executive meeting on the 30th May, members resolved that:

“Officers be asked to investigate the feasibility of using the suggested site at 14 Jewbury and be given delegated authority to include this site in the shortlist for further consultation, if they consider appropriate”
5. City of York Council occupies the property on a 125 year lease from 1991 at a peppercorn rent. The lease was granted to the council when part of the larger site, currently occupied by the Sainsbury store, was sold to Sainsbury's.
6. Under the terms of our lease the council are permitted to use the premises as a public car park and public conveniences providing not less than 315 car parking spaces. The toilets were converted into the car parking attendants office in about 1994 and are still used for that purpose. Any change of use would require landlord's approval.
7. Discussions with the owners of the site have been via their agents. In response to our enquiries their agent has stated:

“I have discussed this matter with my client and they would not be able to accommodate this request. Building this unit on the car park would cause access and egress issues during construction and also through the car park when the unit is operational. In addition the location and configuration of the site is not suited to a unit of this nature. Sorry that my client is unable to help”

8. Given the above response, the site was not included in the consultation process.
9. As part of the consultation process, one resident has raised the possibility of additional alternative sites. Officers have carried out a number of site visits with the individual. The conclusion reached as a result of these visits is that the sites raised are not suitable / available. Details are set out below.
10. Hospital Field's Road has been raised as possible site for the relocation. - The reasons why Hospital Fields is not considered to meet the established criteria and therefore not a short-listed site, are;
 - Individually the units are too small
 - Not integrated within the community;
 - Not a well lit area, although this could be designed in;
 - Isolated location on an industrial estate;
11. In addition to the general issues a number units on Hospital Fields Road are occupied, specifically:
 - No. 23 – Occupied by Shepherds. The vacant land is under negotiation for a new office development. The old lease has 30 years unexpired, so the council cannot unilaterally proceed.
 - No. 25 – Occupied by West. This is a ground lease, again with about 30 years unexpired. There is a building on site. West are in liquidation, and the liquidator is assigning the leasehold interest, with an offer accepted subject to contract. Completion is expected any day. It is, therefore, too late in the day to approach the liquidator to "gazump" the offer they hold. The council has to deal with assignments under the lease in these circumstances.
 - No. 33 - Jemimas, the entire building is under offer and Jemimas have a secure business tenancy already.
 - No. 35 - Reeds Electrical occupies part under a business tenancy. Part of the ground floor and most of the first floor is vacant. The council has approved a scheme to refurbish the vacant areas to provide space for small businesses.

12. The Foss Islands development site has also been raised as a possible alternative, however, it is part of the Keyland Gregory retail proposal, which is well advanced, and the council do not own the site.

Consultation

13. Following the report to the Executive at its meeting 30th May 2006, between the 3rd and 5th June approximately 2000 information leaflets were delivered to both homes and commercial properties, in the Fishergate and Guildhall wards (as agreed with local ward members). This provided factual information on the work of Peasholme, the reason for relocation, real life examples of Peasholme resident's experience. Leaflets were also delivered to St Wilfred's Primary School. A copy of the leaflet can be found at annex 1
14. The leaflet also advised residents of an open day to be held at the Peasholme Centre on the 8th June and a public meeting to be held on the 14th June. Approximately 30 people attended the public meeting. The main issues raised by members of the public at the meeting are summarised in Annex 2.
15. A concern that was raised by a small number of residents in the Guildhall ward was that they had not received the leaflets. On checking, the individual who the council contracted to deliver the leaflets, has stated, in writing, that he delivered to all homes and businesses on the streets identified, with the exception of a small number of flats on Penley Grove St where he could not access the communal area. In this case he left leaflets in the entrance to the properties (the streets where people said they did not receive the leaflets was not Penley Grove St). To allow residents in the Guildhall ward to have a further opportunity to raise any issues, the Head of Housing Services attended the Guildhall Ward committee meeting on the 13th July.
16. A link on the councils website was set up from 30th May to provide factual information about the Peasholme Centre, what is it? what support does it provide? who runs it? etc. Details of information provided can be found at Annex 3. An e-mail account was also set up and residents were asked to raise any comments either in person, by letter or e-mail to the Head of Housing Services by 25th June. At the time of writing this report 28 letters and e-mails had been received. An analysis of all the individual responses by letter or e-mail is set out in Annex 4. Executive members have been provided with a copy of all comments received as result of the public consultation.
17. A summary of the key issues raised is set out below.

