



## Notice of meeting of

### Planning Committee

**To:** Councillors R Watson (Chair), Bartlett, Blanchard, Cuthbertson, Hill, Horton, Hyman, Jamieson-Ball, Macdonald, Moore, Reid, Simpson-Laing, Smallwood, I Waudby and Wilde

**Date:** Wednesday, 24 January 2007

**Time:** 5.00 pm

**Venue:** The Guildhall, York

### AGENDA

**Site Visits for this meeting will commence at 12:30 pm on Tuesday 23 January 2007 at Union Terrace Car Park**

#### 1. **Declarations of Interest**

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

#### 2. **Minutes** (Pages 3 - 4)

To approve and sign the minutes of the meeting of the Planning Committee held on 18 December 2006.

#### 3. **Public Participation**

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by 5pm the day before the meeting. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

#### **4. Plans List**

This item invites Members to determine the following planning applications:

**a) Car Park Union Terrace York YO31 7ES (06/02325/FULM)**  
(Pages 5 - 40)

Erection of supported residential accommodation with new pedestrian access, associated parking and landscaping including 1.95m high perimeter fence (Guildhall Ward)

**b) Plot 6b Monks Cross Drive Huntington York (06/02541/FULM)**  
(Pages 41 - 52)

Erection of 5 no. two storey and 2 no. three storey office (B1) units including landscaping and car and cycle parking (Huntington & New Earswick)

**c) Nestle Rowntree Haxby Road York YO31 8XY (06/02622/FULM)**  
(Pages 53 - 58)

Extension to west side of existing Kit Kat 5 factory building (Clifton Ward)

#### **5. Nestlé South - Draft Development Brief for Consultation** (Pages 59 - 144)

This report presents a Draft Development Brief for Consultation for the southern part of the Nestlé factory site, Haxby Road, York. Recent job loss announcements at the site have highlighted the need to modernise the main factory complex in order to compete in a global market. This will allow the company to commit to staying in York for the foreseeable future.

Colour copies of the plans attached to this item are available to view at the Guildhall or on the councils website at [www.york.gov.uk](http://www.york.gov.uk)

#### **6. Any other business which the Chair considers urgent under the Local Government Act 1972.**

Democracy Officer:

Name : Sarah Kingston

Contact Details:

- Telephone : 01904 552030
- E-mail : sarah.Kingston@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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**PLANNING COMMITTEE – Wednesday 24 January 2007****SITE VISITS****TUESDAY 23 JANUARY 2007**

<b>TIME</b>	<b>SITE</b>	<b>ITEM</b>
<b>12:30</b>	<b>Car Park Union Terrace</b>	<b>4a</b>
<b>1:10</b>	<b>Coach leaves Union Terrace/Clarence Street coach park</b>	
<b>1:20</b>	<b>6b Monks Cross Drive</b>	<b>4b</b>

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City of York Council

Minutes

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MEETING	PLANNING COMMITTEE
DATE	18 DECEMBER 2006
PRESENT	COUNCILLORS R WATSON (CHAIR), BARTLETT, BLANCHARD, HILL, HORTON, HYMAN, JAMIESON-BALL, MACDONALD, MOORE, REID, SIMPSON-LAING, I WAUDBY AND WILDE
APOLOGIES	COUNCILLORS CUTHBERTSON AND SMALLWOOD

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**34. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

**35. MINUTES**

RESOLVED: That the minutes of the meeting held on 23 November 2006 be approved and signed by the Chair as a correct record.

**36. PUBLIC PARTICIPATION**

It was reported that nobody had registered to speak, under the Council's Public Participation Scheme, in general issues within the remit of this committee.

**37. PLANS LIST**

Members considered a report of the Assistant Director, Planning and Sustainable Development, relating to the following planning application, outlining the proposals and relevant policy considerations and setting out the views and advice of consultees and officers.

**37a. Plot 8a White Rose Way Nether Poppleton York 06/02118/REMM**

Members considered a major reserved matters application, submitted by White Rose Development Enterprises Ltd, for the erection of 8 two storey office workshop units.

Officers updated that the applicants had submitted a sustainability statement, which was distributed to Members for information. The statement addressed relevant paragraphs set out in Policy GP4a of the Local Plan, and highlights the applicants commitment to landscaping, refuse/waste, building fabric, energy, lighting and heating, and water saving.

Officers updated that if Members were minded to approve the application, that they consider including a condition to ensure compliance with the sustainability statement. Officers also clarified that Condition 5 of the report relates to HT1.

Members discussed the design of the units, compliance with all categories of GP4, and issues relating to light pollution and water saving.

RESOLVED: That the application be approved subject to the conditions outlined in the report and the following additional condition:

- The design of all the units shall be in accordance with the contents of the design statement dated 15/12/2006 submitted by the applicants' agent under reference AMP/LH/975-23 which will satisfy the requirements of Policy GP4a.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above and in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity and highway issues. As such the proposal complies with policies GP1, T4, GP4a of the City of York Development Control Draft Local Plan.

COUNCILLOR R WATSON

Chair

The meeting started at 2.00 pm and finished at 2.20 pm.



**COMMITTEE REPORT**

**Committee:** Planning Committee      **Ward:** Guildhall  
**Date:** 24 January 2007      **Parish:** Guildhall Planning Panel

**Reference:** 06/02325/FULM  
**Application at:** Car Park Union Terrace York YO31 7ES  
**For:** Erection of supported residential accommodation with new pedestrian access, associated parking and landscaping including 1.95m high perimeter fence  
**By:** York Housing Association  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 25 January 2007

**1.0 PROPOSAL**

1.1 This application seeks permission to develop the north-west section of Union Terrace car park, to provide supported residential accommodation, with a new pedestrian access, associated vehicle and cycle parking and landscaping and the erection of a 1.95 metre high perimeter fence. The applicant is York Housing Association Ltd. The building will be operated by York Arclight, a charity involved with the assistance, resettlement and care of homeless people in the city.

1.2 The application is supported by a comprehensive Planning Statement, which includes a design and access statement, sustainability statement, archaeological desk-based appraisal, tree report, underground drainage design statement and transport assessment. If planning permission is granted, the proposal will replace the existing Arclight facility at the Bullnose Building in Leeman Road. The application is submitted to meet the requirements of recent Government policies regarding the provision of accommodation for homeless people.

1.3 Following initial responses from consultations, revisions to the original application were made, as follows: (i) elevational changes and a reduced length of building; (ii) amendments to the layout in part of Union Terrace car park, to maintain existing levels of car parking; (iii) an archaeological evaluation, following on from the desk-based study submitted with the original application.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

2.2 Policies:

CYSP3

Safeguarding the Historic Character and Setting of York

CYGP1

Design

CYGP3

Planning against crime

CYGP4A

Sustainability

CYGP4B

Air Quality

CYGP9

Landscaping

CYGP13

Planning Obligations

CYHE2

Development in historic locations

CYHE4

Listed Buildings

CYHE10

Archaeology

CYT12

Coach and Lorry parking

CYT14A

Off-Street Car Parking in the City Centre

CYH4A

Housing Windfalls

CYC1

Criteria for community facilities

### 3.0 CONSULTATIONS

#### INTERNAL

##### 3.1 Highway Network Management

i. The Transport Impact Assessment accompanying the application demonstrates that the development is in a sustainable location, close to several ten minute frequency bus services, and within easy walking and cycling distance of the City Centre.

ii. Car Park Access: the proposed closure of the northern access to Union Terrace car park will divert traffic to the remaining southern entrance. The resulting changes in traffic patterns at peak times on Clarence Street would not cause significant concerns, although there will be an increase in queue lengths at certain times at the remaining exit.

iii. Several items of operational equipment in the car park will need to be relocated or removed, for example lighting columns, pay and display machinery. The applicant has agreed to meet the costs for this pre-development work.

iv. Car Park Capacity: the original proposals meant the loss of 58 car and 2 minibus parking spaces. However, the revised car park layout, with a dual use car/coach parking area, would bring 61 car spaces back into use to meet peak demand. If the proposed multi-storey car park at the District Hospital goes ahead, pressure on Union Terrace car park would be reduced by an estimated 50 spaces per day.

v. There are no highway objections to the application, subject to conditions covering the works prior to development, a method statement for construction and standard highway conditions.

##### 3.2 City Development

The site is not specifically allocated on the Draft Local Plan Proposals Map for the proposed use, which is Class C2. The proposal is required to comply with the relevant Draft Local Plan Policies (these are as set out in Section 2.0 "Policy Context" of this report) and, as such, no policy objection is raised.

##### 3.3 Housing and Adult Social Services

The existing Arclight facility at Leeman Road is in a poor condition and has inadequate facilities. The Council has a strategic responsibility for the provision of accommodation and support to rough sleepers and those that are homeless. Arclight is a key partner providing entry level accommodation and support in line with the prevention of rough sleeping strategy, and is an important partner on the Homelessness Forum. The re-provision of Arclight is a key action in the Council's Housing Strategy, with an essential role in the reduction of rough sleeping and the resettlement process in York.

Housing Services fully supports this application and has worked closely with York Housing Association and Arclight on the redevelopment proposals. Capital grants from both central government and the Housing Corporation have been secured for the scheme, which will be a purpose designed building which will look to the future and meet the aspirations of the customers with a view to a life changing culture through training, IT, medical and counselling facilities. This project will provide homes for 34 people. Whilst in class use C2, it also contributes to the provision of affordable housing in York.

### 3.4 Environmental Protection

- i. Confirmation is given that a Noise Assessment is not required for the scheme.
- ii. Contaminated land issues - Any planning permission should include conditions requiring an appropriate investigation and measures to deal with any contamination that may have resulted from previous uses, and the present car park use, of the site.
- iii. Air Quality - There are no concerns about either the impact of existing air quality on future occupants of Arclight, or the impact of the proposal upon future surrounding air quality.
- iv. Noise and Other Amenity Issues - residents' bedrooms are on the opposite (west elevation) of the building, away from the car park and protected from noise. However, staff bedrooms and lounges (on the east elevation) do face the car park. Even so, it is still unlikely that the noise climate is sufficient to place the site in Noise Exposure Category C or D, which would inhibit residential development. To ensure that there is, indeed, no adverse impact, a condition should be applied for sound attenuation measures and window details.
- v. A condition should be applied requiring details of any air extraction systems, to protect the amenities of occupants of nearby properties.
- vi. Delivery and refuse vehicles will need access to the site, possibly early in the morning. However the nearest residential properties are considered to be far enough away to avoid adverse effects. No condition is requested in this regard.

### 3.5 Urban Design and Conservation

Comments upon the original submission are summarised, together with those upon revisions that were subsequently submitted.

- i. Existing setting: The site adjoins the curtilage of Bootham Park Hospital. The grade I listed hospital buildings are situated within their own landscaped grounds. The hospital chapel (listed grade II and now used as offices) and the line of mature trees immediately within the grounds, as seen from Clarence Street over the clamp brick boundary wall, have considerable amenity value. They enhance the setting of the conservation area, in contrast to the car park itself.

ii. Siting of building: The car park creates an uncharacteristic openness and lack of enclosure in the area. However, it does allow views towards the grounds of Bootham Park Hospital when looking from Clarence Street. The proposed siting of Arclight will remove some of these views. Alternative siting alongside the access road to Union Terrace, would have maintained more of these views, and restored enclosure to the access road itself. However, it is appreciated that there are other considerations, including the functional requirements of the scheme and the amenities of existing residents. On this basis, the siting, as proposed in the application, is reasonable.

iii. The overall massing and height of the building is compatible with its neighbours on Union Terrace. Placing the lower parts of the building to the rear helps to separate the form of the building from the grounds of Bootham Park Hospital. Boundary treatment is important, to "anchor" the building and make it look natural in this location. There were initial concerns about the "woven metal fabric" fence, originally specified in the application. In response, further information submitted indicates a lighter form of fencing, greened by landscaping.

iv. Pedestrian entrance: There were initial concerns about the separate entrance to the building from Clarence Street (rather than using the existing footpath). Following further explanation by the applicant the need for this arrangement is accepted.

v. Roofline: The proposed rooflights (called "lanterns" in the application) provide essential skyline interest, without appearing prominent. The applicant has confirmed that no plant equipment and so on will be added to the roof.

vi. Elevational design: Initial impressions were that the front elevation to Clarence Street could be simplified, by reducing the number of different window sizes and other elements. However, following constructive discussions with the architect, large-scale details are being prepared, because re-assurance is needed that the design concept will be carried through into a quality, cohesive and practical end result.

vii. Materials: Brickwork is proposed for the external elevations. The choice of bricks and their detailed construction needs to be carefully considered. The architects will submit further details and a presentation board for the Committee meeting.

### 3.6 Principal Archaeologist

This site lies inside the Area of Archaeological importance and in an area which has produced significant Roman, medieval, and post-medieval deposits. The site lies on the north side of the medieval walled area, outside the Roman legionary fortress and in a medieval suburb of the City.

The archaeological background is explained in the Archaeological desk-based Assessment prepared by Field Archaeology Specialists and submitted with the planning application. Given the important archaeological background of the site an archaeological evaluation of the proposed footprint of the Arclight Centre was

requested. This request is in line with Policy HE10 and the advice contained in PPG16. The evaluation demonstrated that there are Roman, medieval and 18th and 19th century features and deposits on the site.

The development proposal will have an effect on the archaeological deposits which are preserved within the boundaries of the site. The Roman deposits merit preservation in-situ in line with Policy HE10. Policy HE10 requires that a development destroy less than 5% of the archaeological deposits preserved within the development. A piled or raft foundation with a formation level no deeper than 1m from the current car park surface will meet this requirement. Where excavation works associated with service trenches or other elements of the scheme penetrate into Roman deposits then these must be excavated archaeologically.

Standard conditions should be applied to cover a programme of archaeological work, a watching brief and foundation details; together with a specific condition to protect archaeological deposits below a level of 11.9 m AOD.

### 3.7 Landscape Architect

The proposed building is clear of any overhanging tree canopies, with the largest canopy (Sycamore T5 on the reference plan) overhanging the proposed walled garden area. Given the existing car park wall, service trench and change in level, the building is compatible with adequate root protection. It would be preferable for the proposed connection to the surface water sewer to be re-routed, outside tree canopies. The boundary fencing proposed for the scheme is inappropriate, it needs to complement the architecture of the building.

### 3.8 Sustainability Officer

The green roofs and solar panels proposed are welcomed. However, in general there is no commitment to undertake a BREEAM assessment. To do so would resolve many of the issues put forward in the Sustainability Statement, which currently still require further consideration and confirmation. These include:-

- Whole Life costings : very welcome, but further details needed.
- Bio-climatic design/orientation and solar energy: design measures could improve the efficiency of the building. Sustainable design and construction principles in this regard should have been incorporated at the earliest design stage.
- High Thermal Mass : proposals welcomed, but confirmation of details is required.
- Renewable and Sustainable Energy Systems: the proposals are generally acceptable, but information is needed about heating and ventilation. The scheme will be a high hot water user and a solar thermal system is appropriate. A condition is needed to ensure details are agreed.
- Efficient Use of Water: the proposal for water-efficient appliances is welcomed, but should include water butts. The green roof will help to mitigate the drainage problem, but an alternative would be a rainwater harvesting system. A condition is needed for a detailed feasibility study.
- Horticultural Materials: FSC timber should be used, not just horticultural materials.

- Alternative Construction Techniques: this is welcomed.
- Materials from Renewable/Recycled Sources: welcomed but further details are required.
- Reduction of Site Wastes during Construction and Operation: again welcomed but further details needed.

In conclusion, the Sustainability Statement is welcomed, but more details are needed. If the application is approved the main priorities for sustainable construction and design rest with:

- A BREEAM assessment prior to commencement of work.
- Details of a solar thermal system.
- Feasibility study for rainwater harvesting.

## EXTERNAL

### 3.9 Police Architectural Liaison Officer

The applicants undertook several pre-application consultations with the police. Arclight is a unique development and existing police statistics relevant to the site are of limited value in anticipating the impact of the development. Reported crimes at the existing Arclight premises, and the surrounding Leeman Road area, reflect the average rate of reported crime throughout York generally. The Leeman Road area has not been identified as a mini-zone for burglary or car crime, in contrast to some other areas. On available information recorded crime cannot be attributed to the existing Arclight Centre.

A high standard of robust management systems and agreed protocols for day-to-day operation of the proposed scheme will be critical to its success. This should include ongoing liaison with North Yorkshire Police, and other appropriate agencies, and strong, positive lines of communication with local residents' groups.

As a Yorkshire Housing Association development, the needs of "Secure by Design" must be met, for example for the detailed design of external doors, security lighting, and windows.

### 3.10 Yorkshire Water

Water Supply - can be provided under the terms of the Water Industry Act, 1991.

Waste Water - if planning permission is granted, conditions should be attached, to protect the local aquatic environment and Yorkshire Water infrastructure; including the protection of existing sewers; separate systems of foul and surface water; drainage design details; and surface water discharge to be restricted to the level of run-off as the car park use of the site.

The applicant should approach the relevant drainage authorities, to establish a suitable watercourse for the disposal of surface water. Alternatively, Sustainable Systems (SUDS) may be considered e.g. use of soakaways/permeable hardstanding. If any part of the site, or any basement, is below the level of a

connection into a public sewer, measures may be to avoid flooding of the development.

### 3.11 Conservation Advisory Panel

At its initial meeting, the Panel felt that the elevational treatment indicates a panel fabrication rather than the brick structure that had now been agreed. There was some concern about how this elevational treatment could be achieved in brick. The Panel would prefer to see railings rather than a mesh fence, possibly with thorny shrubs. No objections to the sedum roof but the Panel would like to see further details.

At a further Panel meeting, the architect responded to these concerns. The Panel were satisfied regarding the structural integrity of a brick façade. However, concerns remained about the, as yet, unresolved choice of materials, and some elevational details; together with maintenance, especially of the flat roof and dormer windows. Their comments on the boundary treatment were re-iterated.

### 3.12 Guildhall Planning Panel

No objections. The Panel were impressed by the wealth of explanatory and supporting information provided. However the Panel were concerned about:-

(i) the scale and elevations of the proposal, which are regarded as uninspiring and creating (counter-productively) a heavily underlined institutional identity at this prominent location.

(ii) the absence of more information about the specific materials proposed.

(iii) the type and height of the proposed perimeter fencing, which should be softened (made less stark) by planting along the outer perimeter.

These comments were maintained about the revisions to the scheme.

### 3.13 Neighbours (main consultation expired 2 Jan. 2007, with extra consultation regarding a reference plan, which expires on 18 January)

14 letters of objection (including one letter signed by the occupants of 6 separate properties) and 2 letters of support have been received at the time of writing. Objections are summarised under each of the main issues of concern arising. Most letters specify more than one reason for objecting, as set out below.

#### i. Site Selection

5 letters out of the total of 14 include objections in principle to the selection of the Union Terrace site for Arlight.

- logically, an arrangement with the developers of Hungate and Piccadilly would have provided a suitable long term site.

- the applicants have achieved a scheme which best suits the location they have been given. However all these efforts are being let down by choosing a sub-optimal site, which best suits "political" motives, rather than the true needs of York residents and Arlight users.



- inadequate research of alternative locations, due to tight timescales imposed by meeting funding deadlines. York Central site should be considered, in accordance with the Draft Local Plan Strategy (Chapter 1). Union Terrace should not be deemed suitable by default because of timescales.
- even the Council have said Union Terrace is not the ideal location, but the best on offer.

ii. Loss of Car Parking

9 of the letters of objection (including that signed by the occupants of 6 different properties) are concerned about the loss of car and/or coach parking capacity at Union Terrace. Most comments were made before the submission of the amended flexible layout for car/coach parking.

- Union Terrace in York's main coach park. Visitors' first introduction to York will be the presence of the homeless hostel.
- car park is extremely busy, often acting as an overflow for York Hospital, Bootham Park Hospital and the Psychiatry Unit. The York Hospital reception regularly divert out patients and visitors to Union Terrace, because the hospital car park is inadequate; made worse by refusal of planning permission for a new car park at the Hospital.
- businesses on Clarence Street, including local shops, will lose trade, all year round.
- knock-on effect with unauthorised parking taking place in tenant's designated space.
- loss of spaces will cause chaos and serious traffic problems in the area, particularly Wigginton Road.
- increased pollution and deteriorating air quality in the area through increased congestion, as people seek other car parks or queue for spaces at Union Terrace.
- loss of parking revenue to the City.
- based on research information submitted, the car park will be over-full for 10 months of the year.

iii. Too Many Non-residential Social Facilities in the Area.

7 of the letters of objection (including that signed by the occupants of 6 separate address) included concerns that the area already has a concentration of too many similar social care facilities and institutions. These are listed by people as Bootham Park Hospital, Salvation Army (Gillygate), Mental Health Day Centre (Union Terrace), Sycamore House (Clarence Street), Probation Service (Lowther Street), Cotford Centre, methadone dispensing at pharmacy (Clarence Street).

- area overloaded with institutions.
- potential detrimental impact on local businesses.
- contrary to Policy H17 Residential Institutions.
- proposal will lead to unhealthy concentration of mental health needs and drug use in the locality, with possible threat to local residents and their children.
- adverse impact upon residential amenity.
- local residents already carry a "fair share" of the City's social responsibility. The proposal will lead to a geographic inequality of provision in the City.

iv. Focus for Anti-Social Behaviour

In conjunction with iii. above, six of the letters of objection are concerned specifically about increased crime levels, noises and disturbance, and fears about personal safety resulting from the proposal.

- Arclight will be open all day, every day, also attracting people from other towns, with a serious risk of people hanging around causing noise and nuisance to local residents.
- been suggested that users could bring their dogs, which is unacceptable in an area filled with families and young children.
- insufficient attention given to security of local residents. Crime levels increased in Leeman Road whilst Arclight situated there.
- not saying necessarily that Arclight users will commit crimes, but will attract others who may do so.
- crime may be committed against the Centre impacting upon local residents.
- the existing Arclight is not in a residential area, compared to the proposal. Visitors to the Railway Museum would not be aware that incidents could be reported to Arclight management.
- fear for personal safety and that of vulnerable and elderly neighbours, and for personal property, with convicted criminals living nearby.
- increased drug and alcohol abuse in the area.
- in November 2005, planning permission refused for a hostel in a residential area at Millfield Road, because of comparable concerns about residential amenity.
- will be beacon for anti-social behaviour in Clarence Street - a main route for night-time revellers, and close to Bootham Park where illegal drug activity takes place.
- contravenes Policy C1 - Community Facilities.

v. Impact upon the Setting of Listed Buildings and the Conservation Area.

7 of the letters of objection refer specifically to the adverse impact of the proposal upon the setting of Listed Buildings (mainly Bootham Park Hospital, the former Chapel), the surroundings of Bootham Park and the overall character of the Conservation Area.

- due to its size, the scheme will dominate the skyline and be detrimental to the conservation area, which includes Union Terrace.
- site close to Minster and City Walls, in a tourism area. It contravenes Policy SP3, which seeks to protect the Minster's dominance, at a distance, and the York skyline and roofscape.
- views of Bootham Hospital and the Chapel will be cut off, changing the nature of the area.
- "corridor" effect will result between proposed building and end property of Union Terrace.
- properties in Union Terrace will be overshadowed/dominated, contravening Policy GP1 - Design.
- totally at odds with its location; not addressing the problem of visual impact on the setting of an extremely important group of Listed Buildings. Contravenes PPG15. The proposed ugly building will detract significantly from the setting of the Grade I

Hospital; in itself warranting refusal of planning permission. New building will be only 5 metres from listed boundary wall of Bootham Park.

- the site is flat, emphasising the visual intrusion of a development of this scale upon the conservation area, with materials out of keeping with nearby Victorian Terraces. This contravenes Policy C1 - Community Facilities.

vi. Architectural Design and/or Materials Inappropriate for the site.

9 of the letters of objection (including the letter signed by occupants at several different addresses) consider the design of the building to be unattractive and out of keeping with the surroundings.

- fails to complement the character of Union Terrace, for example the flat roof (and lack of the traditional tiles/slates on a pitched roof) will be an affront. Also makes the solar panels less effective if at a shallow angle. Flat roofs are an abomination.

- the coloured reveals on some windows are structurally and decoratively inappropriate.

- windows should be more regularly spaced to reflect Union Terrace.

- will change the character of the neighbourhood.

- materials out of keeping with surroundings.

- proposed building more institutional than residential, demonstrated by the 2m high fence.

- no attempt to blend in with local housing.

- contravenes Policy C1 - Community Facilities - which states that development should be of a scale and design appropriate to the character and appearance of the area.

- proposed size and nature of building totally out of character with existing architecture in the locality.

- fails to reinforce the local distinctiveness required by PPS1.

- even more unsuitable to the Conservation Area than the hospital's multi-storey car park that was refused.

- concern at use of brick façade: brick soon looks "dated" and in mass looks institutional, contrary to Policy GP1 - Design.

- contravenes Policy HE2 - Development in Historic Locations.

- the high quality, innovative architecture needed for a "flagship" building is not fulfilled. A flagship building should be unlike others in the City, using high quality, unusual materials, details and finishes. Instead the design submitted is driven primarily by cost and ease/speed of build.

vii. Drainage

5 of the letters of objection (including the letter signed by the occupants of six separate properties) state that drainage in the area is inadequate to cope with the development.

- scheme drains cannot be connected into the same drains as Union Terrace and the hospital - the Victorian drainage system in Union Terrace is not adequate to cope with any extra drainage. In August 2004, after a downpour, all basements in Union Terrace were flooded with a mixture of surface water and sewage. In 2005 part of Union Terrace flooded.

- there were no problems prior to the Ripon and St John, and 81 Clarence Street, developments; thus there are great concerns if Arclight is approved as well. Notably, York Council could not obtain drainage details from those developments because they were not dealt with by the Council's Building Control Section.
- situation for residents in Union Terrace will become untenable. Residents are already having difficulties getting insurance.
- one resident in Union Terrace says his basement has flooded with sewage four times in the last 6 years.
- flooding also experienced in Portland Street.
- putting a sedum flat roof on the building is more of an admission of a groundwater and drainage problem, than any contribution to the locality's character.

#### viii. Archaeology

3 letters of objection are concerned about the effects of the proposal upon archaeology, one of which was written after the Archaeological Evaluation was submitted.

- in site selection, Union Terrace claimed to be only one without significant archaeological problems. Yet the planning application mentions significant archaeological remains.
- a desk-based assessment only (as submitted with the original application) is deficient.
- inadequate archaeological evaluation.
- concrete raft foundation would be adequate; any other type of foundation would be a travesty of the duty to protect York's historic and archaeological heritage.
- no mitigation of impact on archaeological deposits.
- application should not be approved until archaeological assessment completed, as important remains have been identified.

#### ix. Air Quality

2 letters of objection include concerns that the residents of Arclight will be subject to pollutants from coaches and cars in Union Terrace; particularly with the cold starting of engines and coaches allowing engines to idle for prolonged periods.

#### x. Other Issues

Individual objections or comments about the scheme were also included in the letters received, as follows:

- No positive commitment to sustainability.
- Support for the CCTV provision.
- Problems for pedestrians crossing Claremont Terrace, because there is no "green man" controlled crossing.
- Concerns about construction noise.
- Union Terrace will be used as a short-cut by Arclight residents to the nearby Spar shop.
- Concern about the effect upon the trees inside the Bootham Park wall.
- The proposed garden layout is too rectangular.

- The proposal will be near a mobile telephone mast, with implications for the health of residents.
- If the scheme is approved, alleys to the rear of both sides of Claremont Terrace should be "alleygated".
- The proposal could be a "green light" for other developments on Union Terrace.

xi. Letters of Support

2 letters of support have been received, saying that Arclight's present facilities are inadequate, that York has an opportunity to take the lead in providing properly for homeless people, and that a new building will make the work easier for the staff and be more useful and comfortable for the residents.

3.14 Site Notice (expired 24 Nov. '06)

No comments that can be attributed directly to the site notice received.

3.15 Press (expired 22 Nov. '06)

No comments that can be attributed directly to the press notice received.

3.16 York St John University

Letters of support have been received from the Vice-Chancellor and the Director of Facilities, They give warm support for this innovative approach to creating purpose-built facilities for Arclight, which will enhance the environment substantially. Earlier view reiterated that there would be benefit in locating this community in the Clarence Street neighbourhood. Possibilities for collaborative working with Arclight are being discussed. Plans given unreserved support, as taking on board the numerous challenges and requirements of the scheme extremely effectively. The development is considered to be welcoming and attractive.

3.17 North Yorkshire and York NHS, Primary Care Trust

Welcome the excellent support for the homeless provided by Arclight. It is right to provide the service within a purpose built building in the community. However, two main concerns are: (i) loss of car parking would severely inconvenience many patients, visitors and staff of the District Hospital and Bootham Hospital. If remaining capacity is not adequate, details are requested of alternative measures (ii) personal safety of staff and vulnerable patients, because security of the hospital building and grounds is already a problem; any increase in risk needs to be avoided.

A further letter was received following consultation upon the amended car parking arrangements. These are welcomed, as removing some of the uncertainty about parking for the hospital, pending further provision upon the hospital's own site. The Council are requested to consider a "movable" bollard system to increase the flexibility between car and coach parking, even further.

3.18 English Heritage

Broadly support the design approach. In the context of the surrounding historic built environment, it would sit comfortably adjacent to the conversation area. The design should be kept simple and the choice of materials is key. It is now also necessary to have regard for the potential for further re-development of this visually prominent car park. Recommend that the application be determined in accordance with national

and local policy guidance, and on the basis of the Council's specialist advice. It is not necessary for English Heritage to be consulted again.

### 3.19 The Salvation Army

A letter has been received on behalf of the Salvation Army Citadel in Gillygate. It asks if Arclight will be large enough to provide offices for the several social workers currently based at the Citadel, at a cost to the ratepayers. An alternative is suggested: that the Council buy and use the Citadel for Arclight, whilst assisting to re-locate the Citadel. Attendees at Sunday services are declining. The Citadel is too isolated from its potential attendees. Sunday parking charges need to be avoided if it is to survive much longer.

