



Notice of meeting of

Planning Committee

- To:** Councillors R Watson (Chair), Simpson-Laing (Vice-Chair), Cregan, Crisp, D'Agorne, Firth, Sue Galloway, Galvin, Horton, Hudson, Jamieson-Ball, King, Moore, Reid, B Watson and Wiseman
- Date:** Thursday, 22 November 2007
- Time:** 4.30 pm
- Venue:** The Guildhall, York

AGENDA

Site Visits for this meeting will commence at 12:40 pm on Wednesday 21 November.
Members are to meet at the corner of Navigation Road by the Rowntree Wharf 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 7 - 16)

To approve and sign the minutes of the meeting of the Planning Committee held on 25 October 2007.

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 working 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 application:

a) Hungate Development Site Hungate York (07/01901/REMM) [Guildhall Ward] (Pages 17 - 34)

Reserved matters application for Phase 2 – erection of five storey development comprising 154 residential units including car parking and 7 ground floor commercial units (1151 sq m) – to which outline planning permission 02/03741/OUT dated 18/07/06 relates.

5. York College : Request for temporary variation of terms of Section 106 agreement, regarding provision of sports facilities. (Pages 35 - 50)

This report presents a request from York College for a temporary variation in the terms of the Section 106 Agreement relating to the College development. The variation sought concerns the availability for the community of the College's new sports facilities. The request is a consequence of the College's response to development opportunities which have the potential to result in significantly enhanced facilities. The report recommends agreement to the request, because of potential benefits for community sports facilities in the long run.

6. Interim Planning Statement: Sustainable Design and Construction (Pages 51 - 158)

The purpose of this report is to seek approval from Members to use the Interim Planning Statement (IPS) on Sustainable Design and Construction (attached at Annex A of this report) for Development Control Purposes. (Please note that this IPS was formally referred to as Supplementary Planning Guidance (SPG) but new requirements of the planning system meant that a change in title was required).

7. 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
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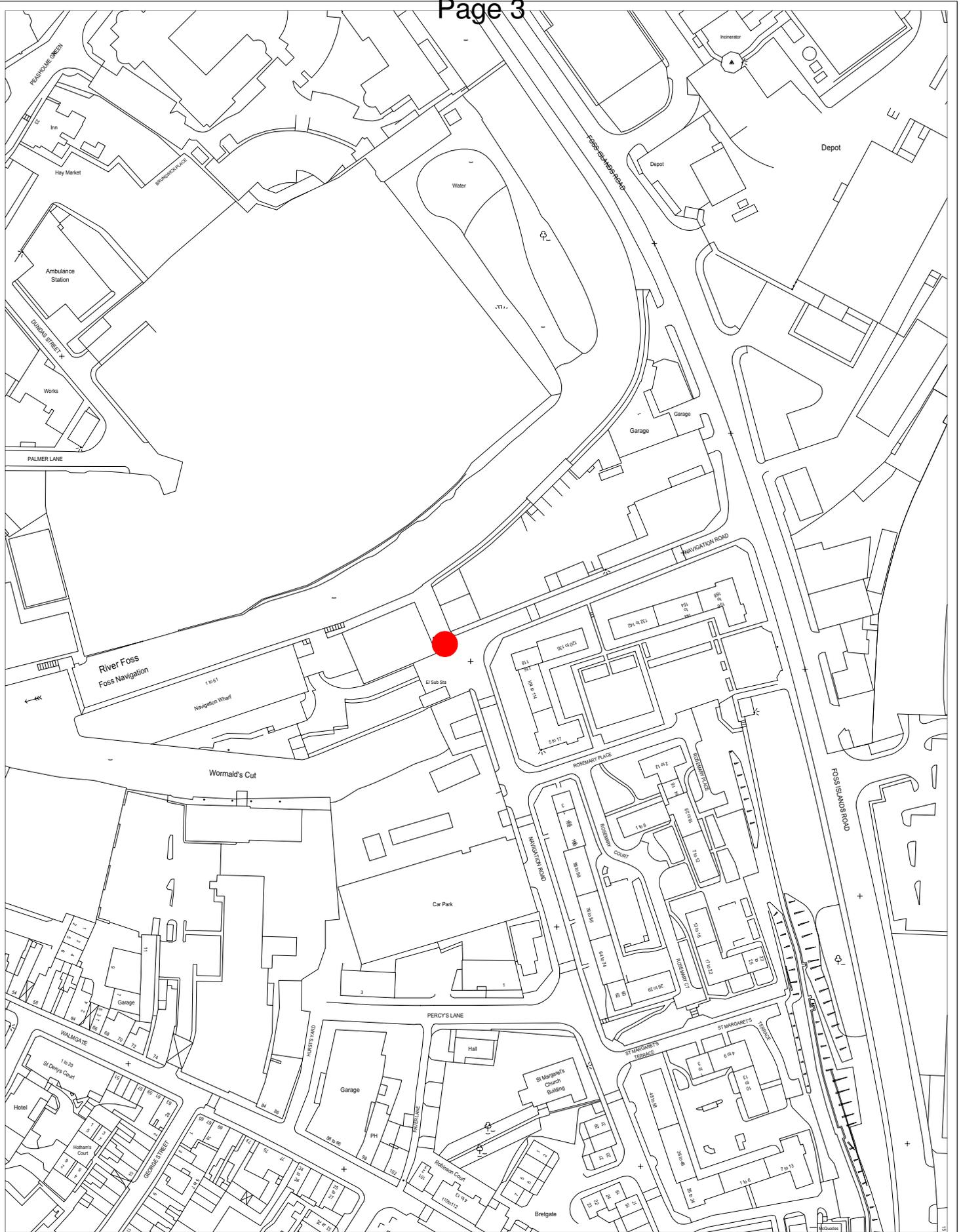
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PLANNING COMMITTEE – 22 NOVEMBER 2007**SITE VISITS****WEDNESDAY 21 NOVEMBER 2007**

