

## **REVISED DEVELOPMENT BRIEF FOR THE TERRY'S FACTORY SITE**

### **Summary**

1. The Terry's Draft Development Brief was presented to Members in September 2005 and approved for consultation purposes. The Draft Brief set out the Council's aspirations for the redevelopment of the site, namely an employment-led mixed use development with careful consideration given to its landscape setting, conservation area status and listed buildings.
2. This report describes the consultation process carried out and includes an amended Brief (Appendix 1) which has been compiled through a cross Directorate Project Team in response to concerns and suggestions received by various groups, organisations and individuals. The consultation responses received are set out, with Officer responses and recommendations, as a Background Paper, which has been distributed to Members and is available in the Members library and on the Members drive, and available to the public on the Council's website (<http://www.york.gov.uk/planning/terryst.html>) and in the receptions of The Guildhall and 9 St Leonard's Place.
3. The Brief interprets policies from the City of York Draft Local Plan 2005 (Fourth Set of Changes) – referred to as the Development Control Local Plan - and has been prepared in accordance with national and regional government guidelines. If approved it will be used as guidance in negotiating with developers and progressing any relevant planning and listed building / conservation area consent applications on the site.
4. Members are being asked to approve the attached revised Development Brief as non-statutory draft supplementary planning guidance to the City of York Development Control Local Plan as a basis for negotiating an appropriate scheme to redevelop the site and for considering planning and listed building / conservation area consent applications.

### **Background**

5. In April 2004 Kraft Foods announced the closure of the Terry's factory complex on Bishopthorpe Road, York. The factory finished production and closed in

September of the following year. The site has since been sold to GHT Development LLP (Grantside). The site is now vacant.

6. A report by the Acting Director of Environment and Development Services to the Executive of the City of York Council in July 2004 first set out the Council's position with regard to the future development parameters for the site. The Draft Development Brief for Consultation was based on these parameters.
7. The site lies to the south of the City Centre on the edge of the built up area known as South Bank. The site comprises of two areas either side of Bishopthorpe Road. The area to the west of the road is the main factory site that has a total area of approximately 10 hectares (24.9 acres) and comprises of the original 1920's factory buildings (Grade II listed) and single storey factory and warehouse buildings which have been added to the site in more recent years. Campleshon Road forms the boundary to the north, York Racecourse and Micklegate Stray are situated to the west and open space (Green Belt) to the south which extends towards the A64 and Bishopthorpe.
8. The area situated to the east of Bishopthorpe Road is known as Nun Ings and is slightly larger at 10.45 hectares (25.81 acres). The area sits within the Green Belt identified in the Local Plan. At present the majority of the area is open space apart from 0.86 hectares (2.12 acres) that was used as a car park for staff of the Terry's factory. The Terry's Pump House is located to the north east of this area. This supplied water to the factory. The River Ouse flows to the east, the river bank is in the ownership of the Council. There is a pedestrian link to the river immediately adjacent to the site. Residential development along Bishopthorpe Road forms the built boundary to the north, Bishopthorpe Road lies to the west and open space to the south.
9. The developable site that the Brief addresses is the main factory area to the west of Bishopthorpe Road and, limited by green belt policy, the existing car park to the east of Bishopthorpe Road.

## **Consultation**

10. The Draft Development Brief was presented to Planning Committee and approved for consultation purposes in September 2005. It was duly put on deposit for 8 weeks of public and statutory consultation between October and December 2005. 184 representations were received during this time, making around 1200 separate comments requiring a response. The comments are set out, with Officer responses and recommendations, as a Background Paper.
11. Copies of the Draft Brief were sent to a statutory list of consultees including Yorkshire Forward, the Environment Agency, CABI and English Heritage. Officers attended meetings for groups which had an interest in the document including the Disabled Persons Advisory Group, Conservation Area Advisory Panel and the Open Planning Forum.