## 4.0 APPRAISAL

### 4.1 Key Issues

- A. Site selection for re-locating Arclight.
- B. Relationship with the existing community: safety and security.
- C. Concentration of social/care facilities in the area.
- D. Car/Coach Parking.
- E. Effect upon the setting of Listed Buildings and the Conservation Area.
- F. Architectural Design.
- G. Archaeology.
- H. Drainage.
- I. Air Quality.
- J. Surrounding Highway Network.
- K. Sustainability.

4.2 The POLICY CONTEXT of Government Social and Planning Policy, and Regional and Local Planning Policies is summarised below.

### GOVERNMENT SOCIAL AND PLANNING POLICIES

#### (i) The Homelessness Act 2002

requires local authorities to carry out a homelessness review for their district, and to formulate a strategy for future provision for homeless people.

#### (ii) Sustainable Communities : Settled Homes; Changing Lives (ODPM : March, 2005)

Sets out the Government's new approach to tackling homelessness. It says that "hostels will cease to be a place of last resort, but instead will be centres of excellence and choice which positively change lives".

#### (iii) Hostels Capital Improvement Programme (ODPM : September 2005)

This outlines how the Government will allocate funding and the key outcomes to be delivered.

(iv) PPSI : Delivering Sustainable Development (2005)

PPSI states that one of the Government's aims for sustainable development, which include social progress which recognises the needs of everyone. It stresses the importance of pre-application discussions and community involvement in the planning process. Regarding the physical design of development, good design is seen as a key element in achieving sustainable developments: developments to respond to their local context, to create or reinforce local distinctiveness. Also safe and accessible environments should be created, where crime and disorder, or fear of this, does not undermine quality of life or community cohesion.

(v) PPS3 : Housing (2006)

PPG3 was still operative when the application was submitted but has been superseded by PPG3. It sets out the Government's strategic housing policy objectives, including the need to create sustainable, inclusive, mixed communities.

(vi) PPG13 : Transport (2001)

Promotes more sustainable transport choices and reduced travel needs, especially by car.

(vii) PPG15 : Planning and the Historic Environment (1994)

Provides advice on controls for the protection of historic buildings and conservation areas. This includes the desirability of preserving the setting of listed buildings. It advises that new buildings should respect their context; not necessarily by imitating earlier styles, but by high quality design that creates harmony.

(viii) PPG16 : Archaeology and Planning

Sets out Government policy on archaeological remains and how they should be preserved or recorded.

(ix) Safer Places : the planning system and crime prevention (ODPM : April 2004)

Design and layout measures for crime reduction, as part of creating sustainable communities are outlined : for example well-defined routes and entrances; well-designed security; and management and maintenance.

REGIONAL SPATIAL STRATEGY FOR YORKSHIRE AND THE HUMBER to 2016 (December 2004) - the RSS

Draft Policy YH1 - Overall Approach to the Region - states that growth and change will be managed across places and communities: to create attractive, cohesive and safe places; enhance the built heritage; and improve people's access to housing, employment and other services.

NORTH YORKSHIRE COUNTY STRUCTURE PLAN (1995)

This plan includes Policy H9 - the extension of residential use in and around York's historic core, and Policy E4 - affording protection to areas of special architectural or historic townscape.

#### LOCAL CITY OF YORK SOCIAL AND COMMUNITY POLICIES

(i) City of York Homelessness Review & Strategy 2003-2008

The strategy was prepared in response to the Government's Homelessness Act 2002. It aims to prevent homelessness wherever possible, and ensuring an adequate supply of accommodation and appropriate support for those resettled after homelessness.

(ii) York City Vision & Community Strategy 2004-2004

The strategy includes the aims for: designing out crime in neighbourhoods; creating cohesive communities; and to further develop partnership agreements with the public and voluntary sector to improve health and social care services for the people of York.

#### CITY OF YORK DRAFT LOCAL PLAN POLICIES

Policy SP3 - Safeguarding the Historic Character and Setting of York:  
Gives high priority to the protection of the historic character and setting of York.

Policy GP1 - Design:  
Expects development proposals to respect or enhance the local environment.

Policy GP3 - Planning Against Crime:  
Requires new development to incorporate crime prevention measures, such as natural surveillance of public spaces, satisfactory lighting and CCTV.

Policy GP4a - Sustainability:  
Requires proposals for all development to have regard to the principles of sustainable development: for example contributing towards meeting social needs and to safe and socially inclusive environments; being of high quality design, to conserve and enhance local character and distinctiveness; and maximise the use of renewable resources and renewable energy sources.

Policy GP4b - Air Quality:  
Has a requirement for proposals outside an AQMA (Air Quality Management Area) to assess their impact on air quality, including where car or coach parking is being provided.

Policy GP9 - Landscaping:  
Where appropriate, requires development to incorporate a suitable landscaping scheme.

Policy GP13 - Planning Obligations:



Expects developers, where appropriate, to enter into planning obligations, for example to provide infrastructure and other significant consequences of a proposed development.

### Policy HE2 - Development in Historic Locations:

Requires proposals to respect the setting of listed buildings or conservation areas adjoining the application site.

### Policy HE4 - Listed Buildings:

States that development in the immediate vicinity of listed buildings will only be permitted where there is no adverse effect upon the character, appearance or setting of the building.

### Policy HE10 - Archaeology:

States that development which disturbs existing ground levels on sites within the York City Centre Area of Archaeological Importance will be granted planning permission provided that:

- (a) applicants permit a field evaluation, approved by the Council, to assess the extent and importance of any archaeological remains.
- (b) applicants can demonstrate that less than 5% of any archaeological deposits will be disturbed or destroyed.

### Policy T12 - Coach and Lorry Parking :

States that permission will not be granted for development resulting in a loss of existing off-street coach and lorry parking, without the provision of suitable alternative sites.

### Policy T14a - Off-Street Car Parking in the City Centre :

States that the target level of parking will be kept under review, in relation to both economic and environmental considerations.

### Policy H4a - Housing Windfalls :

States that proposals for residential development, on land not already allocated on the Proposals Map, will be granted permission where the site is vacant, derelict or under-used.

### Policy C1 - Community Facilities :

States that planning permission will be granted for social, health and community facilities, provided the proposal is of appropriate scale and design; and that it meets a recognised need.

## 4.3 BACKGROUND TO THE CURRENT PROPOSALS

The sequence of events leading to the proposals are summarised below.

- (i) The purpose-designed 1980's building, adjoining the Black Swan, in Peasholme Green provides accommodation for up to 22 homeless people. However, street counts in 1999 identified that provision was needed for 19-40

people. Thus in December 1999, the Arclight charity was established in the Bullnose Building, Leeman Road. It has continued there through renewals of the original temporary planning permission. In July 2005, Arclight also opened Baseline in Piccadilly, although this is a non-residential facility.

(ii) All three sites are affected by redevelopment proposals, within the foreseeable future. In any event, the Bullnose Building can only provide basic dormitory accommodation, falling far short of what the legislation now demands. Thus Arclight worked with York Housing Association (YHA) and the City Council, to consider potential locations for a new facility; culminating in Union Terrace being selected by the Council's Executive as the site upon which YHA should submit a planning application. This decision also committed YHA to help in setting up, and be part of, the Residents' Liaison Group, to discuss safety, security and the actual building location within the car park. The relocation of the Peasholme Green building is also being pursued by the Council and the Peasholme charity.

(iii) Different locations for the building within the car park were considered. The final choice, as submitted in the application, was influenced by balancing various factors that arose during pre-application consultations; including archaeology, air quality, car park management and comments from the Residents' Liaison Group.

(iv) The type of facility for homeless people now needed to meet the requirements of the Homelessness Act 2002, and related Government legislation, is described in the Planning Statement submitted in support of the application. In essence accommodation must no longer be just a place where a disadvantaged person is able to sleep for the night. It must be a facility that provides a raft of activities and services in-situ, which are designed to help people reintegrate into mainstream society, with the ultimate aim of eradicating the problem of homelessness. Government policy requires new facilities to be "centres of excellence and choice" and "places of change".

(v) The statement also explains that Arclight's work and "ethos" is exactly in line with Government thinking. It is not just about providing an overnight stay and leaving residents to their own devices. It is about creating a managed and secure environment, that provides for the welfare and rehabilitation of homeless people. These aims are to be realised through the range of facilities provided in the proposed scheme, combined with its physical design and layout. Arclight works very closely at the front line with statutory and voluntary bodies on service delivery, including the Police, Health Trusts and the Council, to deal with homelessness in York. It has a management team of 4, with 22 full and part time workers and 2 volunteer coordinators.

#### 4.4 THE APPLICATION SITE

i. The site occupies 0.196 hectares of land in the north-west section of Union Terrace car park, which has a total area of 1.2 hectares. The north-west boundary of the site follows the 2m high brick boundary wall, which currently encloses the grounds of Bootham Park Hospital. The north-east and narrower "end" of the site adjoins the access road to Union Terrace and the Hospital. A new tree-lined pedestrian route is proposed, through the existing car park, to link the front entrance

and courtyard of the new building directly to Clarence Street. The proposed building is three-storeys high, with single and two storey extensions to the rear. These are designed like "arms" to create an enclosed rear garden adjoining the Bootham Park boundary wall.

ii. The scheme content includes 35 resident bedrooms on the ground, first and second floors; with staff accommodation and residents' facilities, including café, workshops, training and IT rooms, meeting spaces, gymnasium, healthcare, one-to-one rooms, reception suite and offices. Three vehicle parking spaces are provided for operational needs, reached via the access road to Union Terrace. Eight cycle parking spaces are provided. The site boundary would be formed by a 1.95 m high fence, to separate the development from the car park, with associated landscaping.

iii. The application site itself and the car park are not within the Central Historic Core Conservation Area. However, the north-west side of the site, and part of its north-east end, do immediately adjoin the conservation area, which includes Bootham Park Hospital and the west side of Union Terrace. The Hospital building is listed Grade I and approximately 125 m west of the application site; with the former chapel to the Hospital, a Grade II Listed Building now used as offices, 30 m to the west. A row of mature trees within Bootham Park grounds, running alongside the boundary wall, are a strong landscape feature and setting for the grounds.

iv. The Planning Statement explains that siting the facility in the north-west section of the car park balances the various locational constraints with the need for a harmonious and, as far as possible, quiet environment; enabling residents to feel that a new start is possible, thereby encouraging them to engage fully with the resettlement programmes and initiatives.

v. The original scheme would have meant the loss of 58 car parking spaces at Union Terrace, based upon current arrangements for car and coach parking. However, revised proposals for the operation of the remaining car park will enable cars to share part of the coach park area, matching seasonal demands. This will enable overall car and coach parking levels to be maintained.

#### 4.5 Key Issue A. SITE SELECTION FOR RE-LOCATING ARCLIGHT

i. It is stressed that this application must be considered on its own merits, in relation to the particular site and planning issues raised by the application. However, some objectors are concerned that alternative sites have not been researched sufficiently and that, for example, Hungate, Piccadilly or York Central would have provided long-term solutions.

ii. Site selection has involved the City Council, York Arclight and York Housing Association (YHA) working together throughout. Initially in 2005, a feasibility study was carried out to use the former Shipton Street School site, and consultations undertaken with local residents. However, difficulties in resolving the various issues that arose led YHA to withdraw from this site.

iii. A major exercise was undertaken during 2006 to identify potential alternative sites, consult with the public and consider reports at the Council's Executive

Committee. Thirty-six sites were considered in all, as a first stage. Each site needed to meet 13 criteria. Of these 3 criteria were of paramount importance (a) availability within the funding timescale decided by DCLG (Department of Communities and Local Government), meaning a start on site by March 2007 to benefit from the £1.65 m being made available for facilities in York (b) size (c) location e.g. within easy walking distance of the city centre. Only four sites met these essential criteria and were short-listed; Union Terrace, Marygate and Nunnery Lane car parks and 17-21 Piccadilly. Additional information and technical evaluation was then provided in each case. The exercise was extensive and Executive Members finally resolved that the Arclight planning application should be submitted for Union Terrace. Regarding Piccadilly, which was specifically mentioned by an objector, problems were foreseen in providing the accommodation needed in a manageable form with very little, if any external communal space. In addition, finding a retail partner for the ground floor presented practical and timescale problems.

#### 4.6 Key Issue B. RELATIONSHIP WITH THE EXISTING COMMUNITY: SAFETY AND SECURITY

i. The Planning Statement with the application explains that the applicants (York Housing Association) and Arclight undertook pre-application consultations with the Police and the Local Residents' Group, giving serious consideration to security issues. As a result the scheme incorporates a range of physical design and management measures to help to address residents' concerns about security.

ii. The objections received about this issue from the local community include concerns about the area becoming a focus for anti-social behaviour, with fears for personal safety; and that Arclight will be located much nearer to residential properties than the existing Leeman Road premises. Officers appreciate that concerns still remain, following the pre-application consultations. In response, the various safety and security measures that have been brought forward in the application are summarised below:-

- Fundamental to Arclight's work is providing on-site facilities and support, encouraging residents not to wander the streets. This will help to encourage residents to take part in activities within the complex, and minimise the effect on the surrounding area.

- 24 hour supervision by Arclight staff will help to ensure minimum disturbance to local residents from activities within the building.

- CCTV, including coverage of the courtyard entrance, will enable staff to exercise control over comings and goings from the premises.

- The new separate pedestrian entrance from Clarence Street will direct the movement of Arclight users away from nearby houses in Union Terrace.

- Boundary treatment, lighting and controlled access points are designed with security in mind.

- Arclight is committed to continuing involvement in the Residents' Liaison Group, along with representatives of the local community, local councillors, the Police and the Safer York Partnership. This Group would facilitate discussion and action on safety and security.

iii. The Police say that reported crimes in Leeman Road, where Arclight has been for almost seven years, are no higher than the average that would be normally found in the area. It is accepted that the nearest dwellings in Leeman Road are considerably further away, at approximately 300 metres, than at Union Terrace. However, the existing Arclight adjoins the National Railway Museum, with its attendant pedestrian flows.

iv. Clarence Street: Local people who have objected are also concerned about worsening social conditions in Clarence Street, a main route for late-night revellers. However, Clarence Street is a well-lit route and Arclight is set well back from Clarence Street, with its own pedestrian access. There is CCTV coverage in the area and Arclight will also incorporate further CCTV.

v. Bootham Park Hospital: Resident fears have also been expressed that the presence of Arclight may worsen the use of Bootham Park grounds for illegal drug activity. The applicant states that the grounds are checked regularly by the Salvation Army Early Intervention team, who immediately alert the relevant agencies. The North Yorkshire and York NHS Primary Care Trust, whilst supporting the application, also say that security of the hospital and grounds is already a problem for the safety of staff and vulnerable patients; and that any increase in risk should be avoided. The Planning Statement says that Arclight have discussed these concerns with the Hospital and the potential for joint working is under discussion. Arclight have expressed willingness to provide regular checks in the grounds with the Hospital management.

vi. An objector refers to the refusal of planning permission for a hostel (Millfield Lodge) in a residential area at Millfield Road in November 2005, and is concerned this a comparable case to Arclight. However, the application involved was for a terraced house, rather than a freestanding facility, with a completely different function and operational working from Arclight. The premises were Bed and Breakfast accommodation for homeless people. They were not supervised on a 24 hour basis and there were no other facilities for residents on the site.

vii. Officers consider that the applicant has addressed local residents' concerns with a range of security measures, that will minimise effects upon the community, as much as possible. Because a new type of facility is being proposed, it is not possible for the Police to quantify exactly what its impact will be. However, with robust management systems for the operation of Arclight, and based upon their assessment of Arclight in Leeman Road, the Police support the scheme. The scheme evolved with the support of the Police in principle. During pre-application discussions, the Safer York Partnership expressed support for the proposals in a letter of 2 October 2006. At the Council's Executive meeting on 2 May 2006, the Police spokesperson said Arclight was well run, and that it actually contributed to reducing crime overall. If the application is approved, continued liaison with residents, the Police and other agencies is essential to resolve any problems that

may arise. Arclight is committed to this. However, officers suggest that planning conditions for the details of physical measures, such as CCTV be complemented by a Section 106 Agreement, requiring details of the Liaison Group to be agreed with the City Council.

#### 4.7 Key Issue C. CONCENTRATION OF SOCIAL/CARE FACILITIES IN THE AREA

i. Objectors are concerned that Arclight will cause an over-concentration of social and care facilities in the locality; to the detriment of residential amenity and local businesses. Some residents quote Policy H17, which states that planning permission will not be granted for residential institutions, if the resulting concentration of residential institutions in the area is likely to have an adverse impact.

ii. The facilities are listed as Bootham Park Hospital, Cotford Centre, Salvation Army (Gillygate), the Mental Health Day Centre (Union Terrace), Sycamore House (Clarence Street), Probation Service (Lowther Street), and methadone dispensing at Clarence Street pharmacy.

iii. Except for Bootham Park Hospital, all the other facilities are thought to be non-residential institutions and cannot be likened to Arclight, therefore there is no conflict with Policy H17. As discussed in Key Issue B, a range of measures and 24 hour supervision at Arclight is proposed, so that there will be as little impact as possible upon resident amenity. In addition Arclight will be a freestanding building, positioned to avoid overlooking towards residential properties and with its own points of access. The Police support the application, and say that the Arclight in Leeman Road has not caused raised levels of crime.

#### 4.8 Key Issue D. CAR/COACH PARKING

i. The Arclight scheme takes up the spaces occupied by 58 spaces in the car park. The original submission was not accompanied by any measures to offset this loss. This led to objections, particularly about effects upon outpatients and visitors to York Hospital and Bootham Hospital, upon local businesses in Clarence Street and increased traffic problems in the area.

ii. In response, the applicant's transport consultant was asked to explore some shared usage of the adjoining coach parking area by cars. Spare capacity can be found there for many days in the year. Conversely when coach demand is higher, car parking demand falls away at that time of year. The consultant's answer is to provide dual use of the southern section of the coach park, controlled by removable bollards. A new link at the southern end of the coach park from the main car park area, would facilitate this. The result would be 12 permanent coach spaces, plus a further 26 when needed. For cars an additional 61 spaces could be deployed when required. A further gain of six spaces is also made adjoining the southern boundary of the application site. The applicant has agreed to fund the necessary changes in the car park layout and to operational equipment. If the proposed multi-storey car park at York Hospital goes ahead, pressure upon Union Terrace car park would be reduced, by an estimated 50 spaces per day.

#### 4.9 Key Issue E. EFFECT UPON THE SETTING OF LISTED BUILDINGS and the CONSERVATION AREA

i. The supporting Planning Statement which includes the Design and Access Statement prepared by the architect, sets out how the urban design and architectural treatment of the scheme has evolved to respect both the historic context and the existing urban grain. The height and long narrow shape of the main three storey building seek to restore the alignment of the original early-mid 19th century terraced properties that existed before the car park. The building would be "greened" by landscaping the edges around it; creating a softer setting in the expanse of the car park on the one hand; and relating to the strongly treed edge and parkland character of Bootham Park, on the other.

ii. Objectors consider there will be an adverse impact upon the historic setting and the Conservation Area : that the scheme will be dominant; cut off views towards the Hospital; be too close to the listed boundary wall of Bootham Park; all contravening PPG15. The Planning Panel is also concerned that the building will have an institutional identity in this prominent location. However, English Heritage and the Conservation Architect consider, in principle, that the scheme is compatible with its setting.

iii. PPG15 requires authorities to preserve the setting of listed buildings and conservation areas. The Draft Local Plan follows this through with specific policies to protect and enhance the historic environment. Officers believe that the siting and overall form of the scheme does respect its historic context. It restores the traditional urban grain and street pattern, whilst creating a building with sufficient presence, in the unhelpful open expanse of the car park, to add to the townscape qualities of the area and "reinforce local distinctiveness" as sought in PPS1. It is also considered that the openness of the car park will still allow some views across to Bootham Park from Clarence Street. Also, it has to be said that this openness is not characteristic, because for the greater part of the period from the 1820's, the area had a tight-knit urban terraced form. It only came about through demolishing Union Terrace. Siting the building alongside the Bootham Park boundary wall also helps to "anchor" the scheme within the car park. The single and two-storey extensions to the rear of the main building, and the enclosed, sheltered rear garden allow the listed wall and new scheme to relate sympathetically.

#### 4.10 Key Issue F. ARCHITECTURAL DESIGN

i. The proposal is a contemporary, brick building. The Architect seeks to achieve a modern interpretation of Union Terrace. The pattern of windows on the front elevation is random, because it follows the internal room layout, as a means of creating an interesting elevation. Windows at the rear (facing Bootham Park) are more regularly spaced, with a modern interpretation of traditional wooden shutters, to draw across at night. The roof would be flat and clothed in sedum planting. Along the roof, "lanterns" sit over each top floor bedroom. They give extra light to the room and complement the dormers and chimneys of the pitched roofs of Union Terrace. The lanterns are zinc clad, through which the Architect wishes to reflect the use of material and craftwork found in York's traditional lead work. The overall height of the proposal is designed to respect Union Terrace. The proposed eaves are a little

higher, but the top of the lanterns relate very closely to the ridgeline of Union Terrace (at 9.90 m).

ii. Objectors are concerned that the scheme fails to blend in, and to complement Union Terrace and the historic context; for example, of the flat roof, window design and some materials. In contrast, one objector says the design does not go far enough towards the high quality and innovation sought in a "flagship" scheme.

iii. PPG15 advises that the design of new buildings in an historic context needs very careful consideration and respect for that context but this does not mean the new has to copy older neighbours in every detail. PPG15 recognises that a variety of styles, materials and forms of construction can form a harmonious group. Officers consider that the form, scale and elevational design concept is appropriate for the site. The rhythm and shape of the windows reflect the interest and elegance of the traditional terrace, in a contemporary way suited to the purpose of the building. The large-scale elevational details requested by the Conservation Architect and further details of the fencing will be reported at the meeting. These are necessary to show how the architectural concept will be carried through into a cohesive and practical end result.

#### 4.11 Key Issue G. ARCHAEOLOGY

i. The original application included a desk-based archaeological assessment, which explained the archaeological background of the site. Because of its importance, the Council's Archaeologist requested an archaeological Evaluation of the area covered by the footprint of Arclight, in line with Policy HE10 and advice in PPG16. The evaluation demonstrated that there are Roman, medieval, post-medieval and 18th and 19th century features and deposits on this site. Roman deposits consist of dumps of material representing landscaping or levelling activity. There is a hint of larger features on the site, although none were observed in the small evaluation trenches. The medieval and post-medieval deposits all indicate that the site was open ground. Only in the late 18th or early 19th century, when Union Terrace was laid out, did the site witness significant construction work. In 1972, Union Terrace was partially demolished and the cellars of the houses backfilled with demolition rubble, and the car park laid out.

ii. One of the reasons for the proposed siting of Arclight in the north-west section of the car park, was the greater potential for finding significant archaeology in the southern part. In addition, the building deliberately follows the alignment of the former Union Terrace, to reduce the impact on Archaeology. The Archaeologist is satisfied with the outcome of the Evaluation, subject to conditions being applied.

iii. One of the objectors considers that the Evaluation under-estimates the importance of the Roman remains, and suggests that a concrete raft foundation is needed. The Council's Archaeologist will report further at the meeting upon this.

#### 4.12 Key Issue H. DRAINAGE

i. Yorkshire Water records show two public sewers close to the application site: a combined surface and foul water sewer running across the middle of the car park,



towards Union Terrace; and a surface water sewer running parallel to, and just inside, the Bootham Park boundary wall. Yorkshire Water require separate systems to discharge foul and surface water from the development; using the existing sewers.

ii. Residents of Union Terrace are very concerned about the development being connected to the sewer used by Union Terrace, which they fear would be overloaded. In 2004, after a downpour, all basements in Union Terrace were flooded with a mixture of surface water and sewage. Part of the Terrace flooded again in 2005. Residents say they encounter difficulties in getting insurance. A resident also refers to flooding in Portland Street.

iii. The applicant's drainage consultant has responded to these concerns, to the effect that the development will actually reduce the likelihood of flooding, the cause of which is not known for certain at this stage. Investigations indicate that the car park drains via the combined sewer in the car park itself, heading towards Union Terrace. However, the surface water from the development will be diverted away from this, into the sewer in the Hospital grounds. This will reduce the discharge into the car park sewer. The foul water from the development would still have to go into the car park sewer, but will be a relatively small part of the total run-off going into that sewer. The consultant estimates peak foul water discharge to be 3.0 - 3.5 litres per second, compared with 30 litres per second from the car park surface. Thus there is still an overall reduction, and potential benefit for Union Terrace.

iv. The consultant does say that the exact location of the sewer in the Hospital grounds has yet to be established. In the event of not being able to locate the sewer, it would be necessary to connect the development's foul and surface water discharge into the combined sewer in the car park. From discussions to date with Yorkshire Water, the consultant says this is acceptable in principle. The sedum roof and landscaping of the scheme will also reduce the run-off of surface water, compared with the car park. However, the preferred solution is to completely take surface water away, to the other sewer, and the applicant is working to this end.

#### 4.13 Key Issue I. AIR QUALITY

i. Some objectors express concern about this, especially with vehicles starting up from cold next to the application site. Environmental Protection are satisfied that the air quality for residents is acceptable, taking into account the adjoining car and coach park for the following reasons:

- Data taken in the Air Quality Management Area (AQMA), at the roadside on Clarence Street, shows the level is below the government's health based 40 ug/m<sup>3</sup>, annual average objective level.

- The proposed building is more than 10 m from the carriageway, so pollution levels at the site will be reducing from that level.

- Residents' bedrooms are on the west elevation, away from the car park, and so are screened from the vehicle emissions from coaches or cars idling. The one resident bedroom window on the east elevation, at first floor level, does not give rise

to concerns from Environmental Protection (Neighbourhood Services). The two staff bedrooms on the east elevation, facing the car park, are at first and second floor respectively. As such they are less likely to be affected by the car park use.

#### 4.14 Key Issue J. SURROUNDING HIGHWAY NETWORK

i. An objector is concerned that the entrance to Claremont Terrace from Lord Mayor's Walk/Gillygate has no "green man" pedestrian indicator and people do not have enough time to cross the road. Yet, this is a main route for pedestrians between the car/coach park and the City Centre. The objector considers that additional pedestrian flows from the development will compound the problem, unless a pedestrian indicator and longer traffic light delay is provided. The comments of Highway Management will be made at the meeting.

ii. Concerns have been expressed about congestion occurring at the southern access/exit point of the car park, when the northern point is closed. However, Highway Management consider, from surveys taken at these locations, that the increases at the southern point would not cause significant concerns; although there will inevitably be an increase in exit queue lengths at certain times.

#### 4.14 Key Issue J. SUSTAINABILITY

i. A Sustainability Statement forms part of the planning submission. It states that the design of the structure and its services are focussed towards reducing whole life costs, by the following:-

- Materials will be self-finished surfaces wherever possible, not needing future maintenance, painting etc.
- Robust fixtures and fittings to reduce maintenance and replacement.
- Building services geared to producing a low energy/low carbon installation.
- External walls of brick, with floors likely to be concrete planks, to create a relatively high thermal mass, i.e. high capacity to store and regulate internal heat.
- Insulation to exceed Building Regulation requirements by at least 10%.
- Sedum roof : reducing heat loss in winter, helping to restrict storm water run-off, absorption of air-borne pollutants.
- Detailed study to be undertaken for using solar thermal panels, photovoltaic panels, and combined heat and power plant.
- Detailed study of every way in which water will be used, to save consumption and energy.
- Evaluation of harvesting of rainwater and grey water.

ii. An objector considers that there is no positive commitment to sustainability in the scheme.

iii. The Sustainability Officer welcomes the proposals, but has set out where further details and evaluation are required. A response is being sought from the applicant. A further report will be made at the meeting, including suggested conditions to address Sustainability.

## 5.0 CONCLUSION

5.1 Government legislation places a duty upon Councils to provide accommodation for homeless people. The facilities to be provided must become centres of excellence and choice, with a range of activities and services, ultimately aimed at preventing people from becoming homeless again. At the local level, the York City Vision and Community Strategy aims to develop further the provision of social care services and create cohesive communities. Government Planning Policies include the Planning Policy Guidance notes (PPG's), some of which are updated to the new Planning Policy Statements (PPS's). Their guidance relates directly to the range of community and physical design issues in this application.

5.2 The above legislation and guidance are material considerations to be taken into account in considering the application. There was an extensive site selection process, leading up to the submission of this application. However, the application must be considered on its own merits, on the basis of the planning issues involved. It is necessary to balance the need to meet policy requirements with any potential adverse impacts of the scheme, and meet the requirements of the York draft local plan policies.

5.3 Arlight is a unique development proposal. The application has benefited from considerable pre-application consultations and discussions. The applicant has responded in a positive manner to the concerns expressed at that stage and during consideration of the application itself; as well as to the challenge of developing on part of an extensive car park, set in a strong historic context.

5.4 Officers consider that, subject to the large-scale design details and further information materials and boundary fencing, the proposed scheme respects the urban streetscape and historic context, of which it would become a part. The architectural design is innovative and with its landscape setting, will create a welcoming building; adding to local distinctiveness, and uplifting the visual qualities of the open expanse of car park. Subject to further details, the proposal includes sustainability measures within the design.

5.5 It is appreciated that there is local concern about the impact of the scheme upon security and social conditions in the area. The applicant has responded with a range of physical design and management measures, intended to minimise any impact. This involves the setting up of a Liaison Group which would include local residents, Bootham Hospital, the Police and York St John's College and other representatives, and the robust management, which the Police Architectural Liaison Officer sees as being critical to the success of the scheme. Officers consider that the applicant has taken all the practical steps currently available regarding security, and that the Liaison Group is essential to deal with any day-to-day or longer-term issues that may arise.