Members are to meet at the corner of Navigation Road by the Rowntree Wharf Car Park at 12:40 pm

<u>Time</u>	<u>Site</u>	<u>Item</u>
12.40 pm	Hungate Development Site Hungate York	4a

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CITY OF
YORK
COUNCIL

HUNGATE PHASE II COMMITTEE SITE VISIT MEETING POINT

SCALE 1:2000
Originating Group

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Project

DATE 13/11/2007
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The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Minutes

MEETING	PLANNING COMMITTEE
DATE	25 OCTOBER 2007
PRESENT	COUNCILLORS R WATSON (CHAIR), SIMPSON-LAING (VICE-CHAIR), CREGAN, CRISP, D'AGORNE, FIRTH, SUE GALLOWAY, GALVIN, JAMIESON-BALL, KING, MOORE, REID, B WATSON, WISEMAN, PIERCE (SUBSTITUTE) AND GILLIES (SUBSTITUTE)
APOLOGIES	COUNCILLORS HORTON AND HUDSON

1. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Barbican Centre Paragon Street York YO10 4AG	To enable Members to familiarise themselves with the site.	Cllr Crisp, D'Agorne, Galvin, King, Moore, Reid and Wiseman
York College of Further and Higher Education Tadcaster Road York YO24 1UA	At the request of Cllr Moore to allow the site to be viewed from the grounds of St Leonards Hospice.	Cllr R Watson, Crisp, D'Agorne, Galvin, King, Moore, Reid and Wiseman
Tarmac Limited Ouse Acres York YO26 5SJ	To enable Members to familiarise themselves with the site, and due to objections received.	Cllr R Watson, Crisp, D'Agorne, Galvin, King, Moore, Reid and Wiseman

2. DECLARATIONS OF INTEREST

Members were invited to declare any personal or prejudicial interests they may have in the business on the agenda.

Cllr Moore declared a personal and prejudicial interest in Plans Item 4a (York College of Further and Higher Education) as a volunteer of St Leonards Hospice, and took no part in the discussion or the decision thereon.

Cllr D'Agorne declared a personal interest in Agenda Item 4a and 4b (York College of Further and Higher Education) as an employee of York College.

3. MINUTES

RESOLVED : That the minutes of the meetings held on 30 August 2007 and 27 September 2007 be approved and signed by the Chair as a correct record.

4. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak, under the Council's Public Participation Scheme, on general issues within the remit of this committee.

5. PLANS LIST

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

**5a York College of Further and Higher Education Tadcaster Road
Dringhouses York YO24 1UA (07/00752/REMM)**

Members considered a major reserved matters application, submitted by George Wimpey Ltd, Shepherd Homes Ltd and Magna Holding Ltd, for residential development comprising 360 dwellings after demolition of existing college (resubmission).