12. Copies of the Draft Brief were made available in all local libraries, in the reception of 9 St Leonard's Place and on the Council's webpage. The webpage included details of how to submit comments on the Draft Brief and an electronic response form. There were 1,834 visits to the webpage during the consultation period and the Draft Brief was downloaded 382 times. A letter, summary of the Draft Brief and response form was sent to over 2,000 homes in the South Bank area informing residents of their opportunity to comment on the document.
13. A drop-in day for the local community facilitated by CYC's Community Planning team was held at St Chad's Church Hall in November, attracting approximately 150 visitors. At this event, members of the public had the opportunity to read the document, view display material and speak to Officers involved in the production of the Draft Brief. Officers also spent a day at Knavesmire Primary School helping the Year 5 and 6 pupils understand the importance of the site and exploring its potential for the future as part of their national curriculum work.

## **Analysis**

14. The main issues raised in the consultation on the Draft Brief have been in regard to potential uses, traffic and conservation. Many comments relate to issues that will be addressed through technical assessments which are required to support a planning application and, although not strictly relevant to the consultation on the Brief, they have been noted and will feed into later stages of the planning process.
15. A number of comments focused on the potential impact of development on the Terry's site on traffic levels in the South Bank area, on Bishopthorpe Road and on Bishopthorpe village. The Brief has a whole section on Accessibility, Traffic and Transport which seeks to minimise the impact of traffic from the site on surrounding areas and encourage sustainable forms of transport. Traffic issues, along with car parking, will be considered in detail through a Transport Assessment which is required to accompany a planning application. The requirement for the Assessment is included in the Brief.
16. A number of comments expressed a desire to see the original factory buildings retained and reused, in particular the Clock Tower. The original factory buildings are Grade II listed and the importance of retaining these buildings is reflected in the Brief. The Brief also emphasises the importance of views of the buildings. Many responses highlighted the importance of the trees and the setting of the site and this is reflected in the Brief.
17. There is broad support for the uses set out in the Draft Brief. The main focus for comments was a desire to see employment generating uses, affordable housing, community facilities and a museum or similar to reflect Terry's heritage.
18. The amendments to the Draft Brief include minor clarifications, corrections and updates and, in acknowledgement that section 3 - planning policy - does not adequately reference national and regional planning policy, the section has been redrafted.

19. The clarity of the Draft Brief, in terms of the nature of development that the Council would support, has been questioned, both in responses to the Draft Brief and in discussions with a number of developers who were considering bidding for the site. In considering the economic needs of the City, including land requirements for the growth of Science City York (SCY), and emerging regional planning policy which supports the growth of SCY, it is considered desirable to see a new centre for SCY on the site. While promoting a SCY focused development, the Brief allows flexibility for a range of employment uses to be considered should they be proposed. This large site has capacity to generate a significant number of quality jobs in the SCY sector and a range of other employment uses while allowing for a mix of complementary uses. An appropriate mix of other uses on site would help to create the right environment to attract SCY businesses to the site. The Brief has therefore been revised to refine the emphasis to clarify this position.
20. The revised Brief aims to build on the helpful comments received during the consultation period to provide an up-to-date document which will guide any future development options and proposals for the site. The amendments also aim to clarify the objectives and requirements of the Council.

## **Options**

### **Option 1:**

Approve the Development Brief, as proposed in this report, as the basis for negotiating a masterplanned approach to the redevelopment of the site and considering planning applications and listed building/conservation area consent applications for the site.

### **Option 2:**

Do not approve the Development Brief, as revised, and request a new Development Brief is drafted with an alternative approach.

### **Option 3:**

Do not approve the Development Brief, as revised, and use the policies of the Development Plan (the Regional Spatial Strategy and the Structure Plan) and the Development Control Local Plan as the basis for negotiation and considering applications.

21. In terms of the options set out above, approval of the Brief is recommended to Members. It would provide a clear and consistent basis for negotiating with potential developers and for considering planning applications. The complex nature of the site, the proximity to existing residential areas, the relationship of the site to the racecourse, the size and prominence of the buildings and the conservation interest in the site all require detailed consideration. A number of responses to the Draft Brief expressed support for the approach of a Development Brief itself.
22. Option 2 is not recommended as the Brief follows previous Council decisions to progress it through public consultation. The vision and objectives and potential

uses set out in the Brief have been developed in the context of existing National, Regional and Local planning policy and following extensive public consultation.