5.6 During the course of the application, subject to any necessary further information, practical solutions are proposed for the remaining key issues: the need to maintain car/coach parking provision; for a drainage system that will not worsen conditions in Union Terrace; planning conditions to protect the archaeological

heritage; safety of the highway network; and the living conditions for residents within the scheme.

5.7 In conclusion, officers believe that, subject to the suggested conditions, the Arclight scheme has brought together, in an innovative and sympathetic manner, the need to provide a centre of excellence for the homeless; whilst responding to its physical context and putting in place measures to minimise any impact upon the local community. An up-date will be given upon outstanding issues at the meeting, further conditions as necessary and a draft Section 106 Agreement. On this basis, the proposal is considered to accord with Policies H9 and E4 of the North Yorkshire Structure Plan and York Draft Local Plan policies SP3, GP1, GP3, GP4a, GP4b, GP9, GP13, HE2, HE4, HE10, T12, T14a, H4a and C1.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve subject to Section 106 Agreement

- |   |   |  |
|---|---|--|
| 1 | TIME2   | Development start within three years     |
| 2 | PLANS2  | Apprvd plans and other submitted details |
| 3 | VISQ2   | IN Large scale details required          |
| 4 | VISQ4   | Boundary details to be supplied          |
| 5 | VISQ8   | Samples of exterior materials to be app  |
| 6 | VISQ10  | Details of External services to be app   |
| 7 | <p>The development hereby permitted shall not come into use until the following works have been carried out in accordance with details which have previously been submitted to and approved in writing by the LPA, or arrangements entered into which ensure the same.</p> <ul style="list-style-type: none"> <li>- the relocation of two existing lighting units situated alongside the north-western boundary wall.</li> <li>- the re-siting of a CCTV camera assembly situated in the north-west corner of the car park.</li> <li>- the re-siting of pay and display equipment which currently lies within the development site.</li> <li>- the removal of height barrier equipment from the northern entrance of the car park.</li> <li>- the removal of bollards from the area of the northern entrance to the car park.</li> <li>- the relocation of motor cycle parking stands.</li> <li>- any changes or remarking of the car park arising from this development proposal.</li> </ul> |  |

Reason: To ensure a satisfactory layout in the car park.

- 8 Prior to any works commencing, details shall be agreed in writing with the LPA of measures to provide dual use parking within the existing coach park area, as shown on the applicant's submitted drawing no Fig 4 rev. A. Once agreed, the works themselves shall be undertaken at the expense of the applicant, to an agreed timetable.  
Reason : To minimise the loss of public parking facilities arising from this development.

9 HWAY9 Vehicle areas surfaced

10 HWAY14 Access to be approved, details reqd

11 HWAY19 Car and cycle parking laid out

12 HWAY21 Internal turning areas to be provided

13 HWAY31 No mud on highway during construction

14 HWAY40 Dilapidation survey

- 15 Prior to the commencement of any works, a detailed method of works statement shall be submitted to and agreed in writing with the Local Planning Authority. This statement shall include the precautions to be taken to ensure the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the demolition and construction material, and the hours during which this will be permitted.  
Reason: to ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent public highway.

- 16 A desk study shall be undertaken dating back to 1800 where possible, in order to identify any potentially contaminative uses which have or are currently occurring on the site. This shall include a site description and a site walkover and shall be submitted to and approved by the local planning authority prior to development of the site.  
Reason: to protect human health and the wider environment.

- 17 A site investigation shall be undertaken based upon the findings of the desk study. The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on the site.  
Reason: to protect human health and the wider environment.

- 18 A risk-based remedial strategy shall be developed based on the findings of the site investigation. The remedial strategy shall be submitted to and

approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing on site.  
Reason: to protect human health and the wider environment.

- 19 A validation report shall be submitted to and approved by the local planning authority, detailing sample locations and contaminant concentrations prior to any development commencing on site.  
Reason: to protect human health and the wider environment.
- 20 Any contamination detected during site works that has not been considered within the remedial strategy shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site. A timetable of proposed remedial works shall be submitted to the local planning authority prior to any works being undertaken on the site.  
Reason: to protect human health and the wider environment.
- 21 The building envelope of all buildings with a façade onto Union Terrace car park shall be constructed so as to provide sound attenuation against external noise of not less than 36 dB(A), with windows shut and other means of ventilation provided. Windows should take the form of non-opening, fixed glazing with mechanical ventilation from an area away from the car park. The detailed scheme shall be approved by the local planning authority and fully implemented before the use hereby approved is constructed.  
Reason: to protect the occupants from noise.
- 22 Any kitchen extraction system proposed by the applicant must be adequate for the treatment and extraction of fumes so that there is no adverse impact on the amenity of occupiers of nearby premises by reason of fumes, odour or noise. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for approval; once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.  
Reason: to prevent the amenity of nearby occupiers of premises.
- 23 Details of all machinery, plant and equipment to be installed in the proposed premises, which are audible outside the site boundary, and the proposed noise mitigation measures, shall be submitted to the local planning authority. These details shall include maximum ( $L_{max}(f)$ ) and average ( $L_{Aeq}$ ) sound levels (A weighted), and octave band noise levels they produce. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be appropriately maintained thereafter.  
Reason: to protect the amenity of occupiers of nearby buildings.

- 24 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs to be planted. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

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

- 25 LAND3 Protection of existing planting

- 26 Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the 300 mm sewer, which crosses the site.  
Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 4.0 (four) metres either side of the centre line of the 410 x 440 mm sewer, which also crosses the site.  
Reason: in order to allow sufficient access for maintenance and repair work at all times.

- 27 The site shall be developed with separate systems of drainage for foul and surface water on and off site.  
Reason: in the interest of satisfactory and sustainable drainage.

- 28 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.  
Reason: to ensure that the development can be properly drained.

- 29 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.  
Reason: to ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

- 30 NOISE8 Restricted hours of work

- 31 ARCH1 Archaeological programme required

- 32 ARCH2 Watching brief required

- 33 ARCH3 Foundation design required

- 34 No destruction or disturbance shall be made to archaeological deposits below the level of 11.9 m AOD, except for that caused by the boring or auguring of piles for the building foundation, and except for that caused by any other operations which have been agreed in writing by the Assistant Director (Planning and Sustainable Development) in advance of such operations being carried out.  
Reason : This development will have an effect on important archaeological deposits which are preserved within the site and this effect must comply with the York Draft Local Plan Policy HE10.
- 35 Prior to the commencement of works upon the site, details of physical security measures shall be agreed in writing with the Local Planning Authority, and thereafter retained in place at all times, unless otherwise agreed in writing with the Local Planning Authority. The measures shall include CCTV coverage, lighting, controlled access points and measures to meet "Secured by Design" standards.  
Reason: In the interests of the safety and well-being of residents within the scheme and in the existing community.
- 36 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 9.9 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.  
Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

**7.0 INFORMATIVES:  
Notes to Applicant**

1. The permission hereby granted is subject to a Section 106 Agreement.
2. REASON FOR APPROVAL:

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, particularly the following: the setting of adjoining listed buildings and the conservation area; impact upon the safety and security of the local community; coach and car parking provision; the archaeological heritage; drainage conditions in and around the application site; air quality for future residents; effects upon the surrounding highway network; and sustainability issues. As such the proposal complies with Policies H9 and E4 of the North Yorkshire County Structure Plan (Alterations No 3 Adopted 1995) and Policies SP3, GP1, GP3, GP4a, GP4b, GP9, GP13, HE2, HE4, HE10, T12, T14a, H4a and C1 of City of York Draft Development Control Local Plan.

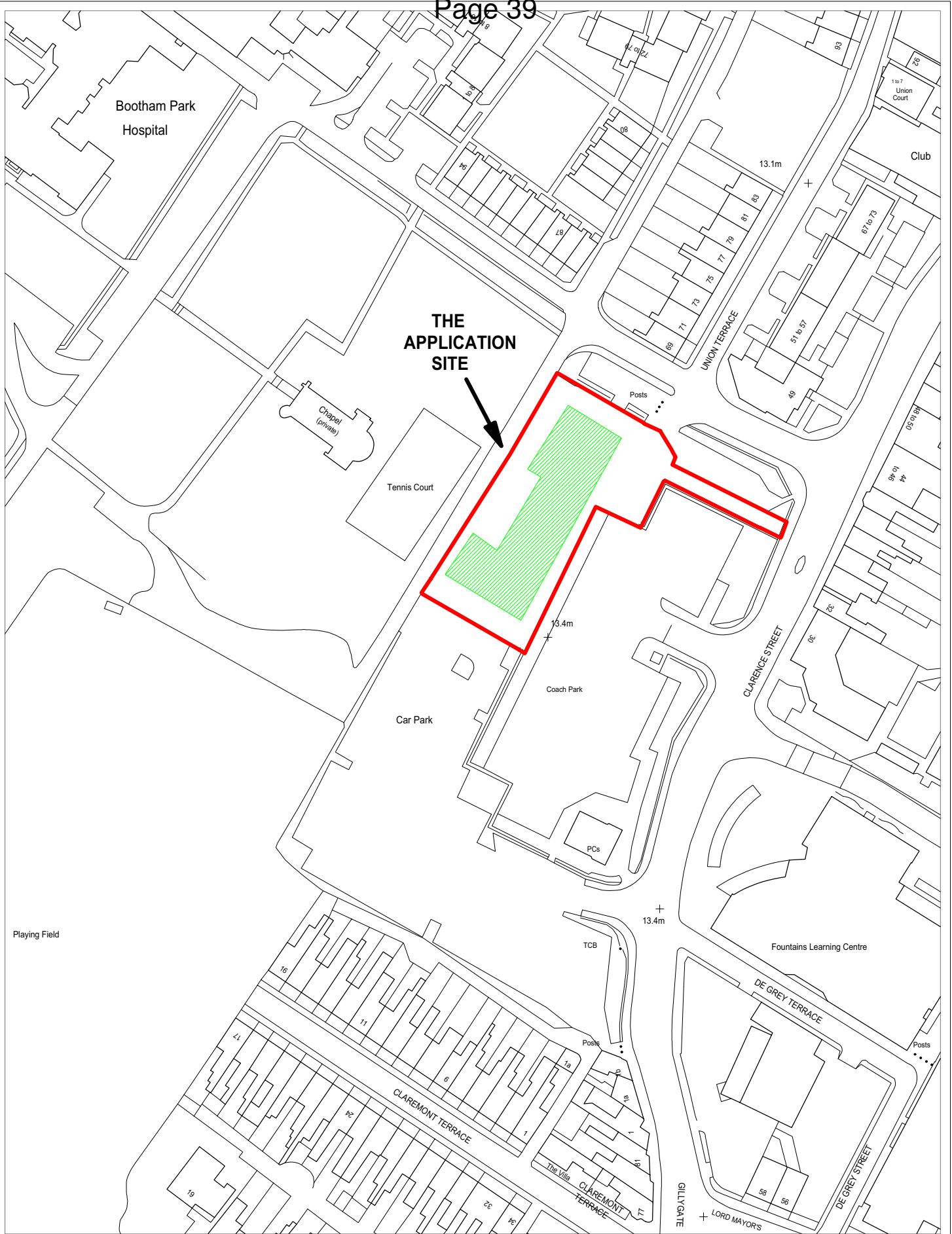


**Contact details:**

**Author:** Chris Newsome Development Control Officer

**Tel No:** 01904 551673

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PROPOSED YORK ARC LIGHT, UNION TERRACE - 06/02325/FULM

SCALE	NTS	DRAWN BY	PSL	DATE	16/1/2007
Originating Group		Project		Drawing No.	

9, St. Leonards Place, York, YO1 2ET  
Telephone: 01904 613161

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City of York Council LA 1000 20818

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**COMMITTEE REPORT**

**Committee:** Planning and Transport      **Ward:**      Huntington/New Earswick  
**Date:**      24 January 2007      **Parish:**      Huntington Parish Council

**Reference:**      06/02541/FULM  
**Application at:**      Plot 6b Monks Cross Drive Huntington York  
**For:**      Erection of 5 no. two storey and 2 no. three storey office (B1) units including landscaping and car and cycle parking  
**By:**      Monks Cross Partnership  
**Application Type:**      Major Full Application (13 weeks)  
**Target Date:**      20 February 2007

**1.0 PROPOSAL**

1.1 This is a full planning application for development of office buildings on a 0.6 hectare site adjacent Monks Cross Drive. The site is situated north of the Monks Cross Shopping park and west of Norwich Union building.

1.2 The proposed development would provide 3,793 square metres of floor space (gross) arranged as 7 independent units with floor space sizes ranging from 167 sqm to 1470 square metres (gross). A shower is provided in each unit. These units are proposed to be arranged as two buildings located on the periphery of the site with car parking and a small amenity area arranged centrally. Buildings would rise to two storeys on the north and west sides and three storeys fronting Monks Cross Drive.

1.3 Vehicular access is proposed to be from the northeast corner of the site via the existing road network and pedestrian linkage would be provided north/south through the site providing direct pedestrian routes to the bus stop on Monks Cross Drive and towards the shopping park.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Premier Employment

2.2 Policies:

GP1 - Design  
 GP4A - Sustainability  
 T4 - Cycle parking standards  
 T13 - Car park standards in York CC/District C  
 SP8 - Reducing dependence on the car  
 GP9 - Landscaping  
 SP9 - Action Areas  
 NE2 - Rivers and Stream Corridors, Ponds and Wetland Habitats

NE5B - Avoidance of, Mitigation and Compensation for Harm to Designated Nature Conservation Sites

NE6 - Species protected by law

NE7 - Habitat protection and creation

E1A - Premier Employment Sites

E4 - Employment development on unallocated land

### 3.0 CONSULTATIONS

#### INTERNAL

3.1 HIGHWAYS NETWORK MANAGEMENT: The site is to be accessed via an existing adoptable highway from Monks Cross Drive, which is considered suitable in terms of width and visibility.

The transport and traffic implications of the site have been considered as part of the Monks Cross Masterplan. In line with the member approved Masterplan officers have secured a financial contribution of £33.6k which will be used towards works highlighted in the plan and will be secured through a S106 Agreement.

In terms of design the layout provides adequate manoeuvring space for vehicles likely to be associated with the site. Car parking has been provided in accordance with CYC maximum standards and covered and secure cycle parking has been indicated and will be secured by condition.

A segregated pedestrian link is provided which will provide a safe direct route for those arriving by non car modes.

[Three recommended conditions are attached as conditions 4, 5 and 6].

3.2 ENVIRONMENTAL PROTECTION UNIT: The proposed development site is not within the City of York Council's Air Quality Management Area (AQMA) and the introduction of office space to this location would not result in any requirement to extend the AQMA beyond its current boundary. It is understood that a traffic assessment was not specifically required for this development as this site falls within the Monks Cross Transport Master Plan Area, as such it is assumed that traffic movements have been agreed with the CYC Highways Department. With regard to the impact of this development on air quality, this Unit has no concerns however should permission be granted, I would request that the parking facilities associated with the development of this site should reflect the Council's minimum parking standard. Where fugitive dust is likely to be produced during the construction of the development, I would request that the developers attention be drawn to the informative at the end of this response which I would request is placed on the permission.

The previous use of the application site as given in the application and as shown on historical maps available to this Unit indicate it is unlikely that contamination of the land has occurred during the previous uses of the site however, should permission be granted, I would request that condition 1 below be placed on the permission to

ensure that any areas of potential contamination which are found during the development are adequately addressed.

Finally there are no noise sensitive properties in the vicinity of the application site except the farmhouse at Pigeoncote Farm which is in a derelict state and is not currently occupied however, it could be brought back into use as a residential property. To protect any future occupants of the adjacent residential property, I would request that condition 2 be placed on the permission to minimise the potential disturbance to the occupants of the residential property. However, should the applicant wish to alter the proposed hours from those given I would be able to discuss them as the application request "normal office hours" rather than specifying the required hours.

Recommended conditions:

1. [attached as condition 7]
2. The use hereby permitted shall be confined to the following hours:

Monday to Friday	0700 to 1900
Saturday	0700 to 1300
Sundays and Bank Holidays	not at all

reason: to protect the amenity of nearby residents. [see section 4.5 for commentary]

3.3 LANDSCAPE OFFICER: If the proposed landscape features are to have a significant, positive impact on the amenity of the development and hence well-being of employees, there needs to be the space with which to achieve it. The shape of the pond could have a better relationship with the building that necessitated its existence. The pond is in a good location as it marks the 'entrance' route to the three plots. Therefore it should be a striking feature rather than an incidental domestic style pond.

The southwest corner of block 6B is only just over 2m from the edge of the footpath. The stepping out element of the building to mark the corner is thus not reinforced by the landscape. In total I feel that the buildings are slightly too big for the plot, resulting in a dissatisfactory landscape solution, which, given the ever increasing uniform mass of Monks Cross, is important to get right.

This plan will not satisfy the requirement to provide a landscape scheme as requested under policy GP9. I would like to see the following changes/additions implemented:

There needs to be far more trees throughout the site, using a range of species and stock sizes, to include mostly native species around the perimeter such as Oak, Pine, Birch, Ash, Field Maple, Holly and Hawthorn and also to include a small proportion of fast growing Willow and Alder for instant impact. These should be in dense groups rather than the sparse lines that are illustrated, arranged so that the groups frame the buildings as viewed from Monks Cross Drive. A similar large group should be located at the end of the car park cul-de sac (south east of unit A).

The parking courtyard presents a massive space in which a large tree canopy can flourish. Therefore I would like to see the occasional specimen tree incorporated into the scheme, utilising species such as *Platanus x hispanicus*, *Fagus sylvatica/purpurea*, *Quercus* spp. *Fraxinus* var.

This has to be high impact planting to give the buildings a better than basic setting with an eye on its long term value as well as immediate effect.

The path running north-south through the scheme should have single species tree planting at least on one side of the pavement, along all three sections to highlight the route and give it some meaning.

I feel it would be best if the evergreen hedge to the central seating area was tight up against the car park boundary such that users of the space would benefit the most from the planting within it (unless the planting to the rear of the proposed hedge is taller than the hedge).

Whilst I realise there is already a row of trees along the abutting boundary of the Norwich union plot, I think there is scope to include more tree planting along this verge. The trees are slow to grow, not all will survive and short-term impact is required; trees can be thinned later. Therefore I would like to see some additional native species (possibly feathereds) planted along this boundary.

3.4 COUNTRYSIDE OFFICER: The effect of the development on Great Crested Newts, if it went ahead unhindered is minimal. The delay caused [in requiring further survey work] therefore could well be considered unreasonable and not in the 'spirit' of the legislation. This is particularly the case when, even if newts were found, we would not be considering retention on site because of the isolation that such a population would suffer. We would therefore be looking at mitigation in any event. In this particular case, because of the past survey indicating the restricted nature of the population, the sub optimal nature of the habitat and the likelihood of requiring off site works even if present, I concur with the view that suitable conditions could be attached that would better serve the interests of any Great Crested Newt population. Such conditions would include the need for a survey and suitable site management mitigation to reduce the likelihood of any newts being affected. It should also include for the provision of compensatory aquatic habitat in the vicinity of the development although not on site. This habitat should be established in a location which will not be compromised by future development and will equally serve a wider area and enhance the overall connectivity of the disparate newt population in the area. I am happy to advice on such conditions. I accept that this is a pragmatic approach that is open to interpretation, however, the 'special' characteristics of the site are such as to justify this assessment and should not set precedents for other sites except where the circumstances are similar.

## EXTERNAL

3.5 FOSS INTERNAL DRAINAGE BOARD: The site lies within the Board's District within an area that suffers from problems in relation to the discharge of surface



water. It is stated within the application that the proposed method of surface water discharge is to "main drains via storage tank". We assume that the "main drains" that are mentioned are those that serve the "Monks Cross" development and discharge into Pigeon Cote Dyke via a storage system and pumping station. If the water authority can confirm that the site can be discharged via this existing flood storage facility without increasing flood risk then the Board has no objection to the proposals. If the water authority cannot confirm that this is the case then the Board lodges an objection to the proposals until the applicant can provide a suitable method of surface water disposal without increasing the flood risk.

To summarise, the Board recommends that any approval granted to the proposed development includes the following considerations:

The Applicant states that surface water will be discharged to public sewer. If the relevant Water Company or its Agents cannot confirm that there is adequate spare capacity in the existing flow regulation system, the Applicant should be requested to re-submit amended proposals showing how it is proposed to drain the Site. The Applicant should also provide details on the potential effect that the proposed discharge may have on the receiving watercourse.

3.6 HUNTINGTON PARISH COUNCIL: No objection in principle but the following concerns are raised. i) inadequate parking, ii) inadequate disabled parking, iii) impact on surrounding transport system including Jockey Lane, and iv) poor design, although compatible with neighbouring buildings the proposed building is 'influenced by the adjacent Norwich Union Building' and will not enhance the area.

3.7 PUBLICITY: The application has been advertised by site notice that expired on 3 January 2007 and a press notice: No public comment has been received.

#### **4.0 APPRAISAL**

4.1 The site is allocated in the Draft City of York local Plan (policy E1a) as a premier employment site, this designation extending across a wider area including currently undeveloped areas to the north of Monks Cross. An application for outline planning consent for that area (ref. 03/02829/OUT) was refused consent by the Secretary of State following call in. Policy E3 of the Regional Spatial Strategy (RSS) supports the designation of 12 Premium sites in the region within the size range of 15-40 hectares. However, given the decision on the land north of Monks Cross the Draft Local Plan designation is effectively reduced to an area much smaller than that which is supported the RSS and is also fragmented. For this reason no objection is raised to the application regarding the premier employment designation in the Local Plan and the application is considered to be properly tested against the policies for B1 uses (i.e. the sequential test for location as set out in PPS6 and reflected by policy S7a of the Draft City of York Local Plan).

4.2 The applicant has submitted a sequential test to demonstrate no locationally preferable sites (city centre and edge of centre) suitable for the size and characteristics of the development proposed are available within a reasonable timescale. The proposed B1 development of the application site, which is within the

urban area and bounded on all side by developed land and designated for development in the Draft Local Plan, is therefore considered acceptable in principle in accordance with the aims of PPS6 and policy S7a of the Draft City of York Local Plan.

## TRANSPORT

4.3 Access to the site is of an adequate standard and the transport implications of development of the site have been considered in the adoption of the Monks Cross Transport Masterplan. A contribution of £33,600 towards the Monks Cross Transport Masterplan has been agreed by the applicant. Condition 11 and Informative 3 are recommended to be attached to any consent to secure this payment. The layout proposed provides adequately for car parking and cycle parking on the site and for access thereto. Cycle parking is located where it can be directly overlooked from windows and a shower is provided in each unit. As such the proposals are considered to accord with Policies SP8, T13 and T4 of the Draft City of York Local Plan and the aims of PPS1 and PPG13.

## DRAINAGE

4.4 The comments of the Foss Internal Drainage Board are noted. Condition 8 which requires approval of a detailed drainage scheme is recommended to be attached to any consent so as the issues raised can be satisfactorily addressed.

## AMENITY.

4.5 Pigeoncote Farm stands adjacent to the site to the west and whilst currently not used as a residential building the amenity of possible future residential occupiers is raised by the Environmental Protection Unit. The use hereby proposed is B1 and as such defined as a use that is acceptable as a neighbour use to residential uses. For this reason it is not considered reasonable or necessary to restrict the hours of operation of the B1 use.

The key issues are considered to be the Design and Landscaping, and Ecology.

## DESIGN AND LANDSCAPING

4.6 The site lies immediately north of the Monks Cross Shopping Park and adjacent to the three storey Norwich Union Building. To the north is a two storey office development and north beyond that open countryside. Pigeoncote farm and the cement works adjoin the site boundary to the west. The site has been cleared with few features of note remaining. An electricity substation stands on the site and two ponds have recently been formed.

4.7 The scale and massing of the proposed buildings, by dropping to two storeys on the northern side of the site relate well in scale to neighbouring buildings. Given the height of existing development to the east and south the scale of proposed three storey elements fronting Monks Cross Drive are considered acceptable.

4.9 The development provides a landscaped path through the site, and through the central amenity space, to the bus stop on Monks Cross Drive on the southern edge of the site. Whilst the scheme incorporates a high proportion of built development and hard standing to green space the scheme is not dissimilar in this respect to other office developments in the area. Given this and the emphasis on in planning guidance making best use of land it is not considered that the low level of soft landscaping in itself is a sufficient reason to refuse this application. The implementation of a landscape scheme including tall tree species will soften longer range views of the site. The layout of the site incorporates spaces for landscape planting a detailed scheme of which can be secured by condition. The Landscape Architects comments regards planting are noted.

4.10 The detailed design of the building reflects function and incorporates design features on a more human scale than the neighbouring Norwich Union building. The design addresses the two prominent corners on Monks Cross Drive with glazed corner sections and the frontage block is split in two sections with the eastern part being splayed to open views towards the Norwich Union site where the building is set further back from the road.

4.11 As such the proposals are considered to accord with the Policies GP1 of the Draft City of York Local Plan and the aims of PPS1. Provided that recommended condition 10 is attached to any consent to secure a detailed landscaping scheme it is considered that the proposals accord with Policy GP9 of the Draft City of York Local Plan.

## ECOLOGY

4.12 The comments of the Countryside Officer are noted. Survey and assessment work carried out indicate that there is a very high possibility that Great Crested Newts will be present on this site. However any population that was found would be isolated and hence off-site rather than on-site mitigation would be desirable. Hence, under the peculiar circumstances of this case, a condition requiring further detailed survey work to inform an off-site mitigation strategy (including the creation of compensatory aquatic habitat) is considered to acceptably address the issues raised by the potential presence of this protected species identified by the survey work carried out thus far. As such the proposals are considered to accord with Policies NE2, NE6 and NE7 of the Draft City of York Local Plan and the aims of PPS1 and PPS9.

## 5.0 CONCLUSION

5.1 It is considered that the proposal, subject to the conditions listed below, would not cause undue harm to interests of acknowledged importance, with particular reference to protect species, the operation of the transport network, residential amenity, the character and appearance of the area or the proper drainage of the area. As such the proposal complies with Policies GP1, GP4A, T4, T13, SP8, GP9, SP9, NE2, NE6, NE7, E1A and E4 of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4, PPS6, PPS9, PPG13, PPG24 and PPS25 and is hence recommended for approval subject to the conditions listed below.

**6.0 RECOMMENDATION:** Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing Number A746.2006.PL.02 revision A Received 21 November 2006  
Drawing Number A746.2006.PL.03 revision A Received 21 November 2006  
Drawing Number A746.2006.PL.04 Received 21 November 2006  
Drawing Number A746.2006.PL.05 Received 21 November 2006  
Drawing Number LL01 received 8 December 2006

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

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

Reason: So as to achieve a visually cohesive appearance.

- 4 HWAY18 Cycle parking details to be agreed
- 5 HWAY19 Car and cycle parking laid out
- 6 The site shall hereafter be occupied in accordance with the aims, measures and outcomes of a Travel Plan which shall be submitted to and approved in writing by the LPA.

Reason: To ensure the development complies with advice contained in PPG13(Transport) and in policy T20 of the City of York Local Plan, and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site together with parking on site for these users.

- 7 Any contamination detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development on site.

reason: To protect the health and safety of workers on site, future occupiers of the site and the integrity of any proposed underground services

- 8 Details of systems for foul and surface water drainage shall be submitted to and approved in writing by the local planning authority. The approved drainage systems

shall be implemented on site before the buildings hereby approved are first brought into use.

Reason: In the interests of the proper and sustainable drainage of the site.

- 9 No development shall commence on site until a scheme of mitigation for the effects of the development on great crested newts has been submitted to and approved in writing by the local planning authority. The scheme of mitigation shall include a timetable for the implementation of the mitigation measures. The scheme of mitigation shall be informed by the results of a full great crested newt survey carried out during April and May following the most recent survey guidelines (English Nature Great Crested Newt Mitigation Guidelines).

Reason: In the interests of nature conservation and the protection of the habitat and population of a Protected Species.

- 10 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of six months of the occupation of the development. Any trees or plants which within a period of five years from the occupation of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

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

- 11 No development shall commence unless and until a scheme to ensure the provision of adequate transport improvement and mitigation measures has been submitted to and approved by the local planning authority.

Reason: To protect the safe and proper operation of the highway network.

## **7.0 INFORMATIVES:**

### **1. REASON FOR APPROVAL**

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, , would not cause undue harm to interests of acknowledged importance, with particular reference to protect species, the operation of the transport network, residential amenity, the character and appearance of the area or the proper drainage of the area. As such the proposal complies with Policies GP1, GP4A, T4, T13, SP8, GP9, SP9, NE2, NE6, NE7, E1A and E4 of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4, PPS6, PPS9, PPG13, PPG24 and PPS25.

### **2. Demolition and Construction Informative:**

- i) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

ii) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

iii) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

iv) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

v) Any asbestos containing materials shall be removed by licensed contractors to a licensed disposal site.