Officers updated on drainage, that as a result of the comments of the Environment Agency a revised drawing had been submitted showing an additional length of swale alongside plot 148, adjacent to the northern boundary of the site, and that the remainder of this boundary would be piped in as originally proposed. There were no objections from the Environment Agency and the Council on these revised drainage proposals. Officers also updated that the affordable housing plan required by the Section 106 agreement had been completed, and that following on from the site visit to view the proposals from St Leonards Hospice the applicant had agreed to delete the landscaped bund from alongside the boundary with the hospice, and erect an acoustic fence along this length of the southern boundary of the site.

Officers also updated on proposed amendments to the following if Members were minded to approve the application, relating to condition 6, 13, 15, and 20.

Representations were received in objection to the proposals from a resident of Lycett Road. He raised issues regarding drainage and flooding, and distributed photographs to Members showing flooding.

Representations were received in objection to the proposals from a resident of Lycett Road, raising issues regarding loss of privacy relating to the angle of the proposed dwellings, close proximity to existing dwellings, height of the proposed dwellings and drainage and flooding.

Representations were received in objection to the proposals from a resident of Middlethorpe Drive relating to the fact that the majority of dwellings are three-storey and the loss of trees. *He also requested that the wall from 157 Tadcaster Road along the northern boundary along Middlethorpe Drive be retained through a planning condition.*

Representations were received in support of the application from the agent for the applicant relating to drainage and utilisation of the swale, heights of the proposed dwellings, the removal of the bunds and an acoustic fence for the hospice boundary, and that they would accept a boundary treatment condition.

Cllr Moore spoke from the floor on behalf of St Leonards Hospice, regarding the boundary of St Leonards Hospice and the proposed dwellings, car movements, fencing and planting type for the boundary, and lighting for the cycle/footpath.

Cllr Holvey spoke as Ward Councillor, and stated that not all the issues that had been raised previously when the item was deferred had been addressed. These related to flooding, three-storey dwellings, and privacy for Lycett Road residents. He stated that the application should be refused but if Members were minded to approve the application he would request that the conditions be added regarding boundary treatment, *retention of the wall from 157 Tadcaster Road along the whole of the northern boundary with Middlethorpe Drive*, consultation with the Police Architectural Liaison Officer regarding alleyways, and ownership of the ditches.

Members discussed general boundary issues, height issues relating to 2 ½ storey dwellings, boundary issues relating to the hospice boundary, retention of trees, drainage issues and maintenance of the swale, and the additional conditions proposed by Cllr Holvey, Ward Councillor.

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

- Condition 6 be deleted
- Condition 13 be deleted

17 No development shall commence unless and until details of provision for the future maintenance of the public open space within the site, or alternative arrangements, have been submitted to and approved in writing by the Local Planning Authority. The public open space shall then be maintained in complete accordance with the approved scheme, or the alternative arrangements agreed in writing with the Local Planning Authority.

Reason: In order to ensure that adequate arrangements are in place for the future maintenance of the public open space, in the interests of amenity of future occupiers of the proposed development.

Informative: The alternative arrangements referred to in the above condition 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, requiring a financial contribution to be paid to the Council towards the future maintenance of the open space. The obligation should provide for a financial contribution calculated at £200,000.

18 Prior to the commencement of the development, a scheme shall be submitted for the written approval of the Local Planning Authority to secure the identification and recording, or conservation and re-erection/preservation of the following on-site features:

- the ice house located at the rear of 32/34 Middlethorpe Drive, in the vicinity of plots 225, 226, 230 and 231
- the weather vane on the outbuilding adjacent to Ashfield House

Reason: In order to ensure that the features of local historic importance referred to are adequately preserved.

19 Notwithstanding the details shown on the submitted layout plan (Reference 1950-100-Rev X), and prior to the commencement of the development, the applicant shall submit to the Local Planning Authority a scheme for the treatment of the area adjoining the common boundary with St Leonard's Hospice. This shall include the removal of the bund shown on Drawing no. 1950-100-Rev X, the provision of an acoustic fence along the common boundary, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to its erection, and details of the landscaping of the area previously shown to be utilised for the provision of the bund. The fence shall be erected prior to the commencement of any development on the site, and the landscaping shall be carried out in accordance with the requirements set out in condition 11 above.

Reason: In order to protect the amenity of the occupiers of St. Leonard's Hospice.

And that it be delegated to Chief Officer, Chair and Vice Chair regarding the boundary treatment for the southern boundary.