23. Option 3 is not recommended. The level of detailed information contained in a Development Brief can better address the complexity of the site, its conservation value and prominence within the landscape. Consultation on the Draft Brief has allowed the public to express initial aspirations and concerns about the future of the site, together with local and national organisations / interests, and these can only be addressed at this stage of the planning process. Further detail progressed through a planning application will be tested against the vision and detailed guidance set out in the approved Brief.

## Corporate Objectives

24. The redevelopment of the site represents a major chance for the York economy and a significant opportunity to create a sustainable community. The Brief aims to further a number of the City's economic aims, including the Community Plan objective of a "Thriving City", the Council's Corporate Aims which seek to "Strengthen and diversify York's economy and improve employment opportunities for York residents", and improve "quality and sustainability, creating a clean and safe environment". Equally the site has the potential to build on York's international reputation as a tourism destination. The Brief highlights the importance of sustainability and has a section dedicated to sustainable development. This seeks to further the Community Strategy Objective of a Sustainable City - "York should be a model sustainable city with a quality built and natural environment and a modern, integrated transport system" - and the Corporate Aim to "Take pride in the city, by improving quality and sustainability, creating a clean and safe environment".

## Implications

- **Financial** - The costs of printing the Brief and other incidental costs will be met from the existing internal budget.
- **Human Resources (HR)** - No HR implications.
- **Equalities** - Equalities considerations have been taken into account in the preparation of the Brief.
- **Legal** - No Legal implications.
- **Crime and Disorder** - Crime and Disorder considerations have been taken into account in the preparation of the Brief.
- **Information Technology (IT)** - No IT implications.

## Risk Management

25. There are no known risks.

## Recommendation

26. Members are recommended to approve the attached revised Development Brief as non-statutory draft supplementary planning guidance to the City of York Development Control Local Plan as a basis for negotiating an appropriate scheme to redevelop the site and for considering planning and listed building / conservation area consent applications.

27. Reasons:

- The redevelopment of the site is an important opportunity to provide quality accommodation for a range of uses that will support the York economy and a Development Brief is considered the most appropriate approach for the Council to set out a vision, objectives and clear guidance for a new sustainable employment led mixed use development to create a community of complementary uses.
- The conservation importance and prominent setting of the site require detailed consideration and a Development Brief is considered the most appropriate approach for the Council to set out the key considerations for the site and requirements of potential developers.

## Contact Details

**Author:**

Ewan Taylor  
City Development Officer  
City Development  
Directorate of City Strategy  
01904 551408

**Chief Officer Responsible for the report:**

Bill Woolley  
Director of City Strategy

Report Approved

Date 16-06-06

**Wards Affected:**

Micklegate, Bishopthorpe, Dringhouses and Woodthorpe

For further information please contact the author of the report.

## Background Papers

City of York Council '*Draft Local Plan incorporating the 4<sup>th</sup> set of changes*' [*Development Control Local Plan*] (April 2005)

Report by the Acting Director of Environment & Development Services to the Executive of the City of York Council (July 2004)

## Draft Development Brief for Terry's Consultation Responses and Officer Recommendations (June 2006)

This Background Paper is a summary of all the comments received during the consultation on the Draft Brief, the organisation/individual who submitted the comment, the CYC Officer response to each individual comment and proposed changes to the Brief where considered appropriate.

## Appendix

Appendix 1 is the revised Brief put forward for consideration and approval.

A number of notations have been used to amend the Draft Brief into the revised document attached to this Committee Report as Appendix 1. Where these notations appear in the Brief, the following information applies:

A number in bold text within square brackets e.g. **[41]**

This number corresponds to a comment number from the tables in the Background Paper. Where such a number appears in the revised Brief, it can be cross referenced to a comment made during the consultation. General updates to the text of the Brief are set out at the end of section tables in the Background Paper and amendments shown in the revised brief notated with the section number e.g. **[S.7U]**

Struck through text (e.g. ~~text~~)

This is text which has been deleted from the Brief either as a result of a comment made during consultation or a general update. This text will not appear in the final version of the Brief.

Bold text (e.g. **text**)

This is text which has been added to the Brief either as a result of a comment made during consultation or a general update. This text will appear in the final version of the Brief.