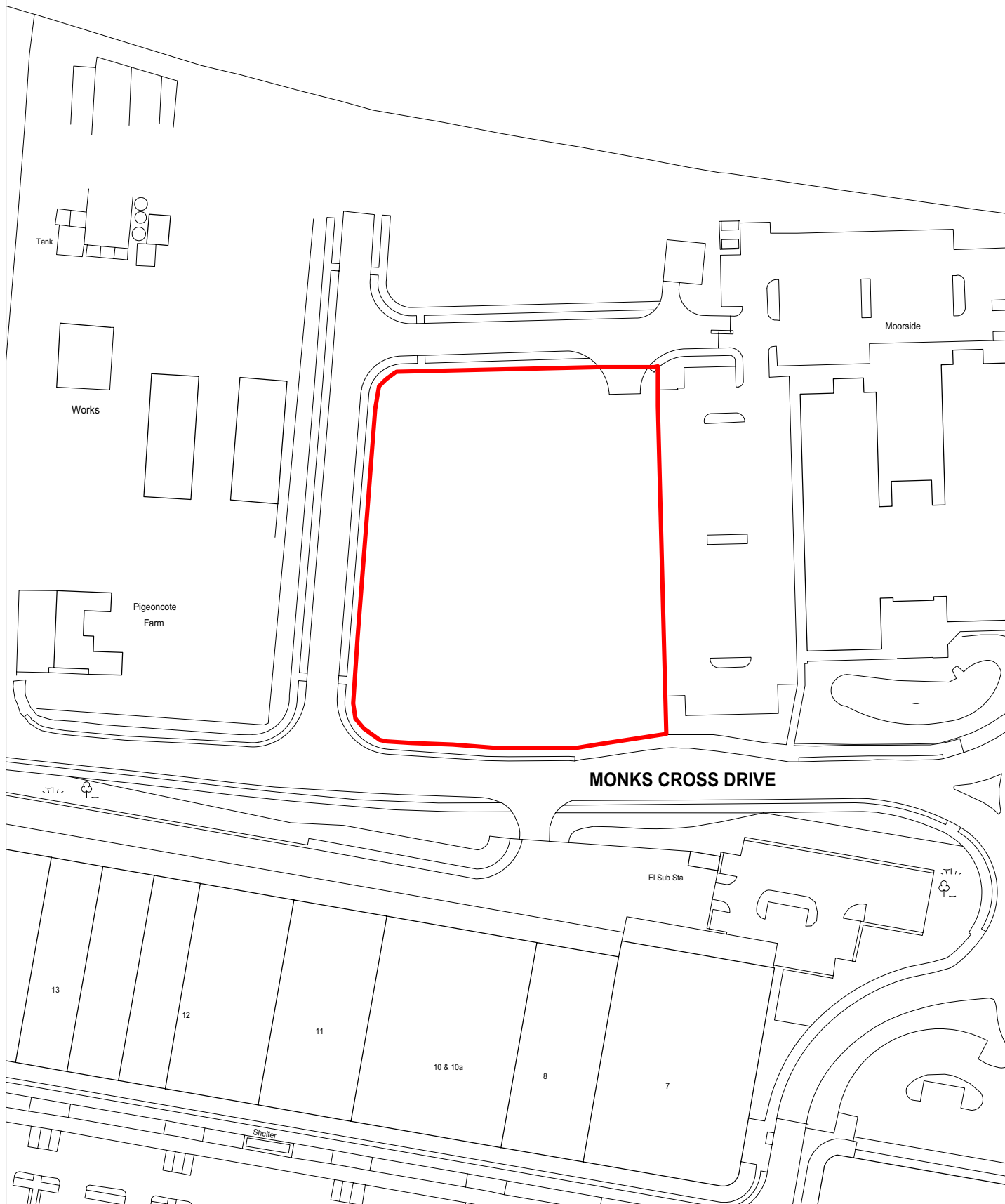
vi) There shall be no bonfires on the site.

### 3. TRANSPORT MEASURES INFORMATIVE:

The provisions condition 11 could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, The obligation should provide for a financial contribution calculated at £33,600. The basis for this calculation is contained within adopted Monks Cross Transport masterplan. No development can take place on this site until the condition ahs been has been discharged and you are reminded of the Local Planning Authority's enforcement powers in this regard.

**Contact details:**

**Author:** Howard Smith Development Control Officer  
**Tel No:** 01904 551352



CITY OF  
**YORK**  
COUNCIL

**PLOT 6B, MONKS CROSS DRIVE - 06/02541/FULM**

SCALE 1:1250  
Originating Group

DRAWN BY PSL  
Project

DATE 16/1/2007  
Drawing No.



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**COMMITTEE REPORT**

**Committee:** Planning and Transport      **Ward:** Clifton  
**Date:** 24 January 2007                      **Parish:** Clifton Planning Panel

**Reference:** 06/02622/FULM  
**Application at:** Nestle Rowntree Haxby Road York YO31 8XY  
**For:** Extension to west side of existing Kit Kat 5 factory building  
**By:** S Hartley  
**Application Type:** Full Application  
**Target Date:** 27 February 2007

**1.0 PROPOSAL**

1.1 This is a full planning application for an extension to building 'Kit Kat 5' within the Nestle Rowntree factory site on Haxby Road.

1.2 The extension will measure 100 metres long by 46 metres wide and 9.5 metres to the parapet edge with that parapet surrounding and masking shallow pitch roofs.

1.3 The proposed development will extend the existing 'Kit Kat 5' building to the west onto the adjacent area of hard standing.

1.4 Two existing brick buildings with a total floor area of 1283 square metres are identified for demolition. No planning consent is required for the demolition of these buildings.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

None.

2.2 Policies:

GP1 - Design  
GP4a – Sustainability  
SP8 - Reducing dependence on the car  
T4 - Cycle parking standards  
T13 - Car park standards in York CC/District C  
E3B - Existing and Proposed Employment Sites

**3.0 CONSULTATIONS**

INTERNAL

3.1 HIGHWAYS NETWORK MANAGEMENT: The application is for the extension of an existing Kit Kat production building. Information supplied by the applicant indicates that there is to be no increase in staffing nor traffic generated by the site as a result of the proposed extension. Based upon this information officers do not raise an objection in highways terms to the proposal.

3.2 ENVIRONMENTAL PROTECTION UNIT: The site is currently regulated by a permit issued by the Environment Agency, which controls emissions to air including noise, any changes required in the permit will be dealt with by the Environment Agency directly with the applicant. However I would confirm that having reviewed this application this Unit has no comments to make as the extension to the building as it is within the factory site and does not bring any activities closer to residential properties, neither will it impact on the air quality of the area.

#### EXTERNAL

3.3 CLIFTON PLANNING PANEL: No objections.

3.4 PUBLICITY: The application has been advertised by site notice and this expired on 3 January 2007. No public comment has been received.

#### 4.0 APPRAISAL

4.1 This application is brought to the Planning and Transport Committee as the net increase in floor space is 3,317 square metres.

4.2 The proposals will allow for the reconfiguration of existing processes on the site and the applicant has stated that no additional vehicular movements and no increase in staff numbers will result from the proposed development. The proposals are for an extension to an existing building for the production of chocolate bars which falls within the established B2 general industrial use of the site.

#### ENVIRONMENTAL IMPACT

4.3 The site lies in Flood Zone One as defined by the Environment Agency where risk of flooding is low and EA standing advice applies. The proposed development extends the existing building onto a sealed and positively drained hard standing. As such there is not considered to be a net increase in surface water run off or increase in the rate of run off. Emissions to air, including noise, are controlled by the Environment Agency under separate legislation, however CYC Environmental Protection Unit advise that there will be no impact on air quality or nuisance to residential properties through noise.

#### VISUAL IMPACT

4.4 The proposed extension is relatively utilitarian in appearance and reflects the design of recent buildings within the factory complex and the industrial function of the proposed building. The proposed extension is centrally located within the factory complex screened from public view by existing buildings.

## 5.0 CONCLUSION

5.1 For the reasons given above the proposal, subject to the conditions listed below, would not cause undue harm to interests of acknowledged importance, with particular reference to the visual amenity of the area, the living conditions of occupiers of nearby dwellings, flooding or highway safety. As such the proposal complies with Policies GP1, SP8, E3b of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4 and PPS25. The application is therefore recommended for approval.

## 6.0 RECOMMENDATION: Approve

- 1 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing Number 573/06A received 28 November 2006  
Drawing Number 573/01 received 28 November 2006  
Drawing Number 573/04A received 28 November 2006  
Drawing Number 573/03D received 28 November 2006  
Drawing Number 573/02C received 28 November 2006

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

- 2 TIME2 Development start within three years
- 3 The materials to be used externally shall be in accordance with those specified on the approved plans unless otherwise agreed in writing with the Local Planning Authority.

Reason: To achieve a visually acceptable form of development.

## 7.0 INFORMATIVES:

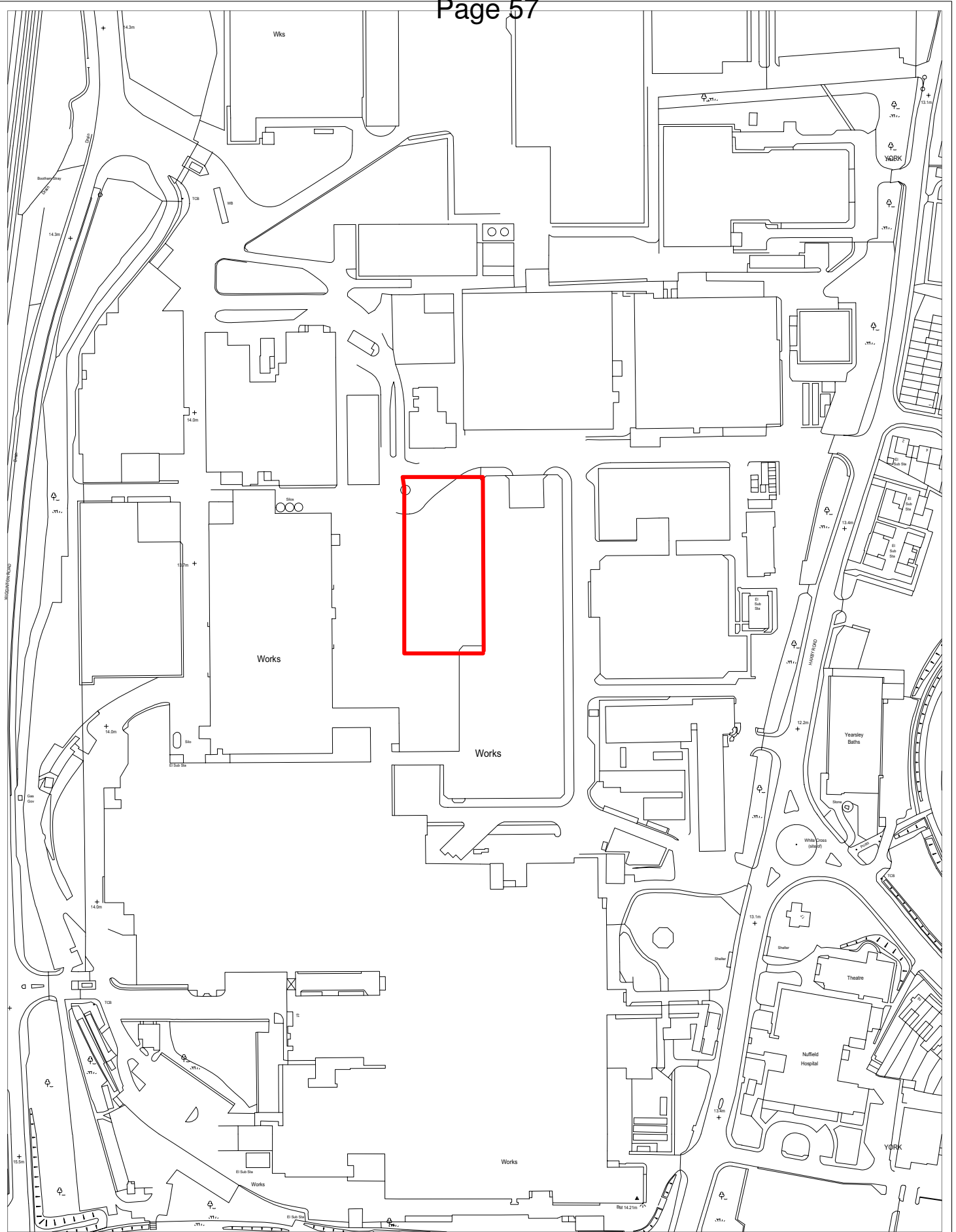
### 1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the visual amenity of the area, the living conditions of occupiers of nearby dwellings, flooding or highway safety. As such the proposal complies with Policies GP1, SP8, E3b of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4 and PPS25.

**Contact details:**

**Author:** Howard Smith Development Control Officer

**Tel No:** 01904 551352



**NESTLE ROWNTREE, HAXBY ROAD - 06/02622/FULM**

SCALE 1:2500  
Originating Group

DRAWN BY PSL  
Project

DATE 16/1/2007  
Drawing No.



9, St. Leonards Place, York, YO1 2ET  
Telephone: 01904 613161

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## Planning Committee

24 January  
2007

Report of the Director of City Strategy

## Nestlé South - Draft Development Brief for Consultation

### Summary

1. This report presents a Draft Development Brief for Consultation for the southern part of the Nestlé factory site, Haxby Road, York. Recent job loss announcements at the site have highlighted the need to modernise the main factory complex in order to compete in a global market. This will allow the company to commit to staying in York for the foreseeable future.
2. The Brief sets out the need for an employment/ residential redevelopment of the area. It highlights the key planning issues for prospective developers to consider and highlights opportunities for adopting sustainable development principles, good design, layout and links to surrounding areas, and where further analysis is required.
3. With approval from Members it is intended that the Brief be subject to public consultation for 8 weeks from February to March 2007. Consultation responses will be considered and a revised Brief will be presented to Members for approval for development control purposes. The Council will then use this document in order to coordinate developer proposals, in the form of a master plan prior to planning application submission, and further detailed consultation with local residents and key organisations on any subsequent scheme proposed.

### Background

4. In September 2006 Nestlé Rowntree announced the loss of over 600 jobs from their 2,400 strong workforce. In order to remain in York, a massive capital investment is needed in order to upgrade and improve facilities on the more modern northern part of the site, allowing redevelopment opportunities on the older, southern part of the site closest to the city centre.
5. Whilst the site is not allocated in the City of York Development Control Local Plan, April 2005, Policy E3b - Existing and Proposed Employment Sites - states that sites currently or previously in employment use will be retained within their current use class. Planning permission for other uses will only be given where:

- there is a sufficient supply of employment land to meet both immediate and longer term requirements in both quantitative and qualitative terms; and
  - unacceptable environmental problems exist; or
  - the development of the site for other appropriate uses will lead to significant benefits to the local economy; or
  - the use is ancillary to an employment use.
6. The site is therefore identified as an employment site, but consideration will be given to the wider benefits of an employment/ residential mixed use in terms of providing a re-investment opportunity for this major city employer, and its potential to add to the range and quality of employment use in York through redevelopment.
7. The site lies to the north of the City Centre on the edge of the built up area between Haxby Road and Wigginton Road. It is bounded to the south by the Sustrans cycle route, to the north by the existing Nestle site – which will be modernised and upgraded – and, to the north of the factory, by the company sports fields open out into green belt countryside. The area subject of this planning brief covers approximately 40% of the Nestle Rowntrees works (7.9 hectares/ 19.5 acres) and comprises the original factory buildings, which have been altered and extended in more recent years.

### **Consultation**

8. The Draft Development Brief collates the main issues and policies relating to the site into one document in order to provide a clear and up-to-date planning framework for considering future proposals. The Council now wants to consult members of the community and stakeholders on this document.
9. Officers will consider responses to the consultation, revise the Brief accordingly and present a revised Brief to Planning Committee for their consideration in early summer this year.
10. If approved by the Planning Committee, the Brief will then be adopted as non-statutory Draft Supplementary Planning Guidance. It will be used to guide development proposals and to consider the suitability of detailed proposals when subsequent planning applications are submitted.

### **Main Issues**

11. The Brief sets out a clear vision for the site, “to create a new, inclusive live/ work community and cultural hub well integrated with surrounding areas. It should accommodate a mix of uses and follow best practice guidance in order to achieve high standards of design, public space and sustainability. High quality urban design and safe and attractive pedestrian/ cycle routes through and around the area will help to create a sense of place, and low car use principles must be embraced”.



12. The Nestlé Rowntrees factory site has played a key role in providing employment in York for over a century with a strong sense of community and identity. This role should continue and aim to meet current and future demand for employment uses that are central to the long-term success of the York economy.
13. There is significant demand from both inward investors and indigenous businesses for premises for a range of employment uses in the city. This includes creative and digital industries, manufacturing, artists' workspace, live/ work units, and accommodation for start-up companies.
14. As part of the overall redevelopment of the site there will be opportunities to provide housing for a range of families and single households, including those living locally who are currently in unsuitable accommodation and who cannot afford to buy or rent on the open market.
15. Whilst there are no listed buildings within the site, and it does not lie within a designated conservation area, the chocolate works are unique to York and include buildings of historical and architectural distinction.
16. Development proposals should respect the character and setting of the site. It is highly visible from a number of surrounding vantages. Development proposals should therefore be of the highest quality and respect the important views of the main office building and entrance off Haxby Road. The opportunity will be taken to consider the designation of a conservation area along Haxby Road, to include Nuffield Hospital and the Rowntrees Theatre on the opposite side of the road.
17. In order to assess the appropriateness and extent of Conservation Area designation, a full character appraisal should be carried out which will consider the special architectural or historic interest of the site and surrounding area. This should be based on English Heritage guidelines.
18. If designation is considered appropriate, the appraisal should recommend a boundary for the Conservation Area, assess its historical context and character, and identify positive, neutral and negative factors. The appraisal would then be used as a basis for masterplanning work and for consideration of planning applications. A separate report to Members will be required to progress any designation proposals.

## **Conclusions**

19. The Draft Brief for Consultation aims to provide clear advice as to the Council's views on acceptable uses for the site and the key planning issues that will require to be addressed by any development proposal. By not being overly prescriptive and instead outlining a framework for development, the Brief provides the basis for worthwhile community and stakeholder consultation.

## Options

20. Option 1:

Approve the Development Brief, as proposed in this report, as the basis for consultation with local residents and key organisations.

21. Option 2:

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

22. Option 3:

Do not approve the Development Brief and use the policies of the Development Plan (the Regional Spatial Strategy and the Structure Plan) and the Development Control Local Plan, 2005 as the basis for negotiation and considering applications.

## Analysis

23. In terms of the options set out above, approval of the Brief for public consultation (Option 1) is recommended to Members. It would provide a clear and consistent basis for negotiating with potential developers, for progressing a comprehensive masterplan for the site and for considering planning applications.

24. Option 2 is not recommended as the Brief follows previous Council decisions to progress strategic sites in York through public consultation, before any planning application. The vision, objectives and potential development uses set out in the Brief have been developed in the context of existing national, regional and local planning policy.

25. 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 will allow the public to express their aspirations and concerns about the future of this site, together with local and national organisations/ interests, in the same way as planning briefs for Terrys, Castle-Piccadilly, Hungate and other important sites in York. Further detail progressed through a planning application will be tested against the vision, objectives and detailed guidance set out in the approved Brief.

## Corporate Priorities

26. The redevelopment of the site at this time represents a major opportunity for the York economy and a significant opportunity to forward a number of the City's economic aims, including the Community Plan objective of a "Thriving City" and the Council's Corporate Aims which seeks to "strengthen and diversify York's economy", provide "improved employment opportunities for residents", and improve "quality and sustainability, creating a clean and safe environment".

27. 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 – that “York should be a model sustainable city with a quality built and natural environment and a modern, integrated transport system”, together with the Corporate Aim to “Take pride in the city by improving quality and sustainability, creating a clean and safe environment”.
28. Of the 13 priorities of the Corporate Strategy Objectives, the following are directly addressed within this brief :
- Increasing the use of public and other environmentally friendly modes of transport
  - Improving the quality and availability of decent, affordable homes in the city

### **Implications**

29. Financial - The costs of printing the Brief and other incidental costs will be met from the existing internal budget.
30. Human Resources (HR) - No HR implications.
31. Equalities - Equalities considerations have been taken into account in the preparation of the Brief, and will be subject to formal consultation with relevant organisations.
32. Legal - No Legal implications.
33. Crime and Disorder - Crime and Disorder considerations have been taken into account in the preparation of the Brief, and will be subject to formal consultation with relevant organisations.
34. Information Technology (IT) – There are no IT implications.

### **Risk Management**

35. There are no known risks.

### **Recommendation**

36. It is recommended that Members approve the Draft Development Brief for Consultation for the mixed-use development of the Nestlé South site.

Reason: so that extensive public consultation can take place to allow proper community and stakeholder involvement in the forward planning of this major site.

**Contact Details**

**Author:**

Derek Gauld  
Principal City Development Officer  
City Development Team  
01904 551470

**Chief Officer Responsible for the report:**

Bill Woolley  
Director  
City Strategy

**Report approved** ✓  **Date 16/01/07**

**Specialist Implications Officers**

Financial: Dave Caulfield, Head of City  
Development, City Strategy 01904 551313

Equalities: Julian Horsler, Equality Officer,  
Chief Executives 01904 551704

**For further information please contact the author of the report**

**Background Papers**

- City of York Development Control Local Plan, April 2005

**Annexes**

- Annex 1 - The Nestlé South Draft Development Brief, together with all appendices and plans.

# Nestlé South Draft Development Brief

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January 2007

City Development  
Directorate of City Strategy



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# 1. INTRODUCTION

## History

1.1 The site is historically associated with the manufacture of confectionary and cocoa, being the main production site for Nestlé Rowntree (and its previous companies in York) since 1890 when it was first developed by Joseph Rowntree as the “Cocoa Works”.

1.2 The works have progressively expanded from the south to the north over the last century, and this can be seen through the various building styles and materials. Appendix 1 summarises the history of Nestlé Rowntree from the 18<sup>th</sup> century.

1.3 The most intensive period of development at the site was between 1890 and 1940. This was characterised by the erection of large, multi storey blocks constructed in reinforced concrete or built in steel frames clad in brick and ashlar York stone dressings.

1.4 Between 1940 and 1970 development on the site slowed considerably, as Rowntrees sought to establish a global network of manufacturing bases. The company acquired UK and international companies and invested in new build factories around the UK, which were more ideally suited to automation and modern manufacturing techniques.

1.5 The next phase of major development occurred in the 1980's, particularly after the acquisition of Rowntree PLC by Nestlé in 1988. This period included the construction of new, large single storey production and warehousing buildings.

1.6 The area that is subject of this Development Brief contains the core of the original factory, built between 1890 and 1940, at the southern margin of the Nestlé Rowntree site.

## Why a Development Brief now ?

1.7 As part of the plans announced by Nestlé Rowntree in September 2006, there was a clear commitment to stay in York, to safeguard the long-term employment of the 1,800 remaining employees.

1.8 A massive capital investment is needed in order to upgrade and improve facilities on the more modern northern part of the site, leaving redevelopment opportunities on the older, southern part of the site closest to the city centre.

1.9 This southern area (referred to as Nestlé South in the rest of this brief) represents around 40% (7.9 hectares/ 19.5 acres) of the overall site plant and

largely comprises outdated general offices, some older Kit-Kat production and other buildings / extensions. Together they absorb a substantial part (up to 80%) of the factory's maintenance budget and do not form the main part of Nestlé production.

1.10 A capital realisation of redevelopment in this area would allow re-investment in new facilities on the rest of the site, which would help to safeguard the future of employment on the remaining Nestlé site. It would also provide opportunities for new employment uses, as well as housing, new amenity and open spaces and better, safer links to surrounding areas as part of a mixed use development.

1.11 In order to progress a masterplan for the redevelopment of this part of the site it is essential that planning and highways requirements be addressed at an early stage, and overall objectives agreed through consideration by the local authority and through full consultation with the local community and other key stakeholders.

1.12 By setting out the policy requirements and wider aspirations for the site in this comprehensive Development Brief document, public representations can be received and responded to in a clear and accountable manner, well in advance of any planning application submission.

## **What is the purpose of the Development Brief ?**

1.13 The Brief aims to provide clear guidance on how the site should be developed, adding to the more general policies of the City of York Council Development Control Local Plan (April 2005) as well as regional and national policy and best practice guidance (see Chapter 3). The Brief is based on a comprehensive analysis of the site's planning context, site constraints and opportunities to improve the area through conservation and redevelopment.

1.15 The Brief puts forward the Council's vision, objectives, requirements and aspirations, introduces developers and urban designers to what the site has to offer, and is intended to inspire them to design and plan for the highest possible standards. It reinforces the call in the Government's Urban Task Force report 'Towards an Urban Renaissance' (1990), for earlier, greater and better-informed attention to urban design.

1.16 The Brief will be subject to comprehensive consultation with the public and key organisations (statutory consultees) and prospective developers should, in progressing design solutions in this area, show how they have responded to the objectives and requirements set out in the brief.

## What is the Council's *vision* for the site ?

1.17 The Council's overall vision for the redevelopment of this area is:

***To create a new, inclusive live / work community and cultural hub well integrated with surrounding areas. It should accommodate a mix of uses and follow best practice guidance in order to achieve high standards of design, public space and sustainability. High quality urban design and safe and attractive pedestrian / cycle routes through and around the area will help to create a sense of place, and low car use principles must be embraced.***

### Key Objectives

1.18 To deliver this overall vision a number of specific objectives need to be met. Redevelopment of the site will be successful if it :-

- KO1 Retains factory buildings of agreed distinction and considers conversion to employment / residential, with some new build.**
- KO2 Respects the character and fabric of factory buildings fronting Haxby Road, together with the library, theatre and Nuffield Hospital.**
- KO3 Creates its own identity and sense of place, whilst respecting the history of the site.**
- KO4 Provides new employment opportunities, particularly for the creative industries.**
- KO5 Expands on existing Science City links with Nestlé to create a hub in the network of knowledge based industries.**
- KO6 Provides smaller workshops, artisan studios and business premises.**
- KO7 Provides live / work units.**
- KO8 Takes full account of the Council's Housing Market Assessment in putting forward any housing proposals on site, especially in terms of providing 2/3 bedroom family houses.**
- KO9 Provides new affordable homes for local people as part of an inclusive development.**

- KO10** Develops an overall character and appearance through adoption of a low energy, community-focused approach.
- KO11** Considers contemporary design options and ensures layout, design and build is exemplar in terms of sustainability and overall energy efficiency.
- KO12** Incorporates on-site water management and recycling, and provides at least 10% of its energy from on-site sources.
- KO13** Maximises connectivity and linkages between the site, the local area and wider services and facilities, including links to open spaces at Fossway and other recreation spaces such as the Nestle-owned sports facilities and open space to the north.
- KO14** Provides safe, secure and good quality provision for children's play, amenity open space and youth and adult sports facilities.
- KO15** Makes the site easy to access and travel through by pedestrians and cyclists, and potentially public transport.
- KO16** Is highly accessible from the city centre, but with low car use.
- KO17** Improves the attractiveness and safety of the existing cycle path between the site and Hambleton Terrace.
- KO18** Creates a greener environment than is there currently.
- KO19** Protects and encourages wildlife.

1.19 These nineteen key objectives are referred to throughout this brief, and prospective developers of the site will be expected to demonstrate how each of these objectives have been addressed through a consultative masterplan and any subsequent planning applications for development of the site.

## 2. SITE AND SURROUNDINGS

### Nestlé Rowntree factory complex

2.1 The Nestlé Rowntree factory complex lies 2km to the north of the city centre on the urban / rural fringe (Plan 1). The site has 48 buildings, together with facilities for car and lorry parking.

2.2 The factory is bounded to the south by the Sustrans cycle route, the B1363 Wigginton Road to the west, and Haxby Road to the east. To the north of the site the company sports fields open out into Green Belt countryside. Access to the site is from both the B1363 Wigginton Road and Haxby Road.

2.3 There is a mixture of building types on the site, which reflect the long evolution of the factory. They are set in a distinct rectilinear pattern and are generally utilitarian, designed for production purposes. The earliest buildings are to the south of the site and the most recent development to the north, away from the city centre.

### Nestlé South

2.4 This part of the factory site occupies 7.9 hectares (19.5 acres), around 40% of the total site area (Plan 2). It comprises the older, prominent buildings fronting Haxby Road and Hambleton Terrace together with car parking areas, landscaping and other factory buildings from a range of periods.

2.5 The native and ornamental planting around the site boundary links the site to the surrounding areas. It creates a backdrop to the site and enhances the local area, in part through reducing the impact of the large factory buildings.

2.6 Mature trees immediately within the factory boundary give the impression of the factory in a landscaped setting. However, there is very little landscape or trees within the inner site and no trees are the subject of Tree Preservation Orders to protect them.

2.7 This neighbourhood of York would be completely dominated, visually, by the factory works if it were not as well screened by mature trees and hedgerows. The planting is well defined and provides a strong framework for any future development.

2.8 Travelling along Haxby Road (the eastern site boundary) the landscape is essentially mature ornamental planting. Behind the boundary fence there are areas of dense shrub planting with both deciduous and evergreen mature trees. The planting, being of a similar age and style and set behind a fence, mirrors the landscape of the former Rowntrees amenity buildings on the opposite side of Haxby Road – the former Dining Block (now

Nuffield Hospital), Joseph Rowntree Theatre, Yearsley swimming baths, and sports fields.

2.9 The main visitor entrance is off Haxby Road, and this leads to the office block. Other entrances allow access to individual buildings, and are given a formal setting with ornamental planting. There are boundary railings and access points, which have a variety of structures, associated with them such as clocks and security points.

2.10 To the north of the Nestlé Rowntree factory complex there are playing fields and allotment gardens, which provide a transition between the urban environment and the open countryside.

2.11 Along the southern boundary of the site is a disused railway line, which now forms part of the Sustrans cycleway route. Trees and steep embankments on either side of the route separate the cycleway from the houses on Hambleton Terrace and from the site. There is currently no access to the site from the south.

2.12 The western boundary is marked by the B1363 Wigginton Road, an arterial route running from the city centre to the north. There are two access points to the site from this road (see Plan 2). The southernmost entrance provides general access and the northernmost access allows for lorries.

2.13 A link has been created to the cycleway from Wigginton Road, and trees planted formally on either side. On this boundary only the entrances to the site are formalised, with a clock and low shrubs backed by an evergreen hedge. Travelling along the length of the site boundary, planting becomes less formal and the plant species native – intermittent blackthorn hedge follows the perimeter of the site and mature deciduous trees surrounded by a chestnut pale fence act as a buffer between the road and the site.

## **Views from surrounding areas**

2.14 There are distinctive views of the Nestlé Rowntree works from the outer ring road, Haxby and Wigginton Roads, and other surrounding streets. There is an iconic and historic attachment to the works, which is familiar and reminds people of York. The buildings and views of them need to be fully taken into account in developing a masterplan for the area. Through redevelopment, however, the opportunity does exist to bring some new and interesting views to this area, which would compliment rather than compromise the present setting.