General

- Why does the centre have to move from its existing site?
- Why does the centre have to be in the city centre?
- Why is timescale a criteria?
- If neither of the proposed sites are accepted what will happen?
- What is the cost of redevelopment and how is this being funded?

Monk Bar Garage

- Proximity to the Bar Walls;
- Height of proposed building compared to Bar Walls.
- Proximity to preferred site for Arc Light;
- Potential for increased criminal activity;
- Personal safety issues, concerns for older people in the area, concerns about increases in drug abuse and a negative impact on tourism. Impact on local businesses;
- Negative impact on house prices;
- Proximity to St Wilfred's primary school;
- Area already takes its fair share of the most vulnerable.

4 Fishergate

- Security concerns given site is adjacent to a public house;
- Safety concerns for Peasholme residents due to busy main road;
- Personal safety issues for people walking in to the city along the river footpath;
- Personal safety issues, concerns for older people in the area, concerns about increases in drug abuse and a negative impact on tourism.
- Concern over non-residents congregating in the area;
- Area already takes its fair share of the most vulnerable.

Proximity to Residential Areas and Schools / Increase in Crime

18. Issues concerning the relocation of the Peasholme Centre in a residential area or near schools have inevitably focus on crime or fear of crime and anti-social behaviour. However, it should be noted that there is no evidence to suggest that the proximity of the centre to a school raises any risk to anyone attending the school.

Archaeology

19. Archaeological concerns have also been raised for the two sites. The starting point in any consideration for either of the sites has to be Policy HE10 in the emerging Local Plan and the supporting policy document Conservation Policies for York: Archaeology. Government advice is contained within PPG 16: Archaeology and Planning. It creates a presumption in favour of preservation of sites of national importance, whether scheduled or unscheduled.
20. Policy HE10 translates this advice into a practical policy for York, where most City centre sites and their deposits can be considered to be of national importance. Policy HE10 states that development on sites in the central Area of Archaeological Importance (AAI) will be allowed provided that the applicants permit an archaeological evaluation of the site and that any subsequent development destroys less than 5% of the archaeological deposits preserved

on the site. This policy has been applied to all developments in the City Centre since 1990 and has been highly successful in ensuring maximum physical preservation of archaeological deposits and securing new development.

21. Both of the sites lie within the central AAI and are therefore subject to this policy requirement. In addition, the Monk Bar site is located adjacent to the City Walls, a scheduled ancient monument, and the issue of the effect of the new development on the setting of the scheduled ancient monument would also need to be taken into consideration. Policy HE9 of the emerging Local Plan would therefore need to be applied to any consideration of new development on the Monk Bar Garage site

Professional and technical Analysis

22. An analysis has been carried of both sites by staff from Property Services, Planning, Highways, Finance, Conservation, Housing and Adult Social Services and the Peasholme Charity. General issues which relate to both sites have been outlined below, detailed issues which are site specific are attached as annexes 5 and 6.

Air Quality

23. In January 2002 City of York Council declared an Air Quality Management Area (AQMA) based on predicted exceedences of the annual average nitrogen dioxide objective in five areas of the city. The declaration of the AQMA placed a legal duty on the council to improve air quality in the city and to demonstrate that it is actively pursuing the 40ug/m³ annual objective to be achieved by 31st December 2005. In order to demonstrate a commitment to improving air quality the council was required to prepare an Air Quality Action Plan (AQAP). The AQAP identifies measures the council intends to take to improve air quality in the city following the declaration of the AQMA.
24. Both of the proposed sites for relocation of the Peasholme Centre are already included within City of York Council's Air Quality Management Area. The introduction of further residential dwellings at either location will therefore not result in any requirement to extend the AQMA beyond it's current boundary. Since both areas form part of the inner ring road, they regularly experience long periods of standing/slow moving traffic, particularly during peak hours. Historical monitoring data from nitrogen dioxide diffusion tubes in the vicinity of these sites have indicated that annual average concentrations of nitrogen dioxide have approached, and in some cases exceeded objective levels.
25. Residential development would not normally be encouraged in such areas, although since there is existing residential in the vicinity of the proposed sites (and therefore a precedent has already been set), it is the opinion of the Environmental Protection Unit that the scheme could proceed at either location, providing that careful consideration is paid to the following design issues:

- Features that promote residents to spend time in polluted outdoor environments (e.g. balconies, roof terraces, street furniture) should be avoided.
- The internal arrangement of the scheme should present non-habitable rooms to polluted facades (i.e. bedrooms and living rooms should be positioned away from the carriageway façade). External doors communicating directly with habitable rooms on polluted facades should also be avoided.
- Non-opening windows may be appropriate in areas of very poor air quality, particularly where habitable rooms are placed on polluted facades. This should take the form of fixed glazing with mechanical ventilation from an area of the site away from the carriageway facade.
- Due to the location of both sites it is recommended that buildings are set back from the carriageway, ideally by 10 meters or more.
- Since both the sites are located within the AQMA it is recommended that any parking facilities should reflect the Council's minimum parking standard.
- In summary, neither site is ideal from an AQ perspective, although providing the council ensures that exposure is limited (by following the principles outlined above), the development could proceed at either site.

Noise

26. There are two noise issues to consider with both sites - the impact of existing noise in the area upon the relocated centre (most relevant is traffic noise), and also the impact on the amenity of the existing area as a result of the introduction of the centre (eg noise from customers).
27. For both locations a noise assessment in accordance with PPG 24 will be required to demonstrate what package of noise insulation measures is required to achieve acceptable noise levels for the centre users. Appropriate measures are likely to include a scheme of acoustic glazing, combined with a mechanical ventilation scheme so that windows do not need to be opened, to ensure adequate background and rapid ventilation is achievable (this also ties in with the approaches needed to tackle air quality). As part of any application we would expect to see demonstrated that these measures can be physically incorporated.
28. If any outdoor amenity areas are to be provided at the relocated centre, these must also be assessed to determine if acceptable noise levels exist or can be achieved.

Contaminated Land

29. Both sites are, or have been put to commercial uses that could have resulted in the land being contaminated (in particular Monk Bar Garage). As a minimum, both sites will require a desk study, to include a site description and a site walkover. Depending on the findings of these studies, site investigations and remediation schemes for land and water contamination could be required. Whilst land contamination does not rule out either site, it must be properly

considered before any planning application is submitted, which is in accordance with PPS 23.

Planning

30. The relocated Peasholme Centre will be classified as Use Class C2: Residential Institution. Planning obligations are:
- Development proposals for a homeless hostel use will not require an affordable housing provision
 - There would be no requirement for a contribution towards education as there would be no additional school users generated by the development. It may be necessary to condition a planning approval to ensure that if converted into market residential in the future, an education contribution could be sought.
 - A contribution towards community facilities would normally be required, although this requirement could be met through the open space contribution (see below)
 - The amount of contribution towards open space provision made by developments such as hostels will be considered on the scheme's individual circumstances, taking into account the number of people living in the property. Contributions towards informal open space/sports pitches would be required but as there would be no children, children's play space would not be required
 - Car and bicycle parking standards will apply to the proposed development. 1 cycle space per dwelling unit would be required and a maximum of 1 car parking space per 3 residents would be sought. Fewer car parking spaces would be encouraged on sites which met the criteria for car parking standard flexibility, such as those which were accessible from York city centre on foot or bicycle.

Monk Bar Garage

31. The site is currently used as a garage for the repair and service of motor vehicles, but is identified as for housing in the Development Control Local Plan. The site backs onto the Bar Walls, which are a scheduled ancient monument and grade 1 listed. English Heritage would have to be consulted and their views given due weight. As the boundary wall at the rear of this site is also the retaining wall to the rampart, it is my view that scheduled monument consent (SMC) will be required for works that affect the wall. SMC is granted or refused by the Secretary of State for Culture Media and Sport who will receive advice from English Heritage. This site presents the more difficult archaeological and conservation issues which would need to be resolved for the site to be redeveloped.