## **Visual Impact**

2.15 As the site is well screened by the buffer of mature trees, many of the factory buildings remain unseen by residents and pedestrians in the immediate area.

2.16 To the south east of the site the 1900-1930's multi storey buildings are visible from Haxby Road. On the southern boundary the dense buffer of trees allows only occasional views of the Almond Blocks and Cream Blocks (Blocks 1 and 2 as shown on Plan 4). More general views of the factory are glimpsed through breaks in the trees and entrance points.

2.17 In the south west the Office Block (Block 30 on Plan 4) and the former Gum Department (Block 34 on Plan 4) are significantly higher than the tops of the trees and, again, views are glimpsed through breaks in the planting and at the entrance points into the complex.

## **Local Context**

### Bootham Stray

2.18 The western margin of the site falls within Bootham Stray which lies on both sides of Wigginton Road between the factory and the Bumper Castle pub. The stray includes narrow strips of land bordering Wigginton Road down to and including Clarence Gardens at the junction with Haxby Road and Clarence Street. Much of this has either been built over or is used as the front gardens of houses in this area.

### Farming and Woodland

2.19 Bootham Stray links into farmland to the north of the site. Although it is private land, it is accessible to the public in areas where public footpaths occur. The farmland landscape contains a variety of habitats such as ponds, hedgerows and shelterbelts.

### Public Open Space

2.20 There are several areas of public open space within the vicinity of the site. The most immediate is Clarence Gardens, which lies to the south, at the junction of Haxby Road and Wigginton Road. The gardens contain three bowling greens, a main amenity area, a well-equipped children's play area and parking. It is managed through a partnership between Clarence Gardens Bowls Association and the City of York Council.

2.21 The open space areas are well linked. Clifton Ings, adjacent to the River Ouse, is the nearest designated Open Access Land and this area links to the National Cycle Network Route 65.

### Private Open Space

2.22 Nestlé Rowntree manage and maintain sports grounds and playing fields adjacent to the north of the factory site. There are six football pitches,

one rugby pitch, one hockey pitch, athletics facilities, a bowling green and four tennis courts. There is also a pavilion with four changing rooms for winter and summer sports.

### The Allotments

2.23 There are three Council-run allotments within the local area – Bootham Stray, Wigginton Road, and Wigginton Terrace. Bootham Stray is a particularly significant local amenity area, surrounded by stray land and open fields. Wigginton Road allotments are divided into three areas, situated either side of Crichton Avenue Bridge. Wigginton Terrace is located at the junction with Wigginton Road and Hambleton Terrace.

### Housing

2.24 To the south of the site are uniform rows of Victorian and Edwardian terraced housing with small, well maintained front gardens. To the west of Wigginton Road is a row of three storey Victorian / Edwardian terraced housing set back from the road; over Crichton Bridge is an estate of post-war semi detached Council housing; and to the east of Haxby Road is a mix of modern infill housing and larger, more established semi detached housing backing onto the River Foss.

### Transport Routes

2.25 In addition to the primary road corridors of Haxby Road and Wigginton Road. There are a number of other important transport corridors in the vicinity of the site. The east coast main railway line to the west of Wigginton Road connects York to London Kings Cross, Bristol Templemeads and, to the north, Hull, Newcastle and Edinburgh.

2.26 The Foss Islands Route – National Cycle Network, follows the site boundary on two sides. It links New Earswick (and beyond) in the north, the city centre, Tang Hall and Osbaldwick in the east. The primary cycleway is supplemented with other designated routes, taking cyclists both into and out of the city centre (see Plan 5b).



### **3. POLICY CONTEXT**

3.1 The vision set out in the introduction to this document, and the potential development uses set out in Chapter 5, are based on national, regional and local planning policy. This chapter highlights some of the key policies and guidance that informs the approach taken in the brief in terms of development principles, sustainability and transport. The lists of policies are in no way exhaustive and any proposals must demonstrate a comprehensive recognition of statutory and other relevant guidance.

#### **National Planning Policy**

3.2 National guidance exists in the form of Planning Policy Guidance (replaced by Planning Policy Statements). They explain statutory provisions and provide guidance on planning policy and the operation of the planning system. The development of the area should have particular regard to the following documents:

- PPS 1 – Delivering sustainable development
- PPS 3 – Housing
- PPG4 – Industrial, commercial development and small firms
- PPS 6 – Planning for town centres
- PPS 9 – Biodiversity and geological conservation
- PPG 13 – Transport
- PPG 15 – Planning and the historic environment
- PPG 16 – Archaeology and planning
- PPG 17 – Planning for open space, sport and recreation
- PPG 24 – Planning and noise
- PPG 25 – Flood Risk

#### **Regional Planning Policy**

##### **Regional Spatial Strategy for Yorkshire and Humber (Selective Review of RPG 12) Dec 2004**

3.3 This document provides a spatial framework to inform the preparation of local development documents, regional and sub-regional strategies and programmes that have a bearing on land use activities. It forms part of the statutory Development Plan for York and covers the period to 2016. Relevant policies include:

- S1: Applying sustainable development principles
- S3: Urban and rural renaissance
- S4: Urban and rural design
- S6: Sustainable use of physical resources
- P1: Strategic patterns of development

E3: Planning the overall provision of employment land  
 H2: Sequential approach to allocation of housing land  
 H3: Managing the release of housing land  
 H4: Housing size, type and affordability  
 T1: Land use and transport integration  
 T2: Public transport accessibility  
 T3: Personal transport  
 SOC4: Open space, sport and recreation  
 N2: Historic and cultural resources  
 N3: Landscape character  
 R3: Water resources and drainage

### **Yorkshire and Humber Plan Regional Spatial Strategy (2005)**

3.4 The Selective Review of RPG12 will be replaced by a new Regional Spatial Strategy. The emerging Yorkshire and Humber Plan Regional Spatial Strategy 2005 was subject to examination in Autumn 2006 and is due to be adopted in Autumn 2007. It will cover the period to 2021. This Strategy has 'weight' as a planning document and will be given material consideration in planning decisions. Policies of relevance include:

YH1: Overall approach  
 YH2: Climate change and resource use  
 YH3: Key spatial priorities  
 YH5: Urban focus  
 YH8: Location of development  
 Y1: York sub area policy  
 H1: Provision of distribution of housing  
 H3: The provision of affordable housing  
 H4: Housing Mix  
 E1: Creating a successful and competitive regional economy  
 E2: Town centres and major facilities  
 E3: The supply of land and premises for economic development  
 E4: Support of regional priority sectors and clusters  
 E5: Safeguarding employment land  
 ENV5: Energy  
 ENV6: Forestry, trees and woodland  
 ENV8: Biodiversity  
 ENV9: Cultural heritage  
 ENV10: Landscape  
 T1: Personal travel and modal shift  
 T2: Parking policy  
 T3: Public transport

### **North Yorkshire County Structure Plan (Oct 1995)**

3.5 The adopted North Yorkshire County Structure Plan is the statutory policy document for the North Yorkshire. It covers the period 1991 to 2006. Relevant policies include:

- I5: Employment land
- I6: Industrial and commercial development
- I12: Provision for business use
- H4: Housing
- H8: Residential density
- T9: Car parking
- T10: Cycling
- T11: Transport for industry, commerce and other major development
- E4: Historic environment
- E5: Archaeology

### **Local Planning Policy**

#### **City of York Draft Local Plan incorporating Fourth Set of Changes (April 2005)**

3.6 The City of York draft Local Plan (referred to as the Development Control Local Plan) was approved by Members for development control purposes in April 2005. It represents the most advanced stage of Local Plan production, comprising the 1998 deposit draft amended up to and including the fourth set of changes. Although it is, in statutory terms, unadopted, the Development Control Local Plan represents the current planning position in York and reflects the approach advocated in up-to-date national and regional policy guidance. It will be used to determine any planning applications on this site.

3.7 Relevant Development Control Local Plan policies include:

#### Chapter 1 – Strategic Policies

- SP1: Key Sustainable Themes
- SP3: Safeguarding the Historic Character and Setting of York
- SP6: Location Strategy
- SP8: Reducing Dependence on the Car
- SP10: Strategic Windfalls

#### Chapter 2 – General Policies

- GP1: Design
- GP3: Planning against crime
- GP4a: Sustainability
- GP4b: Air quality
- GP5: Renewable energy
- GP6: Contaminated land
- GP7: Open space

GP9: Landscaping  
GP11: Accessibility  
GP13: Planning obligations  
GP21: Advertisements

#### Chapter 3 – Nature Conservation

NE1: Trees, woodland and hedgerows  
NE3: Water protection  
NE7: Habitat protection and creation  
NE8: Green corridors

#### Chapter 4 – Historic Environment

HE1: Designation of Conservation Areas  
HE2: Development in Historic Locations  
HE10: Archaeology  
HE11: Trees and landscape

#### Chapter 6 - Transport

T2a: Existing pedestrian /cycle networks  
T2b: Proposed pedestrian /cycle networks  
T4: Cycle parking standards  
T5: Traffic and pedestrian safety  
T7b: Making public transport more effective  
T7c: Access to public transport  
T13a: Travel plans and contributions  
T16: Private non-residential parking  
T17: Residents' parking schemes  
T18: Highways  
T20: Planning agreements

#### Chapter 7 – Housing

H2a: Affordable housing  
H3c: Mix of dwellings on housing sites  
H4a: Housing windfalls  
H5a: Residential density

#### Chapter 8 – Employment

E3b: Existing and proposed employment sites

#### Chapter 9 – Educational Establishments

ED4: Developer contributions towards educational facilities

#### Chapter 10 – Shopping

S8: Provision of shops in non-retail developments

#### Chapter 11 – Leisure and Recreation

L1a: Leisure development  
L1c: Provision of new open space in development

#### Chapter 13 – Community Facilities

C1: Community facilities

C6: Developer contributions towards community facilities

Chapter 14 – Minerals and Waste

MW7: Temporary storage for recyclable material

### **City of York Local Development Framework**

3.8 Work on the Local Development Framework (LDF) for York has commenced and it is anticipated that the core strategy, allocations and Development Control Development Plan Documents (DPDs) will achieve statutory adoption by late 2009 / early 2010. The weight to be given to the emerging LDF Development Plan Documents (DPDs) will depend on the stage they have reached when a planning application is considered for the site, with the weight increasing as the DPD progresses through each stage and the nature and extent of any objections received.

3.9 Initial consultation on Issues and Options on the Core Strategy was undertaken during the summer of 2006. The Sustainability Appraisal Scoping Report has also been produced. This has been used to inform preparation of Issues and Options, and its methodology will be applied in appraising further stages of the Core Strategy and subsequent DPDs.

3.10 The Statement of Community Involvement has reached Preferred Options stage, and will be submitted to Government Office in January 2007 for the final stage of formal public consultation.

## 4. SUSTAINABLE DEVELOPMENT

**Key Objectives being met : KO10, KO11, KO12, KO13, KO15, KO16, KO18, KO19**

4.1 The redevelopment of this site offers an outstanding opportunity to redevelop previously used land along sustainable development principles. A development that embodies the principles of sustainable development will reduce running costs for future users, and therefore improve marketability, improve the attractiveness of the area, and provide additional public open space. It can be referenced as a good example of sustainable development in the city.

4.2 Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It must enable people to enjoy a better quality of life now and in the future, through balancing social, economic and environmental needs and the prudent use of natural resources. It embraces not only local issues but also national and global matters, such as climate change.

4.3 These principles are underpinned by government policies such as PPS1 - Delivering Sustainable Development. At regional level, policy S1 - Applying Sustainable Development Principles of the adopted Regional Spatial Strategy for Yorkshire and Humber 2004 and policies YH2 Climate Change and ENV5 Energy of the emerging replacement Regional Spatial Strategy (2005) are relevant.

4.4 The York City Vision and Community strategy 2004-2024 outlines six themes for the development of the city. Sustainability is one of these themes with the objective that York should be a model sustainable city with a quality built and natural environment and modern, integrated transport network.

4.5 The main objective of the strategy is to reduce the Ecological Footprint of the city. This is a tool, which works out the amount of land needed to provide a population with all their resources and to absorb all their waste. This can be compared with the capacity of the earth to provide natural resources and to deal with the waste and pollution created. More information can be found at [www.york.gov.uk/sustainability](http://www.york.gov.uk/sustainability).

4.6 It is clear that any new development will increase the Ecological Footprint of the city. However, in doing so it will also have social and economic benefits. The purpose of using the Ecological Footprint as a success measure is to ensure that any new development reduces the negative impact on the environment – which will help to balance the social and economic benefits against reduced environmental impacts.

4.7 At a local policy level the promotion of sustainable development is a key objective of the Council and underpins the vision of the Development Control Local Plan. This is outlined in the Local Plan Strategy and in

Development Control Local Plan Policy GP4a – Sustainability. The policy requires the submission of a Sustainability Statement for all development proposals. It covers a wide number of issues, including the protection of irreplaceable environmental assets, promoting economic growth, sustainable design and layout of development, transport policy, re-use of previously developed land and materials, reduction in energy use and protection/promotion of public open space.

4.8 The above policy is supported by the Draft Supplementary Planning Guidance (SPG) on Sustainable Design and Construction. It has been approved by Planning Committee (November 2006), and consultation begins in January 2007. This document provides minimum standards that should be met by new development and advises how this should be demonstrated in the Sustainability Statement. Although it is a consultation draft at the moment, it is intended to be approved for full use in April 2007. Development proposals on the Nestlé South site will be required to meet the standards within the SPG.

4.9 Sustainable design and construction techniques are required to be incorporated at the earliest stage of development design, and the minimum standard within the SPG mentioned above will be expected to be met. For a development of this size it will mean the achievement of a BREEAM (BRE Environmental Assessment Method) standard of at least 'very good'. This is in addition to other minimum standards relating to demolition, considerate constructors etc, and the draft SPG should be consulted for detail. Consideration is required to be given to the environmental impact of the proposals in all phases from construction, use and ultimately demolition.

4.10 The sustainability statement to accompany any subsequent proposals should address the following issues :

- Whole-life costs of any proposals and life cycle analysis of materials and identify its effect on York's Ecological Footprint;
- Bio-climatic design, including the orientation of building elements to maximise solar gain and the use of solar based energy generation and heating;
- High thermal mass for new buildings and the use of energy systems which are efficient and above that required by building control regulations, in order to provide enhanced thermal and cooling qualities;
- Retro-fitting of existing buildings to improve thermal efficiency and general environmental performance;
- Renewable energy generation such as ground source heat pumps, wind, biomass and combined heat and power;
- The efficient management of water on-site in order to reduce run off through building design and sustainable urban drainage systems;
- Building design that provides space for wildlife;
- Use of indigenous species and planting that has wildlife value;
- The re-use of demolition materials on-site as aggregate and, if this is not available, the use of aggregate from recycled materials, ideally from a local supplier;

- Different construction techniques and materials, such as timber frame and prefabricated building units
- The use of materials that are healthy, naturally occurring from renewable sources or recycled;
- Reduce waste generation on-site during construction and use. Design in space for waste separation;
- The use of local labour, contractors, products and suppliers;
- Training opportunities for local people during construction;
- Opportunities to improve public transport and links between different transport modes.

4.11 The above list is not intended to be exhaustive and prospective developers are advised to liaise with the Council's Sustainability Officer at an early stage in the formulation of their proposals. Further advice on sustainability issues is set out in the Council's 2006 Supplementary Planning Guidance – Sustainable Design and Construction, as referred to in paragraph 4.8 above.



## 5. DEVELOPMENT OPPORTUNITIES

***Key Objectives being met : KO1, KO2, KO4, KO5, KO6, KO7, KO8, KO9***

### Mix of Uses

5.1 The Nestlé Rowntree site has played a key role in providing employment in York for over a century. 625 jobs across a variety of skills have recently been lost from the 2,445 working on the site, and any new development proposals should aim to replace these with new employment opportunities. A mixed-use development, which, in employment terms, aims to replace what is currently being lost and seeks to redress this with new employment uses, would be acceptable.

5.2 The imperative in redeveloping this site will be to create a sustainable development with a strong sense of community and identity which, in true Rowntree tradition, can be referred to in future as an exemplar of its genre. There are opportunities in terms of community heating, innovative approaches to transport/ car parking, building design, and cycle/ pedestrian links to and from the site. The very name 'Rowntree' will potentially attract a lot of interest in any scheme to redevelop this area.

### Employment

5.3 The site is designated in the Development Control Local Plan for employment use. Sites currently or previously in employment use should be retained as such unless it can be demonstrated that there is a sufficient supply of employment land in the city and provided that either (a) unacceptable environmental benefits exist, (b) development of the site for other appropriate uses would lead to significant benefits to the local economy, or (c) the proposed use would be ancillary to an employment use.

5.4 Redevelopment of the Nestlé South site will be considered within the context of Nestlé's stated commitment to a long-term presence in York, with the capital receipt from disposal of this part of the site providing a re-investment opportunity for a major city employer.

5.5 In quantitative terms it is considered that the recent job losses announced by Nestlé could be replaced on site through a mixed-use development.

5.6 In qualitative terms, the older buildings currently occupying the Nestlé South site are unlikely to meet many of the requirements of modern office occupiers such as energy efficiency, flexible open plan spaces, or raised floors for IT wiring. However, early feasibility studies should explore the possibility and implications of retrofitting the buildings in order to improve

thermal performance, accessibility, integration of communications and other IT equipment and services.

5.7 Redevelopment of the site provides a great opportunity to provide modern industry, either in an office context or as a manufacturing base. Innovative live/ work units, opportunities for the creative and technology-based industries, including uses which compliment York's aspirations to develop and expand Science City, will be especially encouraged.

5.8 Liaison with the Council's Economic Development Unit prior to developing proposals is essential in order to identify the potential to meet either Science City and/ or wider economic aims of the city. Further information on the economic development objectives of the city and Science City York can be found on the Council's website and/ or by contact with the Council's Head of Economic Development. Information on live / work units and sustainable communities can be found on the Department of Communities and Local Government website ([www.communities.gov.uk](http://www.communities.gov.uk)). Regional examples of flexible office / studio space include the Konflux Theatre in York (4 spaces for artists with kitchen facilities and internet access), Patrick Studios in Leeds (34 quality studio spaces) and Colburn Park in Richmondshire, North Yorkshire (16 offices for digital / media / creative business), all of which can be found on the Yorkshire Forward website ([http://www.digitalyorkshire.org.uk/business\\_accommodation/index.aspx](http://www.digitalyorkshire.org.uk/business_accommodation/index.aspx)).

5.9 A range of B1 Business uses which, in the Town and Country Planning Act Use Classes Order 2005, includes offices, research and development of products or processes, and light industry, should be catered for in order to encourage and achieve jobs back on this site. Particular consideration will be given to :-

- small/ medium enterprises (SME's) in the food and drink sector;
- technology / modern economy;
- creative workshop space;
- quality studio space;
- artisan/ manufacturing.

5.10 The uses above could be accommodated in offices, workshops and live/ work units. The opportunity exists to create a true community feel with a range of jobs for local people in a range of possible career paths, including smaller workshops and business premises.

5.11 Nestlé may be interested in developing new products out of its Research and Development labs on site and giving opportunities for staff to create their own businesses. The integration of hot desking business support/ mentoring into the facilities would be sensible and could, should they wish to be involved and enter into discussions, involve Business Link as the deliverer with Science City York Business Promoters in their technology business development role.

5.12 A portion of the existing employment blocks could be re-used to provide modern employment, embracing a number of segregated uses such as technology, sympathetic manufacturing and accommodation for the creative industries such as workshops, art/ craft exhibition spaces, live/ work units, or serviced office/ workshop accommodation.

5.13 Craft/ art studios/ workspace will be considered very positively, given the lack of this type of facility in York. This type of use is particularly suited to the re-use of historic buildings of character. Early contact with City Council Officers is encouraged in order to progress this for the benefit of York residents and artists.

## Housing

5.14 Provided that sufficient new employment space is provided, a significant part of the remaining site may be suitable for residential uses subject to amenity issues and with appropriate local facilities and open space provision. Housing redevelopment will help contribute to the vitality and viability of the mix of uses on the site, make good use of existing buildings of distinction, and help create a “sustainable community”.

5.15 Innovative dwellings such as live / work units with dedicated workspace for office /studio/ workshop use should form a component of the range of employment accommodation offered on site. Live/ workspaces have been provided in other recent high quality employment sites in Yorkshire (e.g. The Cube, Sheffield – 25 live/ work units).

5.16 A live / work unit is accommodation that is specifically designed to enable both residential and business use. It differs from ordinary home working in its nature and the intensity of business use that may be involved. The work element may be designed to accommodate more workers than just the resident, and may be set up to encourage company growth.

5.17 Residential development is required to include an appropriate element of affordable housing dispersed inclusively within any agreed housing area. If a new housing development of 15 dwellings/ 0.3ha or more is proposed. This includes potential conversion of existing buildings to part or full residential use as well as new build. If the policy applies, 50% of the total number of homes are required to be provided in partnership with a Registered Social Landlord, subject to overall viability.

5.18 Early discussion with Council Officers is encouraged in order to agree a plan for the inclusion of affordable housing. Chapter 16 of this brief - Developing Proposals - refers to policy details on tenure mix, inclusiveness in terms of layout and design, and assessments of viability.

5.19 Any residential element must include an appropriate mix of house types and sizes in accordance with Development Control Local Plan Policy H3c – Mix of Dwellings on Housing Sites and the 2006 York Housing Market Assessment (HMA).

5.20 The HMA concludes that there is a requirement for a range of house types and sizes in the city, but with a particular shortage of 2 and 3 bed houses (rather than flats). It is accepted that the site lends itself to a relatively high density of development, given the height and size of nearby buildings, but every effort should be made to accommodate family housing as well as the needs of single people and childless and older couples.

5.21 Housing design and layout should be sympathetic to and inspired by existing site characteristics, include strong green landscape components and follow the principles of sustainable design and construction. Development Control Local Plan policy GP4(a) and draft SPG on Sustainable Design and Construction provide detailed explanation of what is required in terms of sustainable development and sustainability statements to accompany planning applications

### **Other Uses**

5.22 Consideration will be given to complimentary and ancillary uses such as leisure facilities, entertainment, restaurant / bar, health and medical facilities and other community uses. As well as attention to design details, careful thought will also need to be put into how these uses integrate into the wider site development and community .

5.23 In order to provide new, or improve existing, community facilities an assessment will need to be made of local facilities and the scale of new housing development proposed. If appropriate, a developer contribution may be requested which should be reasonably related in scale and kind to the proposed development.

## 6. DESIGN AND LANDSCAPE PRINCIPLES

**Key Objectives being met : KO1, KO2, KO3, KO10, KO11, KO13, KO15, KO18**

*“Good urban design is rarely brought about by a local authority prescribing physical solutions, or by setting rigid or empirical standards but by approaches which emphasise design objectives or principles.”*

(‘By Design’, DETR, CABE 2000).

### Understanding the Site

6.1 It is important to understand the unique potential of the site prior to formulating and advancing design proposals. To this end an urban design analysis will be required which appraises the site in terms of geographical context and historical development. The analysis should take into account:

1. the location of the site on the sub-urban fringe of York and its proximity to countryside and the city centre;
2. the nature of the site and its surroundings in physical and functional terms;
3. connections and desire lines between the site and its surroundings, identifying possibilities for improving movement across the site for pedestrians and making functional connections;
4. site topography, hard and soft landscape and ecology; and
5. existing patterns of built form on the site and surrounding it, including heritage issues. The "historic buildings assessment" is available as a supporting document.

6.2 At present the area is a production site, with physical barriers and security controls separating it off from the surrounding community. Although the north side of the site will continue in production, there is a proposal to integrate the area to the south with the surrounding area through a mixed-use development. Key to producing a successful scheme will be in ensuring that the inherent positive characteristics of the existing site are not lost during the course of transformation.

### Heritage

6.3 The site has developed over a hundred years and the earlier buildings have a strong physical presence in the surrounding area. They also figure in skyline views of York. The factory buildings themselves signify the importance

of the Rowntree family (and their successors). The family was enlightened entrepreneurs and pioneers of social reform with influence beyond York itself. The York factory complex was not only developed as an economic enterprise but as a social and philanthropic one, providing improved working conditions and amenities for employees including facilities for refreshment, health, leisure, entertainment, and improved living conditions. The buildings themselves are a reminder of people, events, and processes. They were designed to take advantage of sunlight, outlook, fresh air and natural ventilation. Their fabric also contains evidence of innovative construction techniques in concrete and steel.

6.4 The Quaker family expressed their creativity and conscience on this site and their achievements should provide inspiration for the site's future development in the following ways:

- the most significant buildings and groupings of buildings and landscape along Haxby Road should, subject to further assessment, be retained. They reinforce the positive identity of York and their loss would seriously diminish the sense of place;
- the retained buildings should be given appropriate status within the overall design; and
- any new development should adopt high standards - using principles of bioclimatic design in massing and layout, adopting environmentally friendly materials and construction techniques from local sources where possible, with buildings and spaces designed to support full and healthy lifestyles.

6.5 The site and buildings have recognized historic value although currently they have no statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.6 A historic buildings assessment report was prepared by Hall Grey Architects on behalf of Nestlé in August 2006. The report was commissioned to establish an understanding of the whole factory site, the buildings on it, adjacent buildings bounding the site and owned or previously owned by Nestlé Rowntree, and external landscape. The report traces the development of the site as an integrated complex and shows how that context has changed. It identifies key buildings which have been altered, demolished or remain. These buildings are assessed in terms of their architectural and historic significance. In assessing significance of the fabric and location, buildings have been identified which should have a bearing on the future development of the complex. Judgements about options for future development, alteration or demolition should be informed by the contents of the report.

6.7 Notwithstanding the report it is important that English Heritage carries out a further assessment for statutory listing with a view to protecting significant buildings identified as having retained their integrity. These are

(refer to Plan 4): the office block (Block 67 on Plan 4); the Joseph Rowntree Memorial Library by Fred Rowntree (the first architect for the site); and post office. Times have changed since the notable architectural academic Patrick Nuttgens stated, “the cocoa works site possesses no buildings of quality unlike the Terry’s Factory to the south of the city”.

6.8 The buildings and spaces either side of Haxby Road (between the bridge and the roundabout and extending part way along the former Foss branch line cutting) is considered worthy of **conservation area status**. Conservation Areas are “areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance” (PPG 15). Land to the east side of the road was acquired to provide improved amenities for the workers. The theatre is listed and the former catering block is now in use as a hospital. The west side of the road contains some of the striking multi-storey factory buildings with their landscaped forecourts, clock and other structures. This area has retained the cohesive quality of its buildings and spaces and, being the most visually accessible part of the factory, is a well known landmark building

## Links and Spaces

6.9 The site boundaries are well defined with mature trees and shrubbery giving the impression of a landscape setting for the factory complex. Within the site the earlier landscape has been eroded – the rose beds and bowling green have given way to further building and hard standing for lorries and car-parking. This harder industrial setting is most visible from the west where the complex is not screened by taller buildings. Here Bootham Stray maintains a softer edge to the site.

6.10 Transforming the site for mixed use will require a new framework for infrastructure and connectivity. The factory to the north will remain a barrier but the introduction of new links (for pedestrians and cyclists) should enable the site to become a natural extension of the wider environment. New access points should be carefully considered in relation to existing movement patterns and the location of surrounding facilities (bus stops, schools, shops, swimming baths, river Foss etc). They should be designed to human scale, allowing landscape or buildings to provide enclosure at either side. Occupied buildings should overlook access points.

6.11 A new walking/ cycling spine should be introduced to facilitate east-west movement across the site connecting Wiggington and Haxby Road (see Plan 5c). This route should be reasonably direct and allow for diagonal connections of recognized desire lines, including a link to the cycleway in the cutting to the south. This route should be given prominence in the overall network by a variety of means which might include: associating open space activity with it, having buildings address it (gable ends with windows or frontages), developing its landscape quality, use of public art. The route must be convenient whilst being varied and interesting.

6.12 There should be no through route for private vehicles between Haxby Road and Wiggington Road. Extensive areas of surface level car parking should be avoided. Pedestrians should have priority in the public realm. The creation of Home Zones will be encouraged (see Chapter 11: Highways) and their design should negate the need for speed humps and straight runs. Instead suitable paving materials, pinch points and shared surfaces should be used. Highways design and landscape design should be integrated.

6.13 Retained structures to the east of the site may present a barrier to movement. Selective opening up at ground level could increase permeability. Some of the ancillary structures in this location could be used to mark points of entrance and the few remaining runs of early railings should be retained on site. Routes into the site should be co-ordinated with safe crossing points.

6.14 Trees alongside the Sustrans cycle route and along the top of the embankment forming the site's southern boundary enhance the route in a natural way and screen existing factory activities. A negative counterpart to this is that the tree density and shrubbery create quite a dark, confined corridor, and one could feel vulnerable in this space. The opportunity to manage the existing woodland vegetation should be taken; for example the multi-stemmed growth and saplings should be thinned out. Management of trees should create a lighter, more open aspect with views created through to the new development, whilst presenting an opportunity to increase the biodiversity value of this "natural" feature.

6.15 The steep bank between the cycle route and the southern boundary of the site varies in height from being level to approx 2m high. Therefore the terrain itself currently acts as a barrier between the route and the site. It is envisaged that the security fence running along the top of the embankment would be removed. In addition to visually opening up the track there may be advantage in physically reducing the embankment in places to make better visual and physical relationships with the site. This can only occur where it would not cause detrimental impact on higher value trees. Where natural breaks occur, connectivity is desirable and site security would not be diminished.

6.16 It would be appropriate to concentrate areas of public open space adjacent to main pedestrian and cycle routes, thereby encouraging fluidity between the development and its environs. There is advantage and increased value in amalgamating open space as it capable of being used in different ways, and increased access provides natural surveillance and stimulates co-operation and community building. All children's play space and informal amenity space should be provided on site, and strategic options for the integration of public amenity space should be evaluated.



## Scale, Height, Massing and Character

6.17 The site originally developed on greenfield land to the north of the city. The larger Victorian houses over Wiggington Road to the west would have been in existence as would the two storey terrace houses to the South, separated by the former Foss branch line cutting.

6.18 The earliest buildings were one and two storey production sheds and offices. They were soon dramatically surpassed in stature by the multi-storey factory buildings located both within the site and on the fringes of the site. The height and massing of buildings on the southern boundary and eastern edge now screen the lower buildings and hide the clutter of the site that has built up over the last century. Trees around the site edges have a vital role in moderating the scale and softening the edge between the residential development and major roads.

6.19 Buildings were utilitarian for their time and laid out in a rectilinear grid pattern. Predominant materials were brick with sandstone or concrete dressings. Their large bulk was articulated by expressing the brick cladding as strong vertical piers and the horizontal window banding introduced a quicker rhythm through the window mullions. There is some modelling of parapets to produce a more interesting skyline.

6.20 The massing and scale of new buildings should recognize the suburban context of the site. Overall development should adopt a lower average height than the existing tall buildings. The layout and massing should provide a comfortable enclosing framework for an area, which will become occupied internally and externally throughout the day and night by a mixed community of people. Within the site it is envisaged that a variety of heights will be used – including workshops, 2-4 storey houses, and higher commercial buildings, with no building higher than the existing factory.

6.21 It should be demonstrated that any new development would not adversely affect the dominance of the Minster on the city's skyline.

6.22 Generally it is expected that massing will rise to the north of the site to allow the rest of the site, including open areas, to benefit from the sun's orientation and to acknowledge the location of the city centre in aspect and prospect. Massing buildings towards the north boundary will shield the remaining site from the remaining factory complex. Additionally some of the daytime and non-residential uses might be placed in this location.

6.23 Bootham Stray to the west must be protected and enhanced. This edge suffers from lack of definition, and there is an opportunity to introduce an enclosing line of development behind the stray, which would address this. The nature of the road and the presence of the stray would suggest a stronger response in terms of massing and stature of buildings. The area is not urban though.

6.24 The eastern edge of the site would retain its existing characteristics.

Part of its character and quality is derived from the landscape and from other structures associated with the factory such as the clock and some distinctive railings. It is anticipated that some of these structures would house public functions at ground level in order to form a community hub with buildings across the road. To facilitate access permeability at ground level should be increased.

6.25 Existing factory buildings to the south form an abrupt contrast with the two storey Victorian housing on Hambledon Terrace and contribute to the vulnerable feeling along the cycle route in this area. The height and mass of the multi-storey buildings makes them highly visible from further afield, and they make a distinctive contribution to the historic skyline of York. The extent to which this positive contribution is outweighed by the negative effect of their overshadowing the rest of the site must be further assessed through the use of sun path diagrams or programmes showing the effect of the buildings, dawn to dusk, at different times of year. These studies should inform proposals for further opening up the southern edge and would provide guidelines for new development.

6.27 Where architectural expression is developed in new development it should have meaning i.e. in celebrating entrance, community or individuality, shelter, enterprise etc. Dwellings should be capable of personalization. Use of brick as a predominant material will offer continuity with the existing environment, although it is envisaged that other materials will be incorporated where textures and tones provide subtle contrast and where they can provide bio-climatic design benefits (eg. glass). Roofs should be modelled to give further clarity to the layout and interest on the skyline. Single monopitch flat roofs should be avoided over large areas.

6.28 New development is likely to be more varied, which will introduce a greater variety of form without losing the overall sense of belonging to this particular site. A controlling grid would be a useful starting point to help with the integration of existing buildings. The grid should be flexible, responding to significant uses, hierarchy of routes and spaces etc. A grid can be developed in different ways to suit different parts of the site and to accommodate different plot types. It is anticipated that most built development would define the outer edges to provide enclosure to the streets and spaces, and to protect private or semi-private areas in the centre. Defensible space along frontages should be allowed for where appropriate, and public spaces should have surveillance. A clear development framework will aid legibility.

## **Landscape Treatment**

6.29 Living boundaries e.g. hedges, between properties are preferable to railings and fences. They present a softer, attractive environment, exhibit seasonal variation, are potentially carbon neutral, and increase bio-diversity.

6.30 Tree planting should be utilised in order to reduce visual impact, noise pollution, and perceived proximity from the neighbouring factory.

6.31 The scheme should create a suitable landscape setting for the retained buildings; the scale, boldness, strength and simplicity of which should compliment the buildings and incorporate them into the new environment.

6.32 The landscape should aim to assist the relationship and presentation of the retained buildings to Haxby Road and convey its new image and use accordingly.

6.33 There should be a consistent approach to hard landscape in public areas/ routes, using a limited range of materials and street furniture. Materials should be fit for purpose and designed in scale with surroundings. Adjacent to buildings materials should compliment each other. Lighting should be integrated where possible, and consideration should be given to enriching the public realm with an integrated public art approach (refer also to paragraphs 7.11 to 7.15).

## **Trees**

6.34 Any proposed new development will need to integrate the existing belts of trees into the overall scheme as valuable, mature, attractive landscape features. They should remain predominantly in the public domain to ensure their full potential public amenity value and longevity is realised.

6.35 In accordance with British Standard 5837 a tree survey will need to be carried out, of all the trees within the site and along the southern boundary. The result of this survey will inform any proposed development layout, such that the best of the trees are retained and adequately protected.

6.36 Existing trees are predominantly located on the site's southern boundary. Therefore the shading effects on any adjacent properties must be considered, such that there shall be no conflict between dwelling and/or garden use. Other factors to be taken into account include heavy seasonal fall, honeydew, sooty mould, perceived safety concerns – whole trees blowing over, and potential subsidence claims. Such conflicts can be overcome by designing generous and suitable distances between properties and trees.

## 7. OPEN SPACE, RECREATION AND PUBLIC ART

***Key Objectives being met : KO3, KO13, KO14***

### History

7.1 The Nestlé Rowntree factory has a significant history of providing facilities for sport, recreation, health and leisure activity. The existing sports pitches and facilities were designed as part of the original factory, as was Yearsley pool, which is still heated by steam from the factory. Also parts of the original factory were female and male gyms, which were in the canteen block. This provision was part of Joseph Rowntree's efforts to improve the quality of civil life for all through the provision of affordable, decent housing, recreational facilities and opportunities for self-improvement.

Provision for children's play, amenity open space and youth and adult sports facilities on this site should reflect this history and develop modern but compatible ways to enhance this provision.

### Open Space Requirements

7.2 In accordance with Development Control Local Plan policy L1c – Provision of New Open Space in Developments – developments for all housing sites or commercial proposals over 2,500m<sup>2</sup> gross floor space are required to make provision of the open space needs of future occupiers. This should be provided in addition to any area required for landscaping.

7.3 Discussions with the Council are encouraged at an early stage in the planning process to ensure that the open space provision is fully integrated into design proposals, and that it is well designed and safe to use.

7.4 Employment, retail and leisure development schemes of 2,500m<sup>2</sup> and above are required to provide informal amenity open space, principally for the use of staff. The level of open space provision will be dependant on the number of employees and will be required to be provided on-site and in addition to the required landscaping.

7.5 Residential developments are required to provide children's equipped play space, informal amenity open space and outdoor sports facilities. The level of provision required is dependant on the number of dwellings proposed in any new development and the number of bedrooms in each dwelling.

7.6 Developers will be expected to enter into a Section 106 Agreement towards ensuring the provision and future maintenance (whether by means of a commuted sum payment or by some other means) of the open space facility for a period of ten years.

## **Children's Play Areas**

7.7 Within residential development, provision for young children's equipped play areas should be on site and located appropriately to serve both new residents generated through any new development proposals and those from the nearby housing areas, which currently have limited access to play facilities. Provision for older children should be considered on site. If this is not feasible then it may be acceptable as an off site contribution for provision in the local area. However, on site provision is the first priority.

## **Amenity Space**

7.8 For all residential schemes and commercial schemes of 2,500m<sup>2</sup> and above, amenity open space could be provided in a variety of forms on site. It may include formal gardens, green corridors, open or wooded areas. On-site open space should be designed to provide a network of green spaces and link to pedestrian and cycle routes. Whilst the majority of provision should be on-site, some off-site provision may be included - but should be used to address local need and improve access to amenity space. This may include broader community access to Nestlé's sports pitches or North Fields, allotment sites, new uses of the allotments, and improvements to the river Foss corridor.

## **Youth and Adult Sports Provision**

7.9 Within residential proposals, youth and adult sports provision may be accepted off site and reference should be made to the City Council's Sport & Active Leisure Partnership's North Zone Plan which sets out community sporting priorities in this area. Provision should build on the quality facilities made available by Nestlé and should specifically focus on increasing community participation in sport.

7.10 Detailed proposals for youth and adult sports provision should be discussed with the Council's Parks and Open Spaces and Sport & Active Leisure Teams prior to any planning application submission.

## **Public Art**

7.11 The site and surrounding area includes some buildings of significant historical and architectural quality. In assessing new proposals for the redevelopment of this area the Council will seek the highest quality of design in public art, which will enhance the distinctive character of this area and reflect the long history of chocolate manufacture on this site.

7.12 It is likely that the provision of public art will be sought as part of a Section 106 agreement and the Council should be consulted on the design and implementation of the works proposed.

7.13 The Council has a Public Arts Strategy (1998) which seeks to promote the use of public art provision within the city. People see public art as an important element in reinforcing a particular identity in an area and promoting its attractiveness and use.

7.14 The Council is looking for public art to be provided by prospective developers. It may be art that is integral to the design of the development e.g. the re-interpretation of the public realm/ landscape framework in relation to the preserved factory buildings, a designed entrance or as a separate work of art. There is also an opportunity here for works derived from the unique history of the area and its chocolate-making industrial heritage to be explored.

7.15 The artwork should be developed at an early stage in the formulation of proposals and be integral to the overall design concept. The artist/s should be appointed at the outset to work with architects, engineers and landscape designers. The Council will work with developers to produce the Public Art brief/s and ensure that the local community are involved in the development of public art proposals.

## 8. SAFETY AND SECURITY

### ***Key Objectives being met KO14, KO17***

8.1 PPS1 states that “developments should create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion.” Discussions on potential crime prevention aspects of development will need to be initiated at the outset of the design process in order to create places that are both well connected and secure.

8.2 In accordance with Development Control Local Plan policy GP3, development will be required to incorporate crime prevention measures to achieve natural surveillance of public spaces and paths from existing or proposed development, secure locations for any associated car and cycle parking and satisfactory lighting. Prospective developers will also need to enter into discussions at an early stage with Council Officers, the Safer York Partnership and North Yorkshire Police, with regards to the potential need to incorporate public and/or private CCTV coverage of the scheme and it's environs.

## 9. ARCHAEOLOGY

### **Key Objectives being met : KO3**

9.1 The Nestlé Rowntree factory site does not lie within an Area of Archaeological Importance (AAI) under the Ancient Monuments and Archaeological Areas Act 1979, but there remains a strong and clear policy background for assessing applications for development which would involve disturbance of existing ground levels within York.

9.2 Planning Policy Guidance (PPG) Note 16: Archaeology provides the national guidance, and this should be followed alongside City of York Council Development Control Local Plan Policy HE10: Archaeology.

9.3 There has been relatively little archaeological work in the vicinity of, or in the area occupied by, the Nestlé factory. Therefore, it will be necessary to carry out an archaeological desk-based assessment of the factory site.

9.4 The desk-based assessment will need to address the following items:

- current land use (from a site walkover survey);
- historical land uses (including assessment of historic Plans of the site);
- geology, hydrology and hydrogeology of the site (in particular the extent to which the site may contain waterlogged deposits);
- assessment of how the topography of the site has changed and developed from prehistory to the present day;
- the locations and nature of listed buildings and scheduled ancient monuments within 500m of the site plus gazetteer;
- the locations and nature of archaeological interventions (excavations, evaluations, watching briefs etc) on the site and within 500m of the site plus gazetteer;
- a review of published documentary evidence and previous interpretations of the history and archaeology of the site;
- a review of any existing ground investigation data, borehole records etc;
- a deposit model for the site; and
- plans showing the site location and the proposed site layout.

9.5 This information should be drawn together to produce a report and deposit model, which should describe and assess the evidence and potential impact that any proposed development might have on the site.

9.6 If necessary, the report should suggest a programme for intrusive investigations (a field evaluation) on the site in order to answer specific questions on the character, date and importance of archaeological deposits, which might survive on the site. If a field evaluation is required this will need to be carried out in accordance with a written Scheme of Investigation prepared by or agreed with the City of York Council.



9.7 A buildings survey has been carried out of the main buildings. It may also be necessary to carry out a full recording exercise to a scheme of investigation agreed with the City of York Council on all the buildings and machinery prior to any demolitions or alterations taking place. This building record can be covered by an appropriate condition should consent be granted for development on this site.

9.8 Any proposed planning application for this site must include the following items:

- a report on the desk-based assessment and the full archaeological evaluation;
- a copy of the buildings survey;
- an assessment of the impact new development will have on archaeological deposits; and
- a strategy for mitigating that impact.

## 10. SUSTAINABLE TRANSPORT

**Key Objectives being met : KO13, KO15, KO16, KO17**

10.1 At the heart of York's Local Transport Plan 2 lies the commitment to achieving the Government's Shared Priority for meeting transport needs more effectively, through reducing congestion and improving accessibility, safety and quality of life. The Councils own 'hierarchy of transport users' underpins this. This is a priority listing applicable when making land-use and transport related decisions and implementing transport measures. The order of priority is as follows:

- Pedestrians
- People with mobility problems
- Cyclists
- Public transport users (includes rail, bus, coach & water)
- Powered two wheelers
- Commercial/business users (including deliveries & HGV)
- Car borne shoppers and visitors
- Car borne commuters

### **Pedestrians and Cyclists**

10.2 The scale and significance of potential development on this site demands that careful consideration is given to the provision of facilities for pedestrians, cyclists and public transport users. The site is ideally positioned to take advantage of the surrounding highway infrastructure, which allows for realistic travel to the city centre, and indeed many other parts of the authority area, without a high degree of dependence upon the private car. Proposals will need to take account of the needs of disabled people and pay particular attention to the Disability Discrimination Act 2005 (DDA) requirements (see Chapter 12: Accessibility).

10.3 A network of safe routes should be provided throughout the site for both pedestrians and cyclists. Pedestrian / cycle routes should be designed to make them convenient, comfortable, safe, direct and attractive. Careful consideration must be given to lighting, and pedestrian routes must be designed to be open to provide a feeling of safety. When designing road crossings, it should be noted that priority should be afforded to pedestrians and cyclists. In busy locations where there is potential for conflict between pedestrians and cyclists, consideration will need to be given to the provision of segregated facilities. Where it is appropriate and safe to do so, priority at junctions should be given to cyclists on cycle tracks.

10.4 A detailed and thorough Transport Assessment should evaluate all travel implications. The Transport Assessment must include a detailed review of the likely routes to key facilities (such as schools, medical facilities, local

shops, etc) either within the development or in the surrounding neighbourhoods wards, which the new community will use. The focus should be on the potential need to improve such routes, as a result of the additional demands created.

10.5 In addition to routes to local facilities, it is important to strengthen links with the city centre. Any new development in this area should aim to enhance access in the direction of the city centre, as it is envisaged that a substantial proportion of travel to and from this site would take place between the two. In particular focus should be directed to the strategic cycle links from the site to the city centre.

10.6 The Development Control Local Plan Proposals Plan identifies a proposed cycle/ pedestrian route in the vicinity of the Nestlé site, running from the south west corner of the site, behind York District Hospital, towards the city centre. Prospective developers will be expected to either make a financial contribution towards the provision of this route, or to incorporate it into their development. (Development Control Local Plan policies T2a and T2b).

10.7 Prospective developers will be expected to provide the highest quality cycle parking facilities. The level of provision will be guided by the Council's parking standards in conjunction with the anticipated modal split targets for the site. It will be necessary to incorporate some means of promoting a cycle hire initiative on the site and also potentially provide new residents with vouchers to redeem bicycles.

## **Public Transport**

10.8 As with walking and cycling, development of this site will provide a good opportunity to encourage journeys by bus. Convenient, regular and good quality bus services and infrastructure are essential for the advancement of this development as a scheme for reducing car dependency. The principle of seeking to maximise trips to and from the site by bus must be integral to the scheme and discussion with Council Officers and public transport operators, must take place from the earliest stages.

10.9 Negotiation should be entered into with public transport operators in order to ensure that any proposed development is adequately serviced by public transport from the outset. An evaluation of current bus services, running within 400m of the site, need to be considered in terms of whether they provide the optimum level and standard of service, which will be necessary to ensure that catching a bus is viewed as an attractive option by the community and also visitors.

10.10 Existing bus services are accommodated along Haxby Road and Wiggington Road (see Plan 5a attached to this brief), and it is envisaged that this provision will be enhanced, as appropriate. Any new development should provide an opportunity for bus services serving it to have better links to the wider public transport network (e.g. York Railway Station). The opportunity to

create a bus link between Haxby Road and Wigginton Road (including a bus-only link through the site) should be investigated.

10.11 Direct pedestrian links should be provided from the site to the existing public transport services on Haxby Road and Wigginton Road. Good quality seating, waiting and shelter facilities and proprietary bus-boarding kerbs should be provided at all bus stops around the site, together with up-to-date information facilities. The Council is continuing to develop real-time information and bus priority through BLISS (Bus Location Information Sub System). Bus stop and shelter facilities provided as part of the development of this site must accommodate real time information facilities. This should be coordinated through early dialogue between the prospective developer, the City of York Council, and bus operators.

## **Reducing Private Car Dependency**

10.12 In recognition of the present demands on the highway network and the planned additional development in this part of the city, together with the wider environmental reasons for controlling traffic growth in York, the City Council will promote a low car ownership development. Opportunities exist within the development of this site to restrict car parking within identified areas, and prospective developers are advised to discuss options with officers at the earliest opportunity. Areas identified within the development for low-car ownership should be located with easy access to alternative travel options.

10.13 Maximum car parking standards (including a % of designated spaces for people with mobility problems) and minimum cycle parking standards, as set out in the Local Plan, apply to this site. These standards coupled with the provision of car clubs/ pool cars, community mini-buses and their associated infrastructure, as well as other effective travel planning measures delivered through a detailed site travel plan, will be sought as an effective way of reducing car dependency whilst maintaining residents' travel options.

10.14 A comprehensive approach to the car club should be taken to enable a reduced need for private car parking, and thus free-up space for other uses. The provision of parking bays and appropriate funding to pump-prime club provision will be sought by the Council. Car club parking areas will need to be conveniently located, as club cars will be utilised by a mixture of users, including people from the wider area, both throughout the daytime and evenings.

## **Travel Plans**

10.15 Any proposed commercial development with more than 30 employees, or residential development of more than 20 units, is required to submit a travel plan in accordance with Development Control Local Plan policy GP13a. The plan must include modal split targets, timescales monitoring methods, and full details of the proposed measures and

outcomes. In addition it will need to include details of penalties/sanctions, which would apply in the event that targets are not achieved.

10.16 Any development of the Nestlé South site will require an 'umbrella plan' which focuses on both residential and non-residential elements. The provision of, for example an incentives package for public transport, could form part of the overall Travel Plan. Where a particular occupier is not identified at the planning stage, a condition will be imposed (or possibly an obligation through a section 106 planning agreement) on any consent requiring any subsequent occupiers to submit and agree their Travel Plan within a specified time-frame (e.g. within 6 months of occupation).

10.17 In order to monitor the effectiveness of this initiative, planning conditions will be considered and enforced where necessary. Prospective developers will be encouraged to seek advice and other support from the Council for the production of the Travel Plan.

## 11. HIGHWAYS AND CAR PARKING

**Key Objectives being met : KO13, KO15, KO16, KO17**

### Highways

11.1 There are several major development sites to the south/east of the Nestlé South site, known collectively as the Foss Basin area. This includes the Hungate mixed use city centre scheme and the former Transco site on Heworth Green. The travel implications have been assessed and a series of measures are proposed in order to mitigate the effects over the next 5-10 years. Whilst Nestlé South falls just beyond the area previously considered, the transport demands created by redevelopment will have some influence on parts of the network already assessed.

11.2 When preparing the Transport Assessment for Nestlé South, it will be necessary for the consultants to utilise both data / findings from the Foss basin plan, together with the latest traffic models (Saturn / Microsimulation) held by the Council's Transport Planning Unit. Consideration of committed proposals by York District Hospital will also need to be taken into account. This approach will ensure a robust analysis of the implications arising from Nestlé South. Early discussions with the Council's Transport Planning & Network Management units will be required in order to agree any mitigation strategy. For any traffic modelling undertaken, the cumulative effect of all potential large scale developments, and this particular development's impact in relation to this, should be assessed.

11.3 Traffic will access Nestlé South via both Haxby Road and Wiggington Road. Both routes are part of the primary highway network, providing a key connection between the outer and inner ring roads. Presently, both routes carry significant volumes of traffic, particularly during the twice daily peak hours of 0800-0900 and 1700-1800. The physical design of both routes is restricted and towards the city centre they regularly operate at capacity. Queuing at and on the approaches to inter-connecting junctions is commonplace.

11.4 In order to achieve a satisfactory form of access from Haxby Road, it is considered likely that the existing roundabout will require re-profiling. This will need to be sympathetic to the historic character of this part of the site. Access from Wiggington Road will require careful consideration and some form of management (traffic signals) is a probable option.

11.5 It will be necessary to ensure that traffic generation associated with any redevelopment of the site does not exceed capacity on the surrounding highway network, and a strong emphasis on low levels of private car use must be promoted. A full Transport Assessment will be undertaken and, in doing so, it is essential that the analysis presents the current (and committed development) scenario in an objective way. This will require the presentation

of observational traffic patterns, in addition to software modelling. It is crucial that the scope of the assessment is agreed beforehand, and guidance should be sought from the Council's Network Management & Transport Planning units at the earliest opportunity.

## Layout and Design

11.6 In terms of the internal site layout, it is anticipated that a through connection between Haxby Road and Wigginton Road will be appropriate for public transport, cycling and walking. No through access will be permitted for other motor traffic.

11.7 Changes to the internal site layout are likely to necessitate alteration to the existing highway and creation of new highways. New highways should be designed and constructed to an adoptable standard. Developers should refer to City of York Council's Highway Design Guide and make early contact with the Council's Network Management section for further details.

11.8 The opportunity to use home zone principles in the design and layout of the residential element of a mixed use scheme should be explored. Home zones provide improvements for local residential environments through a mixture of traffic calming measures, speed restrictions and other highway changes. The prioritisation of the social and environmental functions of the street, above its function as a highway, will reinforce sustainable travel choices and create safer play environments. Further guidance on home zones can be found in paragraph 6.191 of the York Local Transport Plan 2 and in the Council's Highway Design Guide ([www.york.gov.uk/etc](http://www.york.gov.uk/etc)).

11.9 As mentioned in Chapter 8: Safety & Security, it will be necessary to consider appropriate levels of CCTV coverage for the site. In terms of managing the highway network, it is probable that new cameras will be required on both the Wigginton Road and Haxby Road frontages.

## Car Parking Provision

11.10 A key means of achieving a more sustainable approach to development, as set out above, is to control the amount of new car parking and to encourage and facilitate, largely through appropriate developer contributions, better access to this site by, walking, cycling and use of public transport.

11.11 Very low car parking provision (in the region of 60%) has proved to be very successful in new housing schemes across the city (Hungate, Heworth Croft, Lawrence Street, Hull Road), and house builders and agents have reported back positively in terms of marketing and sales. The opportunity exists here to again demonstrate in York that low car ownership can be achieved without detriment to the commercial viability of developments.

11.12 The key principles the Council will adopt in considering car parking provision within the Nestlé South redevelopment area are :-

- overall car parking provision to be agreed on the basis of a detailed transport impact analysis (including modeling the effects of development generated traffic and subsequent mitigation measures on the city's transport network).
- this will apply to both residential and commercial/ business uses. The objective to be achieved is that the adjacent highway network<sup>1</sup> in the peak hours does not exceed a ratio of flow to capacity (RFC) of 0.9 at any point or junction as a consequence of the net development traffic (ie. after making allowances for existing movements removed from the network as a consequence of new development);
- encouragement to schemes with low car parking provision allied with better public transport, cycling and walking;
- large areas of surface car parking within the scheme will not be acceptable;
- for office development, the focus should be to provide only operational parking. The Council expects walking, cycling, and the use of public transport to play a key role in the travel requirements of future employees/ visitors;
- for residential development, parking should reflect the nature of dwelling unit, proximity to the city centre and availability of other forms of transport; and
- York has an operational car club and integration of an appropriate level of club cars will be necessary. Any developer of the Nestlé South site will be expected to provide the necessary finance and areas of land to support this initiative. The latest research indicates that one car club car replaces up to 7 private cars, which dramatically reduces the space/ land take required for traditional parking – aside from the reduced congestion and environmental benefits that car clubs achieve.

11.13 Early discussion with Council Officers will be expected in order to agree measures to prevent displacement of car parking elsewhere within the site and to the surrounding areas.

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<sup>1</sup> The area of the city which extends from the junction of Lord Mayors Walk/ Gillygate to the junctions of the A1237 with Haxby Road, Wigginton Road and Shipton Road.



## 12. ACCESSIBILITY

### ***Key Objectives being met : KO8, KO9, KO10***

12.1 The inclusive design of provision for disabled people should be carefully considered at an early stage and discussions with the Council are encouraged. Development proposals should consider internal spaces and facilities, the spaces between and around buildings, links to other areas and routes within, through and surrounding the area. A disability audit or impact assessment should form part of the design proposals as they are developed, and be clearly expressed in the Design and Access Statement.

12.2 All public spaces and buildings should be fully accessible to disabled people. Further requirements should be obtained from the Disability Discrimination Act (2005) and Part M of the Building Regulations 2004. These requirements represent the minimum standards acceptable for development. The opportunity should be taken to achieve imaginative and flexible solutions to create higher levels of accessibility. The Gateshead Access Panels' "Designing to Enable" Guide is recommended to be followed, as is "Designing for Accessibility", a joint publication by CABI and RIBA Enterprises.

## 13. ENVIRONMENTAL ISSUES

**Key Objectives being met : KO11, KO12, KO18, KO19**

### Air Quality

13.1 The site is located approximately 250m north of the current Air Quality Management Area (AQMA).

13.2 Results from the nearest nitrogen dioxide diffusion tube monitoring sites show that only one exceedence of the 40ug/m<sup>3</sup> annual average nitrogen dioxide objective has been observed in this area in the last 6 years (although data for 2000 and 2001 is limited). There is also some evidence of a general reduction in concentrations over the six-year period, although there are some exceptions to this.

13.3 The Council has not undertaken any monitoring outside the proposed redevelopment area, as it does not currently constitute a 'relevant location' for the purpose of local air quality management. A 'relevant location' will be created if housing is placed on the site.

13.4 There are a number of measures that could be adopted in relation to this scheme to reduce its traffic impact on local air quality.

- Keep car parking to an absolute minimum – the possibility of a car free development or a 'low emission' development should be given due consideration;
- A car club should be incorporated;
- Good walking and cycling access should be created and ample cycle parking provided;
- The site should have good access to public transport links – the creation of a bus route through the site would aid this although a new through link for all vehicle types should not be permitted as it may encourage 'rat-running' in the area.
- Consideration must be given to providing incentives to encourage sustainable travel to and from the site. Ideas might include provision of cycles, provision of bus passes, journey-planning service etc.
- Buildings should be as energy efficient as possible to reduce domestic emissions - opportunities to use waste heat from factory site should be looked at as a means of heating potential homes along with sustainable onsite production of energy.

13.5 To protect the health of new residents the following design features should be considered:

- Setting back of residential properties from roads by distance of 10m or more.
- Avoiding the creation of courtyard car parks between buildings

- Placing non-habitable e.g. bathrooms, kitchens etc on roadside facing facades
- Discouraging the use of balconies etc on facades located close to major roads

13.6 To ensure that the air quality implications of development on this site are fully understood in terms of traffic generation, details of the likely traffic generation to and from the site should be made available to the Council before any formal planning decisions are taken on the future of the site:

13.7 This should include information about the predicted change in annual average daily traffic (AADT) flows as well as peak hour flows. It should also provide an indication of the types of vehicle movements that will be generated in terms of vehicle class e.g. bus, lorry, car etc. The latter is particularly important if a public transport route is to be provided through the site. The geographical extent of the Transport Assessment should be great enough to ensure that information about changes to traffic flows within the nearby AQMA are provided. Particular attention should be paid to Gillygate and Lord Mayor's Walk which both currently show exceedences of the annual average nitrogen dioxide air quality objective.

13.8 If the traffic assessment suggests that any of the following situations are likely to occur then a full air quality impact assessment relating to traffic emissions will be required.

- There is likely to be an increase in current AADT flows of greater than 5% on any road in the vicinity of the site where there are 'relevant' locations.
- There is likely to be any road where flows of HGVs and/or buses are likely to exceed more than 20% of the total flow and the number of HGVs / buses will exceed 2000 per day. Although this is considered unlikely it should be checked in relation to any proposed public transport route through the site.

13.9 The detail of air quality modelling required for any air quality impact assessment will be dependant on the magnitude of the predicted changes in traffic flow. It is recommended that the Council air quality staff be consulted on the scope and methodology for any air quality assessment prior to commencement. Where modelling work is undertaken it will need to be verified as far as possible against local monitoring data. Emissions of both NO<sub>x</sub> and PM<sub>10</sub> should be considered.

13.10 Other pollutant sources, which will need to be considered in relation to this development, include the Nestlé boiler plant (and possibly other large boiler plant in surrounding area e.g. York Hospital and Yearsley swimming pool) and construction sources.