32. Operationally it is felt that the service can be run from this site, however there will be a number of potential difficulties to overcome. The proximity to the Bar walls may have implications on the design in relation to privacy of residents. It is also close to the preferred site for the relocation of the Arc Light centre and whilst not unmanageable, it may create difficulties, as a key element for the successful resettlement of the centres residents is being able to break away from their previous behaviour.

4 Fishergate

33. The site has no identified allocation within the Development Control Local Plan, but is currently occupied by a number of small businesses and used for employment purposes. Any proposals to change the use will have to be in accordance with the Development Control Local Plan: Policy E3b. Following Information provided by the Economic Development Unit, Planning have stated that they feel that the requirements of E3b are satisfied. The site is within the Environment Agencies Flood Zone 2, identified as having a 1% or greater chance of flooding each year. Any planning application will need to be accompanied with a flood plan.
34. Operationally it is felt that the service can be run from this site without any major difficulties. There may be a logistical problem associated with any deliveries due to the nature of the access to the site, but this could be considered as part of the site design.

Corporate Priorities

36. The Peasholme Centre contributes towards the corporate priorities of the council including:
- Improve opportunities for learning and raise educational achievement for everybody in York;
 - Create a safe city through transparent partnership working with other agencies and the local community;
 - Work with others to improve the health, well-being and independence of York residents

Implications

37. The following implications have been noted.

Financial:

38. The costs associated with the relocation of the Peasholme Centre, including build costs, have been included within the cost base for the Admin Accommodation project, which has already been considered by members.

39. The sale of 4 Fishergate currently forms part of the funding for the capital programme with the disposal being accounted for in the 2006/07 financial year. Failure to realise this sale by this date would leave a shortfall in the funding of the capital programme as per confidential Annex 7, this would result in increased pressure being placed on the remaining receipts to fund the programme. Failure to realise the overall receipt targets may lead to reduction in the overall capital programme or the use of alternative funding mechanisms, the most likely of which would be prudential borrowing. The financial implications of unsupported borrowing would be incurring an ongoing charge to the revenue account in the form of Minimum Revenue Provision (4% per annum of receipt value) and the interest cost of the loan itself (approximately 4.65% per annum of receipt value). Such costs are shown at confidential Annex 7.
40. The sale of Monk Bar Garage does not currently form part of the funding for the capital programme and would not therefore leave a shortfall in the programme. The sale of this property would realise a receipt (as per confidential Annex 7) that could be used to reduce the shortfall left by not realising the receipt from the disposal of Fishergate. If this course of action were followed the financial implications of borrowing the difference between the expected receipts can be seen in confidential Annex 7.
41. It should be noted that disposal of either site would result in a reduction of rental income in the commercial portfolio.

Human Resources (HR):

42. There are no HR implications

Equalities:

43. There are no equalities implications.

Legal:

44. There are no legal implications.

Crime and Disorder:

45. There are no crime and disorder implications

Information Technology (IT):

46. There are no IT implications

Property:

47. The existing centre is located within the wider Hungate development area, which includes the preferred site of eth council admin accommodation solution. The relocation of the centre is required to enable the admin accommodation project to deliver the councils single site accommodation solution.

Risk Management

48. If the Peasholme Centre is not relocated within the timescales set out in within the council accommodation review, there is a risk to delivering the benefits as outlined in the accommodation review.

Recommendations

49. The Executive is requested to give their views on which of the two sites should be approved for the relocation of the Peasholme Centre.

Contact Details

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Wards Affected:

All *tick*

Fishergate
Guildhall

For further information please contact the author of the report

Background Papers:

Executive report – Relocation of Peasholme Centre – Site Shortlist
Minutes of the Executive meeting 30th May 2006

Annexes

Annex 1: - Information leaflet

Annex 2: - Key issues raised at Public Meeting

Annex 3: - Information provided on Web Site

Annex 4: - Analysis of issues raised

Annex 5: - Technical & operational analysis – Monk Bar Garage

Annex 6: - Technical & operational analysis – 4 Fishergate

Annex 7: - Financial Analysis (Confidential)