13.11 Particular attention should be paid to the dispersion of pollutants from the existing Nestlé boiler plant to ensure that occupants of any dwellings in

elevated locations on the site (for example in the existing buildings) are not adversely affected. It is likely that to provide adequate information detailed dispersion modelling of the stack will be required for a number of different meteorological conditions. Where modelling work is undertaken it must be verified as far as possible against local monitoring data. Emissions of both NO<sub>x</sub> and PM<sub>10</sub> should be considered. It is recommended that any proposals for modelling stack emissions be discussed with air quality staff at the City Council prior to commencement.

13.12 If initial studies indicate that both stack and traffic emissions are likely to be significant in relation to the development then a cumulative air quality study considering the impact from both sources will be required using an advanced air pollution dispersion modelling tool such as ADMS-urban. It may be considered more cost effective to undertake this approach from the outset rather than undertaking separate scoping studies for traffic and stack emissions.

13.13 To minimise the air quality impacts from construction on the site the preparation of a construction management brief should be encouraged. As a minimum this should include measures for controlling dust from the site and minimising tail pipe emissions from construction vehicles.

13.14 The possibility of a financial contribution towards ongoing air quality monitoring or air quality action planning initiatives in the area should be explored. Full details of the current air quality action plan are available in Annex U of the second Local Transport Plan (LTP2).

## **Contaminated Land**

13.15 The Nestlé site has a long commercial history. Land contamination could have resulted from a number of sources, such as fuel and chemical spillages, underground storage tanks, leaking underground supply pipes and areas of made ground.

13.16 As a result, the full extent of any land contamination will need to be established. Desk study and site investigation work will be required, in order to assess the impacts on all receptors, as detailed in Part IIA of the Environmental Protection Act 1990 and in accordance with PPS23. The development area and any associated play space, open space etc. will need to be shown to be safe or made safe for the proposed use and future occupants, and any impacts on controlled waters and the wider environment will need to be appropriately mitigated. Details will be required as to how any contamination can be successfully remediated and this should be included within the EIA. Developers should contact the council's Contaminated Land Officer and also the Environment Agency to discuss a suitable strategy for site assessments and remediation; if this is not conducted and agreed in advance, this work will be conditioned through any planning permission.

## Noise and other amenity issues

13.17 As this is the redevelopment of part of the working factory site and is likely to involve a phased approach to the development, there are a number of issues to be considered including:

- the impact of the remaining Nestlé activity on future occupants;
- the impact of the ongoing development on occupiers of the first phases of development;
- the impact on the proposed mixed use of the site on the future occupiers; and
- the impact of the redevelopment as a whole on the surrounding existing residential areas.

13.18 The existing noise climate should be established for the proposed redevelopment area. PPG24 states that wherever practicable noise-sensitive developments are to be separated from major sources of noise, such as road, rail, and certain industrial sites and that such sources are sited away from noise sensitive premises. To determine the best position for noise sensitive development on the site, a noise assessment should be included in the Environmental Impact Assessment determining the levels from the existing noise sources, both during the day and at night.

13.19 The remaining factory use of the northern part of the site could impact on the development site. There is a potential for impact from noise, odour, fumes and other emissions, dust and intrusive lighting from the factory activities, which are currently shielded from the nearby residential units by the existing buildings on the southern boundary of the site.

13.20 As development progresses it is likely that the first phases will be occupied whilst the remainder of the site is under development. This development of the site has the potential to result in noise and dust issues for example noise and dust from construction and demolition activities as the proposed developed takes shape or construction traffic noise from the development impacting upon existing residents.

13.21 There are potential conflicts between employment uses and residential areas. These may include:

- Existing traffic noise from the Haxby Road and Wigginton Road upon future occupants of the development;
- Noise from commercial activities upon future occupants and existing residents;
- Noise from deliveries and waste removal to and from the employment use;
- Noise from any fixed plant and machinery that forms part of the main factory site upon future residents;
- Cooking smells and other impacts of ventilation and extraction systems from any Use Class Order A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food take-aways) uses;

- Noise and odour from the occupiers of small workshops/work units on nearby residential units where the occupier of the unit is not the resident of the nearby property.
- The employment uses proposed on the site may impact on the existing residential premises on Haxby Road, Wigginton Road and Hambleton Terrace in the same way as raised in point 3 above.

13.22 The above issues must be addressed as part of the design process and be included within the Environmental Impact Assessment and any submitted application. The following are key to ensuring these issues are successfully designed out:

- Use of appropriate demolition and construction techniques throughout (e.g. piling methods and dust suppression) and sensitive phasing of the development to take advantage of screening of buildings;
- Careful consideration of site layout and orientation of buildings (e.g. delivery yards);
- Careful consideration of neighbouring uses to avoid conflicts of interest between commercial and residential units;
- Internal layouts of residential and commercial premises, to minimise conflict;
- Noise insulation between uses through agreed construction methods and materials;
- Careful specification and positioning of fixed plant and machinery; and
- The correct specification and positioning of extraction units from commercial use units (low level discharge units are not recommended).

## Ecology

13.23 Whilst the present extent of interest is likely to be limited, an evaluation of the overall wildlife value and potential of the site will need to be provided in order to see how development can best enhance the biodiversity of the area.

13.24 Any new development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement these and promote public awareness and enjoyment of them.

13.25 The value of existing buildings and trees as habitats must be evaluated, and appropriate measures provided for protection and enhancement of the habitat agreed in consultation with the Council, including a bat survey.

13.26 Any prospective developers are advised to have existing buildings that are proposed for conversion to be checked for bats by a properly licensed and qualified person. Any trees to be felled should also be checked for bats.

13.27 The provision of landscaping and open space in and around the site provides an excellent opportunity to support the principles of the York

Biodiversity Action Plan. Further guidance is also given in Section 6 of this brief, Design and Landscape Principles.

13.28 To ensure protection of existing habitats, wildlife survey work should be carried out in consultation with the Council's Countryside Officer.

## **Flood Risk**

13.29 The Nestlé South site lies within Flood Zone 1 as defined by the Environment Agency. This zone comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1%). All uses are appropriate in this zone, although as the site is larger than 1 hectare, a Flood Risk Assessment will be required to investigate the vulnerability to flooding from other sources as well as from river and sea flooding, and the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off (PPS 25, 2006).

## 14. SERVICES / PUBLIC UTILITIES

### ***Key Objectives being met : KO10, KO11, KO12, KO13***

14.1 The site is serviced by electricity, gas, telecommunications and water utilities along its periphery. Up-to-date confirmation of appropriate levels of service with regard to gas, electricity, telecommunications and water supply, will need to be agreed with the relevant statutory undertakers prior to planning application submission.

14.2 Through liaison with telecommunication companies, opportunities should be maximised for the early provision of high quality information technology infrastructure to the businesses, live/work units and homes on the site. Appropriate agreement should also be entered into for the phasing and safety considerations in the carrying out of works, which may affect existing or proposed service infrastructure.

14.3 In developing the site every opportunity should be taken to co-ordinate and share trenches and other conduits with undertakers of highways and landscaping works. Therefore, all these issues should be resolved prior to the commencement of any construction as part of the planning process.

14.4 Service infrastructure should be provided to the commercial, business, housing and community areas as the development proceeds, and standard conditions (eg. wheel wash facility) will be applied to ensure the minimum of disturbance to existing residents when services are being laid.



## 15. DEVELOPING PROPOSALS

### **Key Objectives being met : KO1 - 19**

#### **Public Consultation on this Draft Brief**

15.1 This draft brief has been prepared by the City of York Council (CYC), through contributions from a cross directorate group of Officers. Guidance from relevant organisations such as English Heritage and CABE have been researched in order to prompt best practice.

15.2 The draft brief has been approved by elected Members of the Council's Planning Committee as a basis for consultation with the public, statutory organisations and other interested groups. It will be put on deposit for a minimum of 8 weeks, and every effort will be made to accommodate representations from individuals and groups who would wish to be given more time for a response.

15.3 Presentations will be made by the CYC Project Team to the Open Planning Forum and Clifton Ward Committee in order to highlight the contents and main issues of the brief.

15.4 Representations received will be sent out to relevant Officers and departments within the Council in order to consider the issues and suggestions raised. All comments will be summarised and, together with Officer comments and final recommendations, will be reported back to the Council's Planning Committee for Members' consideration.

#### **Public Consultation on Development Proposals**

15.5 Consultants for Nestlé will be expected to work with the CYC Project Team in order to progress development proposals in line with the requirements, vision and objectives of the approved Development Brief.

15.6 When bringing forward proposals prospective developers will be expected to refer closely to this Development Brief and work with the local planning authority in order to :

- carry out a clear appraisal to determine the nature and extent of community consultation;
- carry out a community consultation exercise; and
- clearly demonstrate that the local community have been extensively involved with any planning application and have taken their views into account.
- Ensure that proposals meet the requirements of the statement of community involvement

## Masterplanning

15.7 Due to the size of the site, the importance of its history and the need to integrate proposals into the wider city strategies, a developer masterplan will be required prior to any formal planning application for development.

15.8 Detailed studies which should be carried out in order to inform the masterplan will need to be agreed with the City Council and will include:

- a survey of existing trees and hedgerows;
- an ecological appraisal;
- an urban design analysis; and
- an analysis of key views into and out of the site.

15.9 In then advancing options and solutions to design and layout, developer proposals should be presented in the form of a Design and Access Statement with accompanying masterplan and supporting assessments as detailed in this brief. This will help to ensure coordination and comprehensive delivery of the Council's vision and objectives.

15.10 The masterplan should follow the good practice guidelines set out in the 2004 CABI document *'Creating Successful Masterplans'* and, in particular, should:

- show how the streets, squares and open spaces of a neighbourhood are to be connected;
- define the heights, massing and bulk of buildings;
- set out suggested relationships between buildings and public spaces;
- determine the distribution of activities/ uses that will be allowed;
- identify the network of movement patterns for people moving by foot, cycle, car or public transport, service and refuse vehicles;
- set out the basis for provision of other infrastructure elements such as public utilities;
- relate physical form to the socio-economic and cultural context and stakeholder interests;
- allow an understanding of how well a new, urban neighbourhood will integrate with the surrounding urban context and natural environment;
- identify as far as possible individual development sites and potential phasing.

## Planning Applications and Conditions

15.11 An outline application for the redevelopment of this site will be acceptable to the City Council as local planning authority provided it meets the objectives of this brief and is accompanied by a detailed Design and Access Statement and Design Code. It will be checked by the Council to ensure all the required information has been submitted before going out for public consultation.

15.12 Consultation with the public will include letters sent out to local residents and business uses, together with a list of statutory consultees. Individuals and organisations will be given a minimum of 3 weeks to respond to the application, and all comments received will be brought to the attention of elected Council Members through the Officers' report to Planning Committee. This will be a public meeting, and objectors / supporters can register to speak at the meeting in order to reinforce their representations.

15.13 Applicants will need to demonstrate how their proposals accord with the vision and objectives of this development brief, as well as other material considerations such as the Development Control Local Plan (2005), national and regional policy guidance.

15.14 Conditions may be legitimately attached to any planning approval in order to ensure that schemes are built out to the satisfaction of the local authority, having regard to local, regional and national planning policy.

15.15 Subsequent details with respect to highways and detailed building design, elevation treatment, landscaping etc will be subject to Reserved Matters applications. These submissions will go through the same consultation process as the outline application, and will need to accord with the provisions of the Development Control Local Plan (2005), as well as this site development brief and other material considerations such as national and regional planning guidance.

## **Planning Obligations**

15.16 Policy GP13 of the Development Control Local Plan states that, where appropriate, the Council will enter into Section 106 legal agreements with developers. On this site the themes set out below will need to be considered in terms of developer financial contributions. The list is not meant to be exhaustive, and there may be other issues, which arise through the consideration of detailed proposals.

- Amenity, open space, public realm improvements and landscaping;
- Maintenance of amenity areas, open space, public realm and landscaping;
- Sustainable travel measures and infrastructure improvements (e.g. Green Travel Plan, Car Club, Bicycle Club, resident Bus Pass vouchers, resident cycle purchase vouchers, new/ improved bus stops);
- Improvements to cycle / pedestrian route between southern edge of site and Hambleton Terrace;
- Public safety and security measures, including CCTV;
- Lighting schemes in accordance with York Lighting Strategy
- Public art;
- Recycling facilities;
- Renewable energy initiatives;
- Air quality improvement measures;
- Measures for the protection of wildlife;

- Archaeology investigation, research, interpretation, and display of material found during investigation;
- Skills training for local people/ use of local labour in construction;
- Education provision;
- Affordable housing.

### Affordable Housing

15.17 The Council will expect affordable housing to be provided on site, in accordance with Development Control Local Plan policy H2a and the Affordable Housing Advice Note (July 2005).

15.18 The required tenure split is 45% affordable rent, 5% discount sale of the total number of homes. Built homes will be transferred to a Registered Social Landlord (RSL) in accordance with planning policy. Affordable rents will refer to Housing Corporation benchmarks and appropriate discounts agreed with the Council having regard to the City of York Housing Needs Study 2002-2007, York draft Housing Market Assessment 2006, and emerging York Housing Market Assessment 2007.

15.19 Affordable homes are required to:

- match pro-rata the size of the privately owned homes;
- match pro-rata the car parking provision of the privately owned homes;
- match the quality of the privately owned homes;
- be visually indistinguishable from the privately owned homes;
- achieve eco excellent / very good status, as with other homes on site; and
- be satisfactorily 'pepper-potted' within the scheme.

15.20 For further information please refer to Development Control Local Plan policy H2a and the Council's Affordable Housing Advice Note. Early discussions with the Council are encouraged.

### Education Provision

15.21 Financial contributions towards local education provision will be evaluated and agreed with reference to the Council's adopted supplementary guidance '*Developer Contributions to Educational Facilities, May 2002*' in order to ensure that appropriate facilities are created or improved in the local area in order to accommodate the requirements of newly forming school age children.

### Open Space Provision

15.22 Local Plan policy L1c requires children's play areas, informal amenity space and youth and adult sports provision to be provided on all housing sites and all commercial development above 2,500m<sup>2</sup> floor area. Further advice is given in Chapter 7.

## **Environmental Impact Assessment**

15.23 The Nestlé South site is not in a sensitive area as defined by the 1999 EIA Regulations. However, there is a potential need to remediate contaminated ground and the site is located within landscapes of historical, cultural and archaeological significance. It also lies within areas of heavy concentrations of population and in close relation to areas of poor air quality.

15.24 It is further considered that a development of a site of this size for the uses promoted by this brief is likely to have effects of more than local importance.

15.25 Given the size and location of the site, and in accordance with the *Town and Country Planning (Environmental Impact Assessment) Regulations, 1999*, comprehensive development (or cumulative phased or incremental development) of this land is likely to warrant the submission of an assessment of the likely significant environmental effects of development, known as an Environmental Statement. It is likely to be required to consider the following issues :

- Sustainability;
- Traffic and transport impact;
- Historic and cultural heritage;
- Ecology and wildlife;
- Archaeology;
- Visual impact;
- Hydrology;
- Noise and vibration;
- Air quality;
- Contaminated land.

15.26 Council Officers are available to give advice on the expected scope, content and detail of the Environmental Statement, and early contact is encouraged.

## **A P P E N D I X 1**

### **S U M M A R Y O F T H E H I S T O R Y O F N E S T L É R O W N T R E E**

- **1725** - A Quaker, Mary Tuke opens shop in Walmgate, York.
- **1775** - Wm. Tuke and Sons take over shop.
- **1785** - They start selling cocoa.
- **1862** - Henry Isaac Rowntree acquires cocoa side of business.
- **1864** - Tanner's Moat, York, receive ingredients via Hull Docks.
- **1869** - Henry Isaac's brother, Joseph, becomes a partner in the business. They manufacture a range of cocoas.
- **1881** - Rowntrees Fruit Pastilles are introduced.
- **1893** - Rowntrees Fruit Gums are introduced.
- **1883** - Joseph Rowntree is left in sole control following Henry Isaac's death.
- **1887** - Rowntree's famous Elect Cocoa is introduced.
- **1889** - Joseph's son, Benjamin Seebohm Rowntree, joins the business.
- **1890** - **The "Cocoa Works", at Haxby Road, are built.**
- **1897** - Rowntree & Co becomes Limited, with Joseph Rowntree as Chairman.
- **1901** - Rowntree's Table Jellies are introduced.
- **1906** - A pension scheme is introduced. The site moves to Haxby Road.
- **1909** - Yearsley swimming baths are presented by the company to the city of York.
- **1910** - Walnut Whip are introduced.
- **1913** - School rooms and a gymnasium are opened, and dining facilities for 3,000 employees are completed.
- **1918** - An annual week's holiday with full pay is introduced.
- **1919** - A Central Works Council is formed for employees.
- **1921** - Rowntree Park is presented by the Company. Unemployment scheme introduced.
- **1923** - Seebohm Rowntree succeeds his father, Joseph, as chairman.
- **1925** - Joseph Rowntree dies.
- **1928** - The Joseph Rowntree Memorial
- **1933** - Black Magic chocolates are introduced.
- **1935** - Chocolate Crisp (Kit Kat) is introduced. The Joseph Rowntree Theatre opens.
- **1935** - Aero is introduced.
- **1936** - Dairybox is introduced.
- **1936** - Blue Riband is introduced.
- **1936** - Quality Street are introduced.
- **1937** - Chocolate Crisp changes its name to Kit Kat.
- **1937** - Rolos are introduced.
- **1937** - Smarties are introduced.
- **1941** - George Harris succeeds Seebohm.
- **1948** - Polo Mints are introduced.
- **1953** - Polo Fruits are introduced.

- **1954** - Seebohm Rowntree dies.
- **1957** - Munchies are introduced.
- **1958** - Fawdon factory, Newcastle, opens.
- **1959** - Caramac is introduced.
- **1962** - After Eight is introduced.
- **1963** - Toffee Crisp introduced.
- **1963** - Tooty Frooties introduced.
- **1965** - Jellytots introduced.
- **1967** - Golden Cup is introduced.
- **1968** - Matchmakers is introduced.
- **1969** - Rowntree & Co Ltd and John Mackintosh & Sons Ltd become Rowntree Mackintosh Ltd.
- **1970** - Breakaway is introduced.
- **1972** - Wins Queen's Award for Export.
- **1976** - Yorkie is introduced.
- **1976** - Lion Bar introduced.
- **1980** - Drifter is introduced.
- **1982** - Aero Countline is introduced.
- **1985** - Automated Warehouse is opened in York.
- **1986** - A £16 million Kit Kat 4 factory plant is opened in York.
- **1987** - The company name is changed to Rowntree plc.
- **1988 - Nestlé SA buys Rowntree plc.**
- **1989** - Rowntree Mackintosh receives its fourth Queen's Award for Export Achievement. Nestlé shares are quoted on the London Stock Exchange.
- **1991** - The Lord Mayor of York opens the £14million Cocoa Processing Plant. Helmut Maucher, Nestlé SA Chairman and Managing Director, opens the £6 million Yorkreco Pilot Plant. Vice Versas are introduced.
- **1992** - Ramon Masip, Executive Vice President of Nestlé SA, opens the £15.5 million Polo Mint plant in York.
- **1993** - York's Lord Mayor Councillor Ann Reid opens the £18 million chocolate making plant in York. The new plant can produce four tonnes of milk chocolate an hour.
- **1997** - Maverick is launched.
- **1999** - Kit Kat Chunky launched.
- **2000** - Rolo biscuit launched
- **2002** - Double Cream chocolate bar launched.
- **2003** - Kit Kat Kubes launched.
- **2004** - Fruity Smarties, Kit Kat Editions and Baci introduced.

Sourced from [www.nestle.co.uk](http://www.nestle.co.uk)

## APPENDIX 2

### LIST OF DOCUMENTS

- City of York Council Economic Development Annual Reports
- City of York Draft Local Plan Incorporating the 4<sup>th</sup> Set of Changes (April 2005)
- City of York Council Affordable Housing Advice Note (July 2005)
- City of York Council 2002 Housing Needs Study (2002-07)
- York Housing Market Assessment - Draft (July 2006)
- City of York Council Corporate Strategy (2006-2009)
- City of York Council 'Developer Contributions to Educational Facilities' (May 2002)
- *'By Design. Urban Design in the planning system: towards better practice'* DETR & CABE (2000)
- City of York Local Transport Plan 2 (2006-2011)
- City of York Council Highway Design Guide
- *'Safer Places: The Planning System and Crime Prevention'* ODPM (2004)
- *'Designing for Accessibility'* Commission for Accessible Environments 7 RIBA Enterprises (2004)
- *'Designing to Enable'* Gateshead Access Panel



## **A P P E N D I X 3**

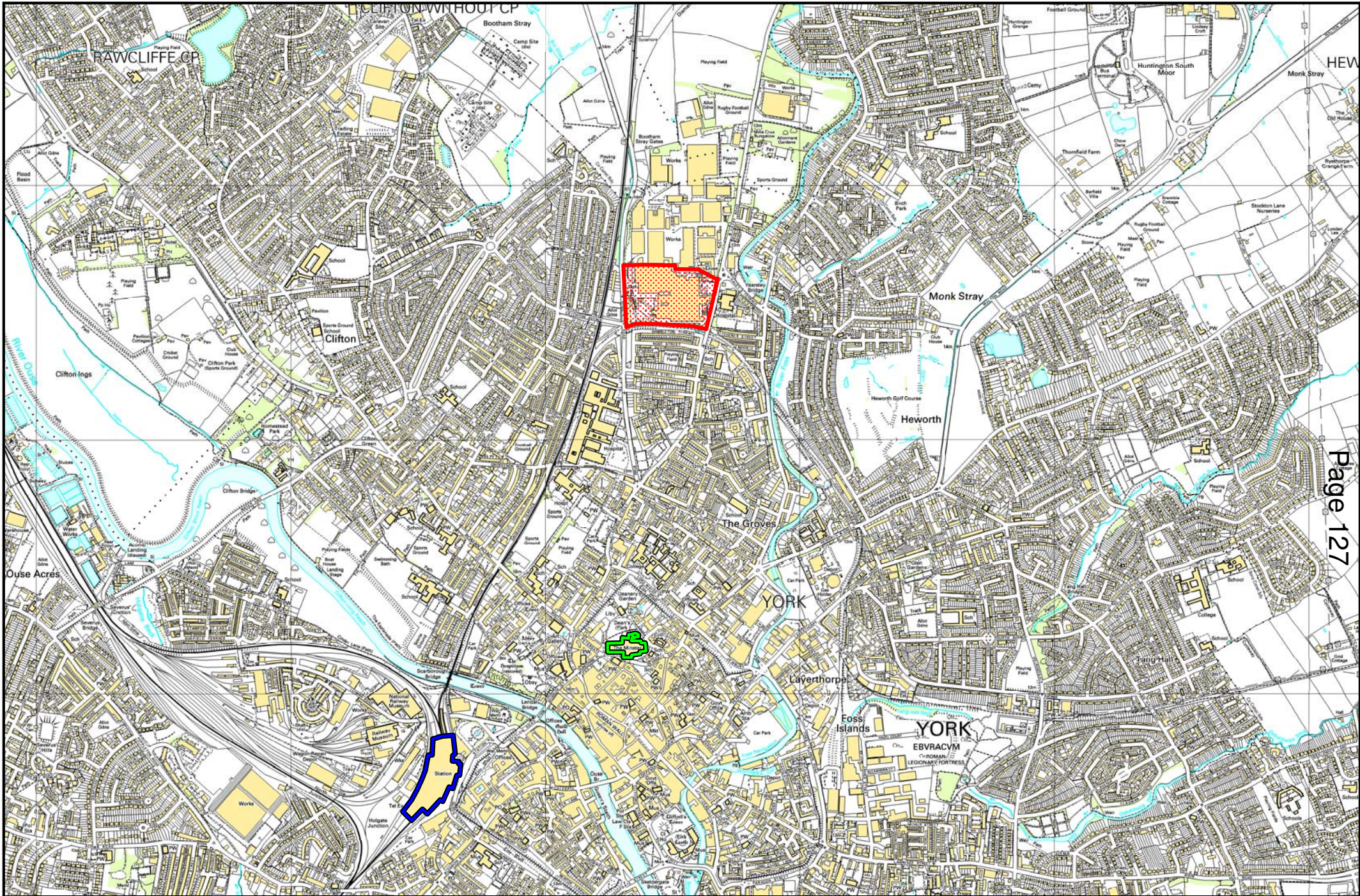
### **CITY OF YORK COUNCIL CONTACTS**

As at December 2006

01904 55 + Extension

Please contact Derek Gauld in the first instance Derek Gauld, Principal City Development Officer	1470
Roger Armistead, Development Area team Leader	1320
Martin Grainger, Principal Development Officer (Planning Policy)	1667
John Oxley, Archaeologist	1346
Janine Riley, Conservation Architect	1305
Esther Priestley, Landscape Architect	1341
Bob Missin, Countryside Officer	1662
Kristina Peat, Sustainability Officer	1666
Richard Bogg, Divisional Head, Network Management	1332
Ian Stokes, Principal Transport Planner	1429
Bryn Jones, Head of Economic Development	4418
Helen Howlett, Senior Environmental Protection Officer	1567
Graham Tissiman, Housing Development Coordinator	4153
Jake Wood, Policy Officer, Learning, Culture & Children's Services	4673
Vicky Japes, Senior Active Leisure Officer	3382
Gill Cooper, Head of Arts and Culture	4671
Julian Horsler, Equality Officer, Chief Executives	1704

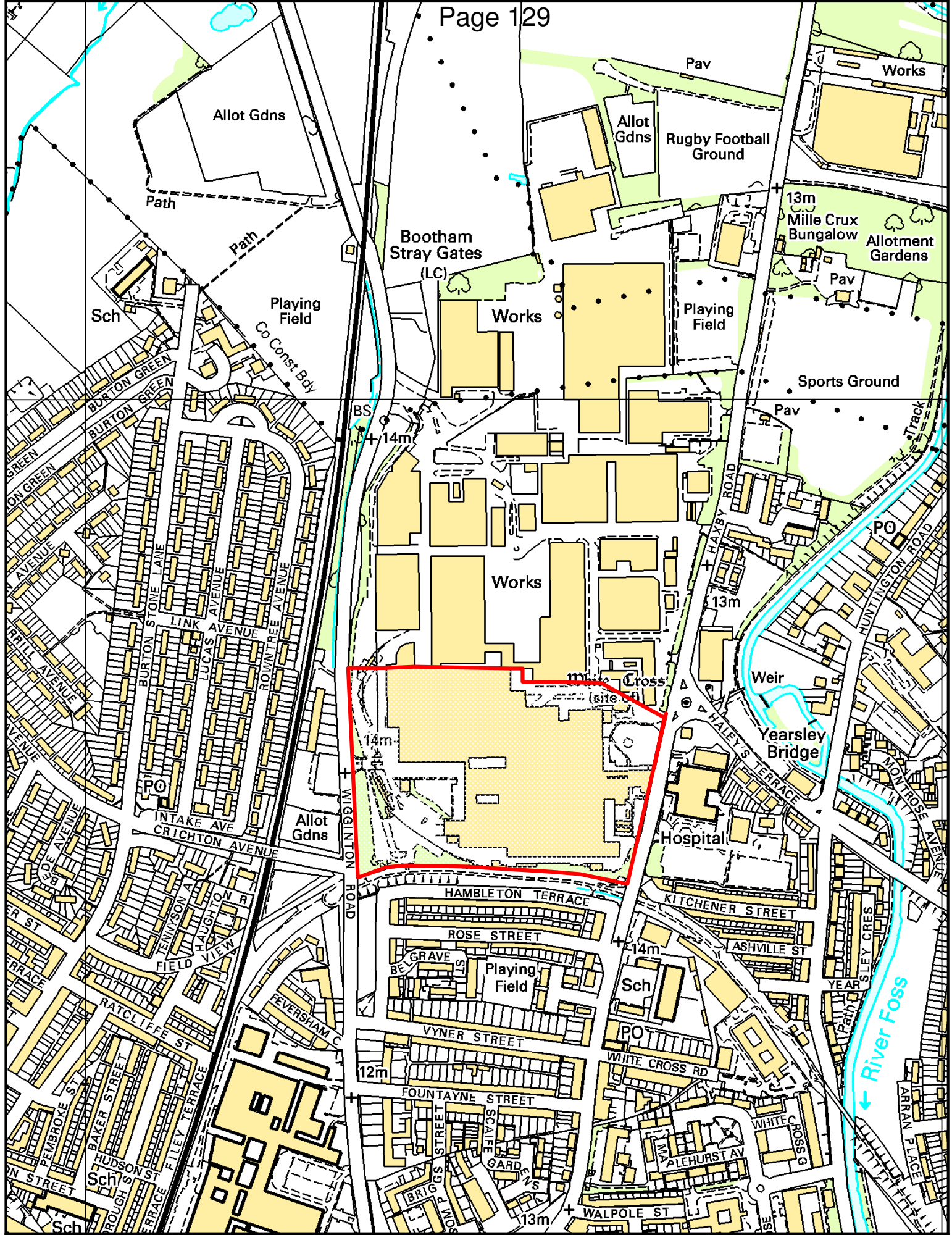
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# Plan 1: Location Map



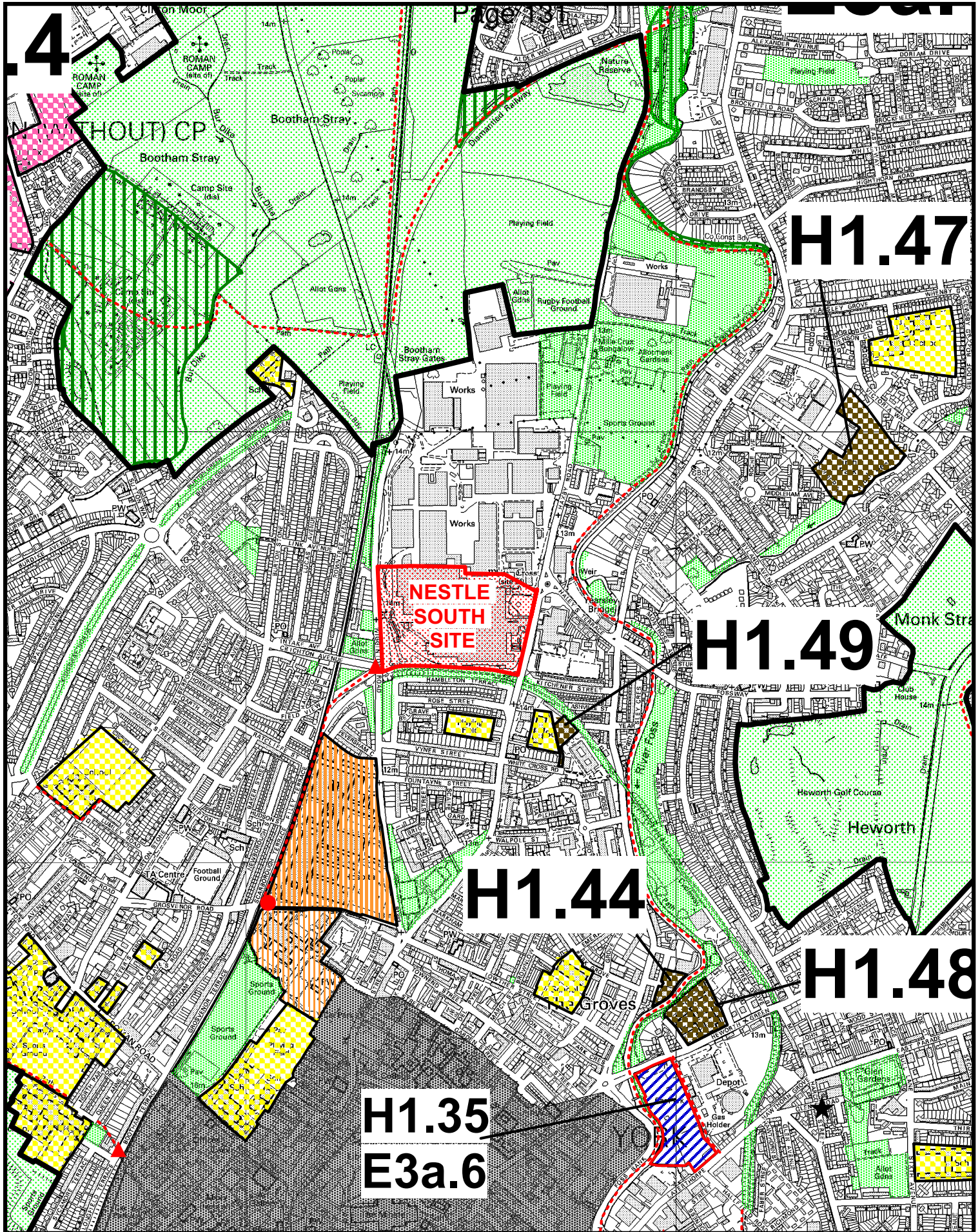
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# Plan 2: The Site

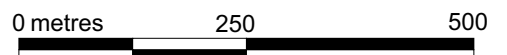
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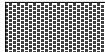
**Plan 3:  
City of York Local Plan Proposals Map  
Extract**

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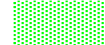
**KEY**

 Local Plan Boundary


 City Centre Inset Boundary


**LOCAL PLAN STRATEGY (CHAPTER 1)**


 Action Area (SP9)  
**GENERAL PLANNING POLICIES (CHAPTER 2)**

 Open Space (GP7)


**NATURAL ENVIRONMENT (CHAPTER 3)**

 Site of Special Scientific Interest (NE4a)


 RAMSAR Sites (NE4a)


 Special Protection Area (NE4a)

 Special Area of Conservation (NE4a)


 Non Statutory Nature Conservation Site (NE5a)

**HISTORIC ENVIRONMENT (CHAPTER 4)**


 Conservation Area (HE3)  
(see appendices)

 Area of Archaeological Importance (HE10)  
(see appendices)


 Historic Park / Garden (HE12)

 Reserved Land (GP24a)

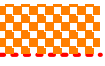
**GREEN BELT (CHAPTER 5)**


 Green Belt (SP2)

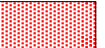
 Defined Settlement Limit

 Major developed site in the Green Belt (GB10a)


**TRANSPORT (CHAPTER 6)**


 Pedestrian Priority Zone - Footstreets (T1)  
Proposed Cycle / Pedestrian Network (T2) - Indicative Locations

 Proposed Cycle/Pedestrian Bridge (T3a)


 Park and Ride Allocation (T6)

 Railway Station site (T8a)


 Highway Improvement Scheme (T19a)


 Potential Park and Ride (T6) - Indicative Locations

**HOUSING (CHAPTER 7)**

 Housing Allocation (H1.6, H1.24, H1.31 to H1.37  
H1.39 to H1.41, H1.43 to H1.46)


**EMPLOYMENT (CHAPTER 8)**

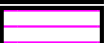
 Premier Employment Allocation (E12a to E12d and E12f)

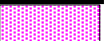
 Standard Employment Allocation (E3a.1 to E3a.10)


**EDUCATION (CHAPTER 9)**

 Educational Establishments (ED1 and ED5)


 St Barnabas Centre (ED2)

 Existing University of York Heslington Campus (ED6)

 New University Campus (Phase 2) Indicative Boundaries (ED9)

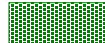
 New University Campus (Phase 1) Indicative Boundaries (ED9)


**SHOPPING (CHAPTER 10)**

 Shopping Sites (S1a)

 District Centres


**LEISURE AND RECREATION (CHAPTER 11)**

 Recreational Opportunity Areas (L1d)


 Recreational Opportunity Areas (L1d)

**COMMUNITY FACILITIES (CHAPTER 13)**

 York District Hospital (C4)

 Bootham Park Hospital (C5)

**MINERALS AND WASTE (CHAPTER 14)**

 Area of search for minerals (MW1)

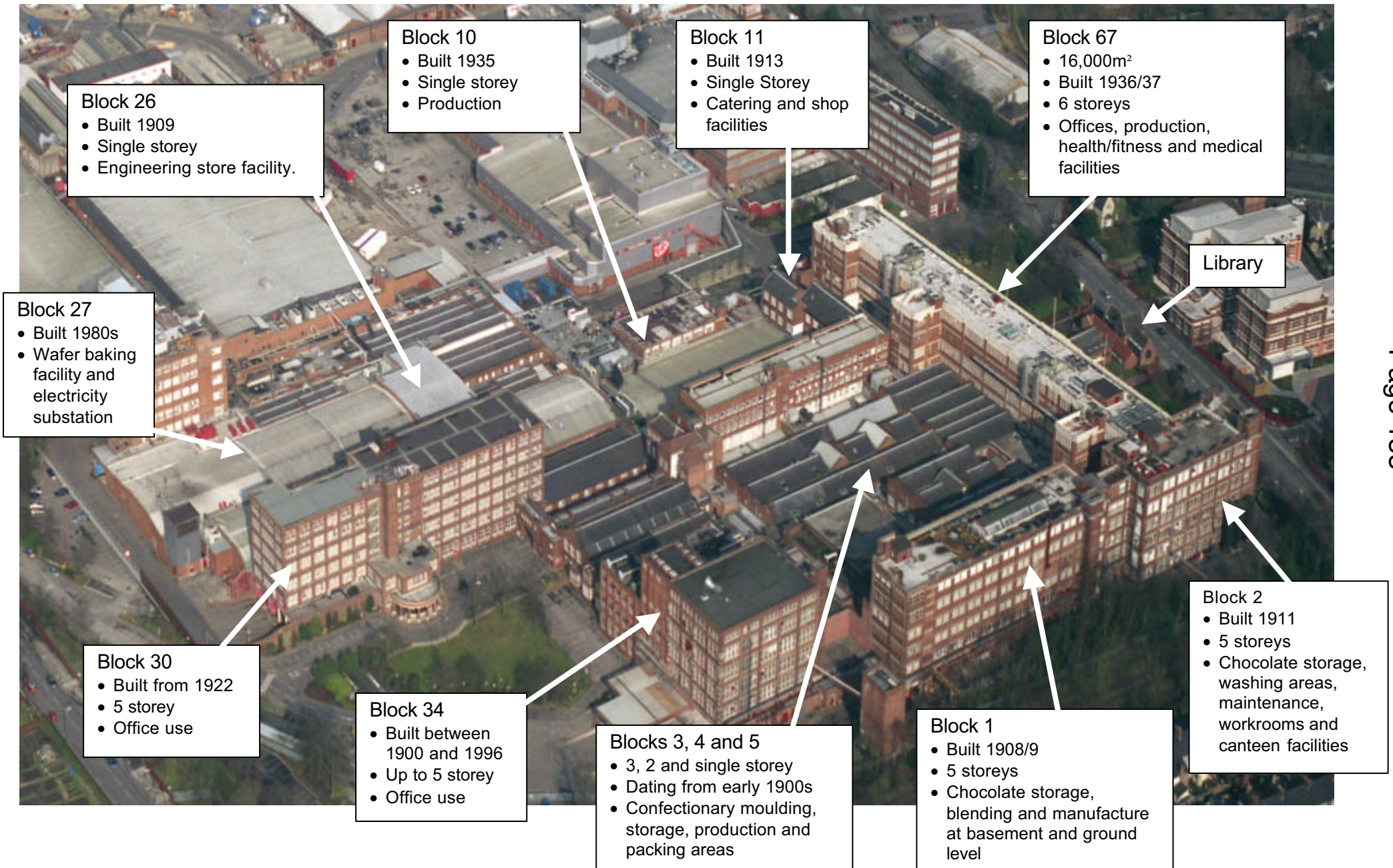
 Mixed Use Site

**Nestle South Site Boundary**















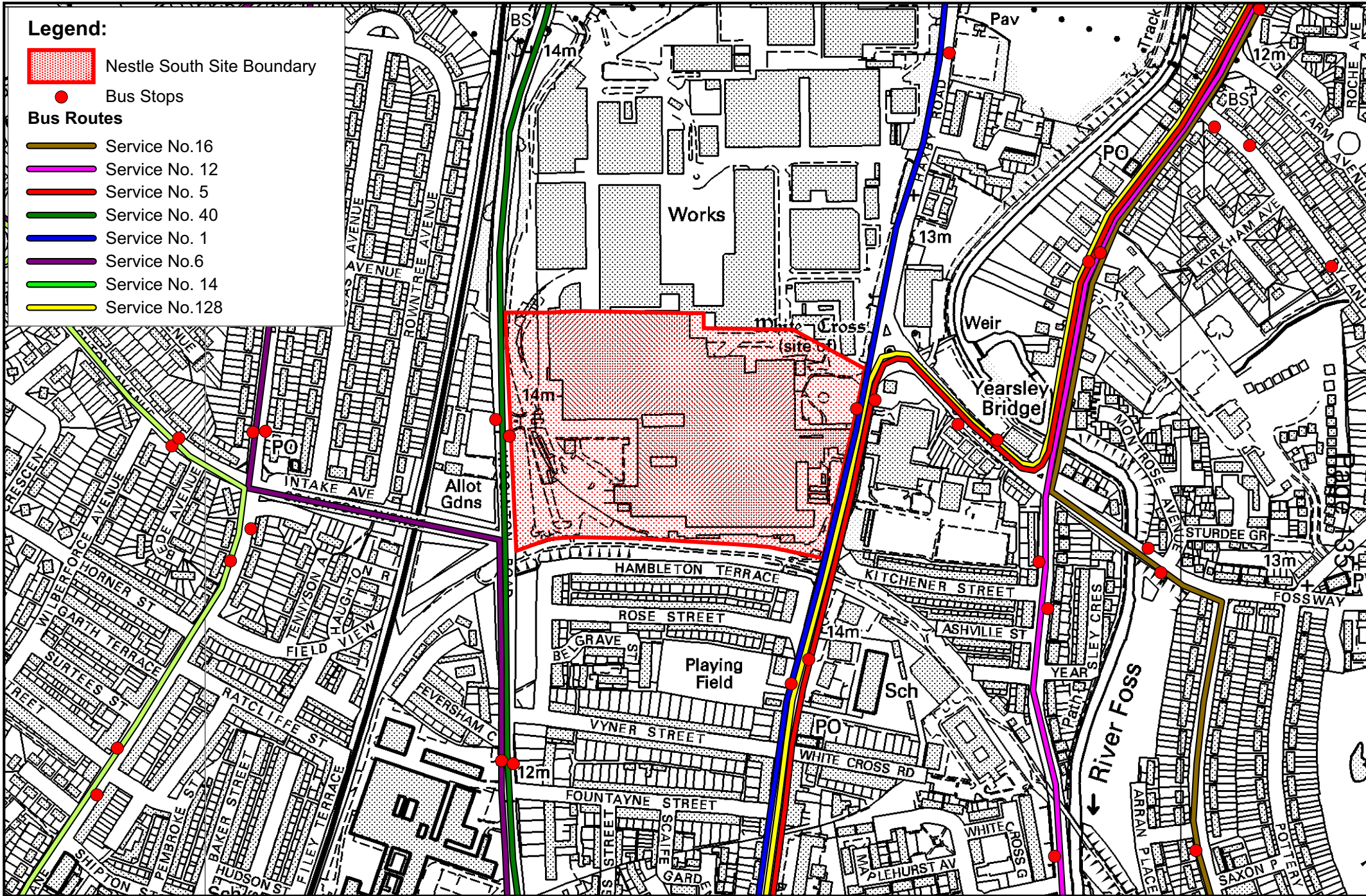
# PLAN 4: NESTLE SOUTH SITE – EXISTING BUILDINGS



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**Legend:**

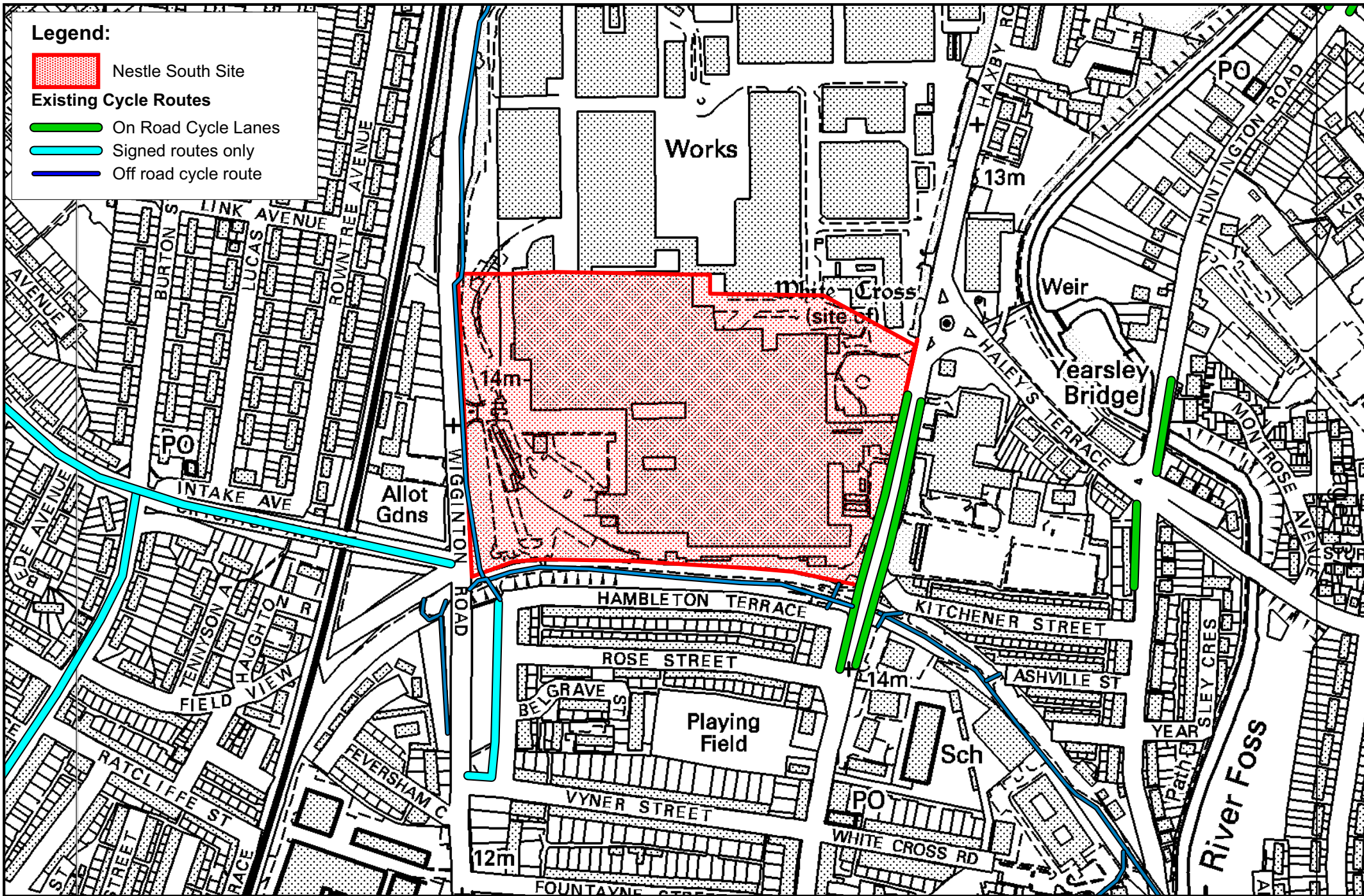
-  Nestle South Site Boundary
-  Bus Stops
- Bus Routes**
-  Service No. 16
-  Service No. 12
-  Service No. 5
-  Service No. 40
-  Service No. 1
-  Service No. 6
-  Service No. 14
-  Service No. 128



# Plan 5a: Existing Transport Infrastructure







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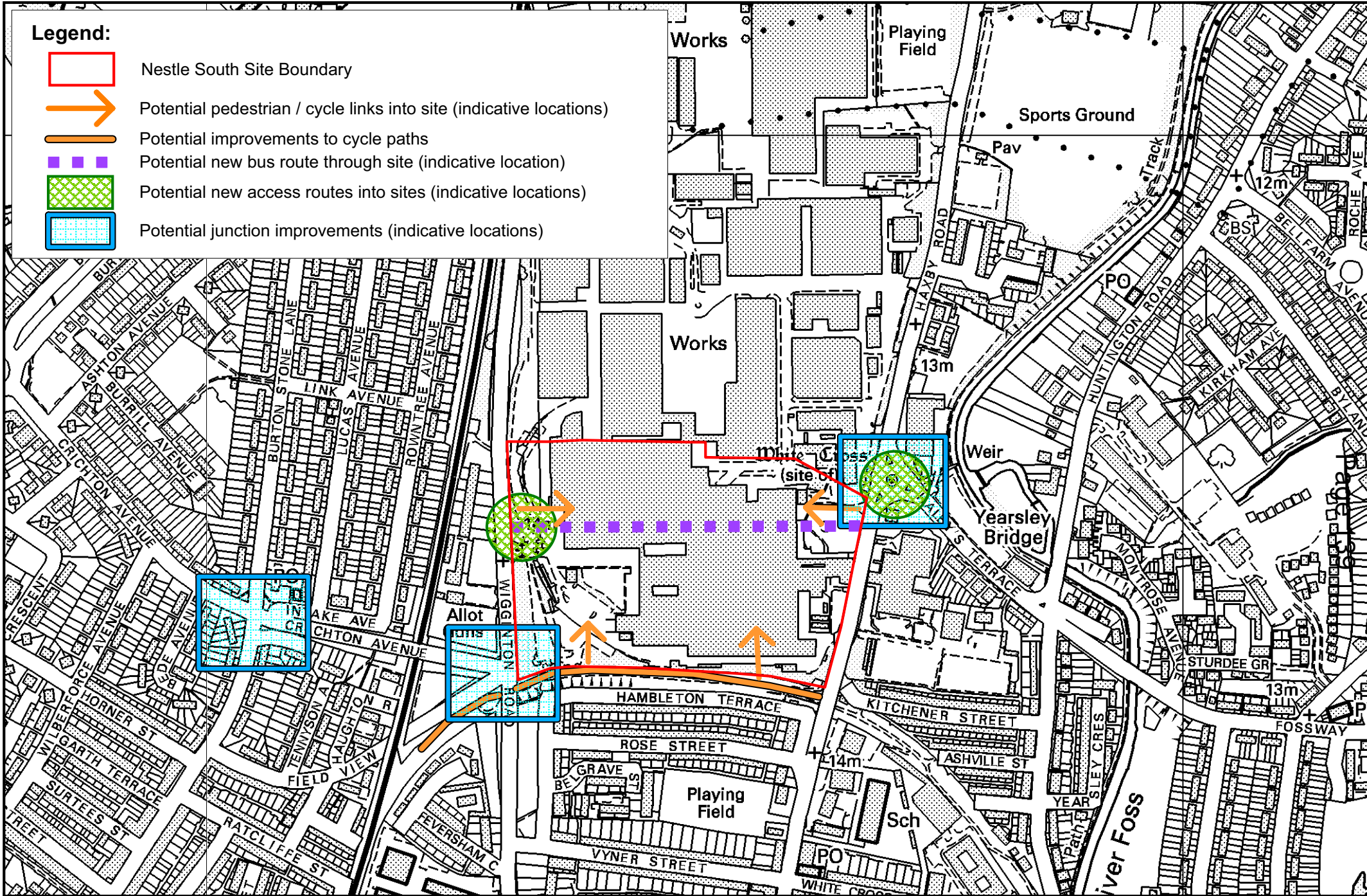
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**Legend:**

-  Nestle South Site Boundary
-  Potential pedestrian / cycle links into site (indicative locations)
-  Potential improvements to cycle paths
-  Potential new bus route through site (indicative location)
-  Potential new access routes into sites (indicative locations)
-  Potential junction improvements (indicative locations)

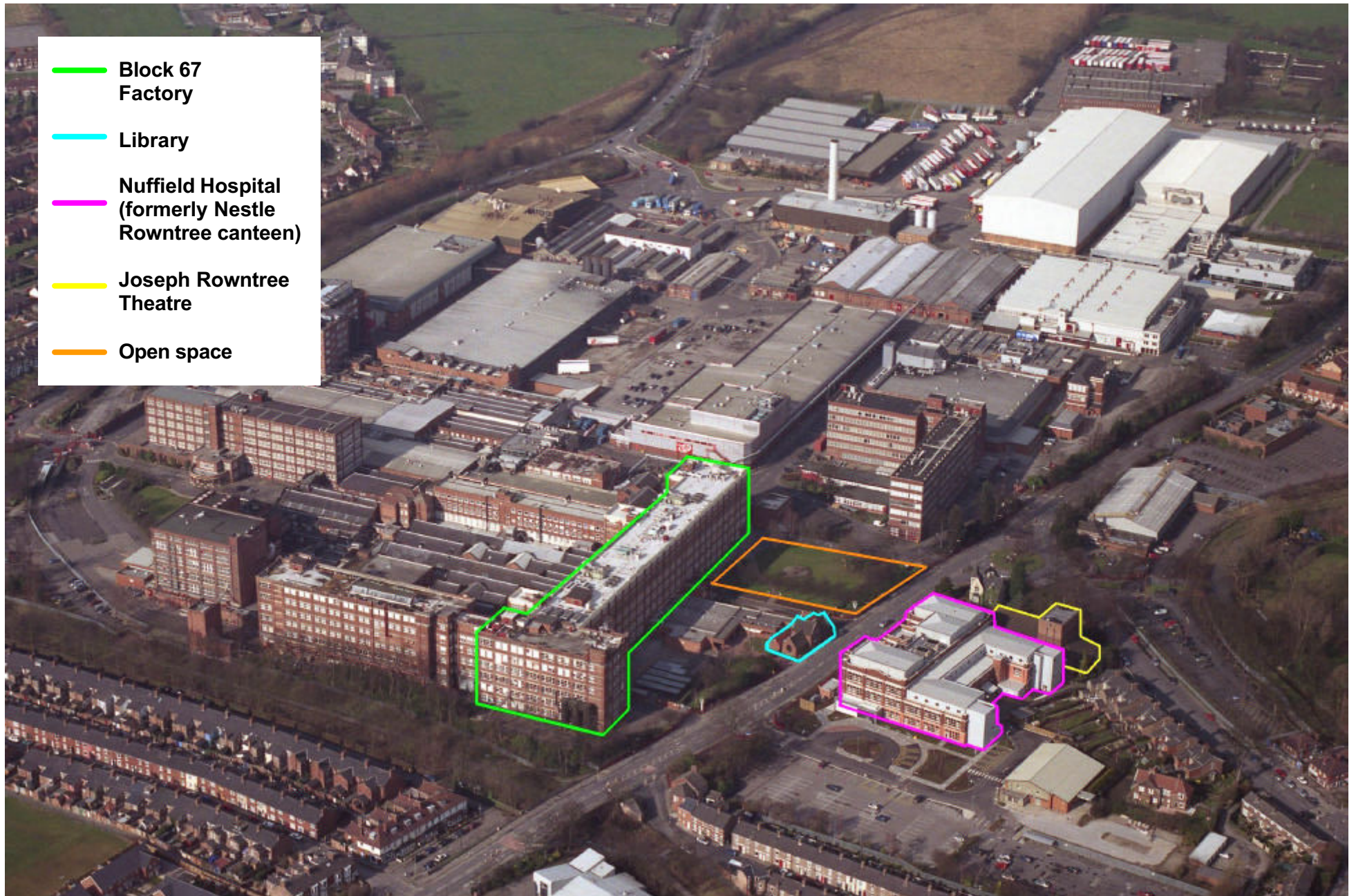


**Plan 5c: Potential Transport Infrastructure Improvements**

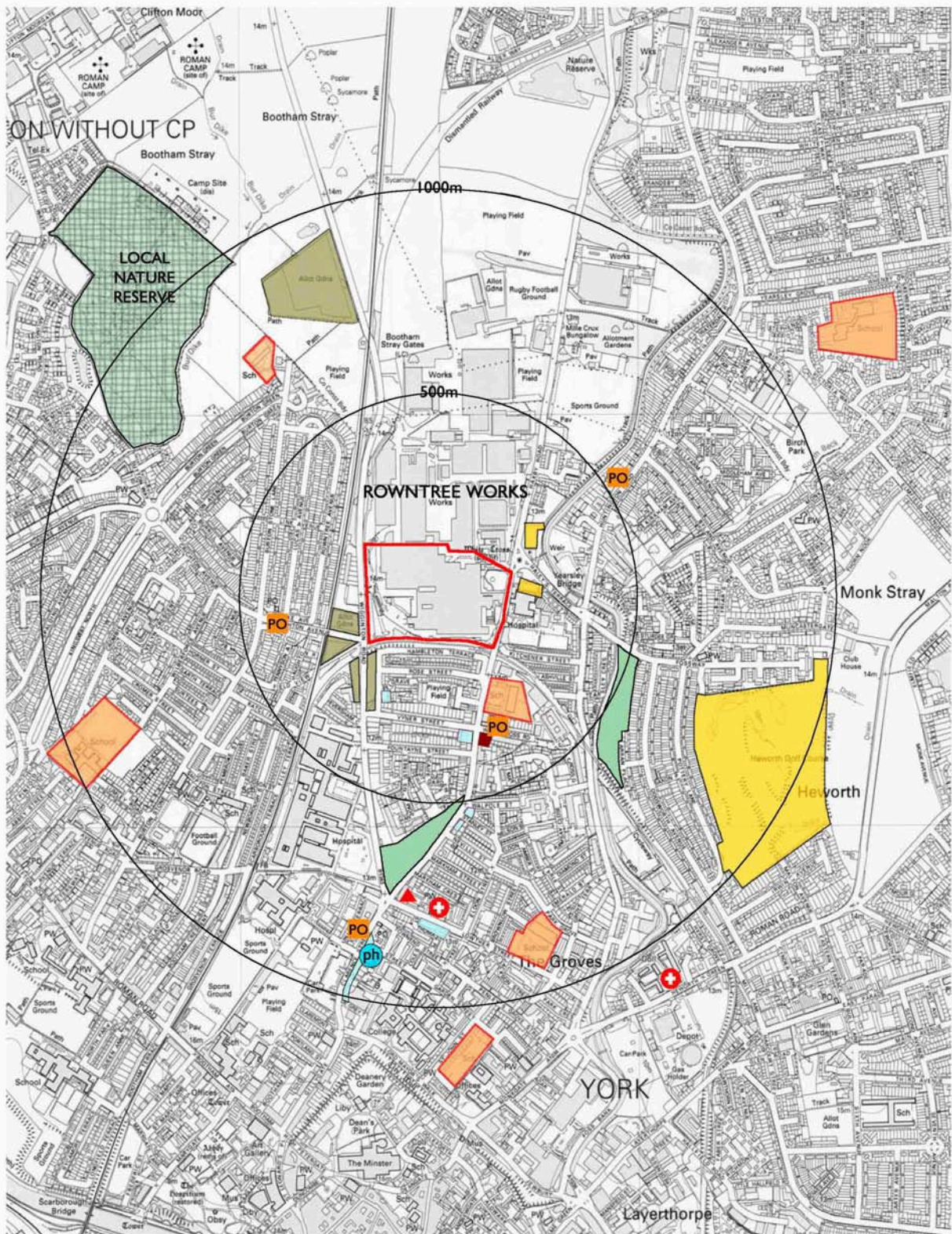
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# PLAN 6: BUILDINGS / SPACES OF SPECIAL CHARACTER



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**Key**



Scale 1:12,500 @ A4

0 500m

- |               |                      |                      |
|---------------|----------------------|----------------------|
| Pharmacy      | Local Nature Reserve | Leisure facilities   |
| Public house  | Formal Amenity space | Convenience shopping |
| Post Office   | Allotments           | Bank                 |
| Health centre |                      | Primary School       |

**PLAN 7 – LOCAL SERVICE PROVISION**

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