REASON : The proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to layout and design of the development, impact on adjacent occupiers, planning out crime, sustainability, landscaping/tree loss, nature conservation, highway safety/car parking, affordable housing/mix of house types, public open space provision, education provision, drainage, archaeology, noise, vibration, dust, contamination

As such the proposal complies with Policies H1, H5, GP1, GP3, GP9, NE1, NE7, T2, T4, T7, H2 and ED4 of the City of York Local Plan Deposit Draft.

**5b York College Of Further And Higher Education Tadcaster Road
Dringhouses York YO24 1UA (07/01075/FUL)**

Members considered a full application, submitted by George Wimpey Ltd, Shepherd Homes Ltd and Magna Holdings Ltd, for the use of land to south east of site as public open space including provision of footpaths and associated landscaping and drainage works (resubmission).

RESOLVED : That the application be approved subject to the conditions outlined in the report.

REASON : The proposal, subject to the conditions outlined in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to appropriateness of the proposed layout, internal layout of the open space, and drainage issues, and as such complies with Policy L1c of the City of York Local Plan Deposit Draft.

5c Tarmac Limited Ouse Acres York YO26 5SJ (07/00056/OUTM)

Members considered a major outline application, submitted by Tarmac Ltd and Blackwell Ltd, for residential development comprising houses and apartments after demolition of existing warehouse and plant.

Officers updated that written representations had been received from Councillors Alexander and Bowgett, Ward Councillors. They stated that they objected to the planning application, in relation to the North West Area Action Plan, access to the site and the burden on Millthorpe School.

Officers also updated that if Members were minded to approve the application they would recommend an additional condition to limit the application to 80 residential units. Copies of illustrative plans were distributed for Members information.

Representations were received in objection to the application from a resident of Ouseacres. He stated that the proposals would lead to overshadowing, light pollution and would have an environmental impact on the area. He also raised issues regarding road safety issues, and the traffic assessment carried out.

Representations were received in objection to the application from a resident of Prior Walk, regarding the proposals for and location of green areas. He stated that the areas would attract teenagers and would affect the privacy of residents.

Representations were received from the agent for the applicant in support of the proposals. He stated that the report deals with any objections that have been raised. With regard to traffic a full traffic assessment had been submitted, showing the proposals would have no material impact on traffic levels. The outline application was supported by Officers and the affordable housing provision had been increased to 37.5%.

Members discussed the implications with regard to York North West/York Central Area Action Plan, and were informed by the council's legal officer that refusal on prematurity grounds would not be appropriate in this case.

Members discussed height of the proposed dwellings, access and highway issues, issues relating to the traffic assessment carried out, and noise and vibration from the railway line.

RESOLVED : That the application be approved subject to the a Section 106 agreement which refers to the provision of an on site LEAP approved children's play area, on site amenity space, affordable housing provision and education contribution, and subject to the conditions and informatives outlined in the report, and the following additional conditions and informatives :

31 Construction work shall not begin until a written scheme for protecting the proposed noise sensitive development from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the noise level in the gardens of the proposed properties shall not exceed 50 dB LAeq (16 hour) between 0700 hours and 2300 hours and all works which form part of this scheme shall be completed before any part of the development is occupied.

Reason: In the interest of the amenity of the future residents of the development

32 Prior to commencement of the development, an Acoustic Noise and Vibration survey shall be undertaken on the likely effects of vibration from rail traffic on the proposed residential development. The survey must take account of the proposed building construction, so that in addition to measurement of vibration levels at ground level, the vibration frequencies of rail movements and those of wall and floor structures of the proposed dwellings can be assessed. A report shall incorporate an appropriate scheme of mitigation and remedial measures, where appropriate, which shall be approved in writing by the Local Planning Authority prior to commencement of the development. The approved scheme shall be carried out in its entirety prior to the occupation of any dwelling within the application site.

Reason: In the interest of the amenity of the future residents of the development

33 The hereby approved development shall be limited to 80 units only

Reason: The impact upon the surrounding highway network was based on a Transport Assessment for a development of 80 units. Any increase in the number of unit may result in unacceptable highway implications to the detriment of the free flow of traffic within the locality

Informative :

6. The developer is requested to produce a scheme which respects the height of the existing residential properties bounding the site and does not have any detrimental impact upon their amenity

REASON : The proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to the loss of employment land, neighbouring residents amenity, traffic implications, existing landscape features, sustainability, educational facilities, the provision of open space or affordable housing. As such the proposal complies with Policy H1 and H8 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies E3b, H4a, H5a, H3c, H2a, GP1, GP4a, ED4 and L1c of the City of York Local Plan Deposit Draft.

5d Barbican Centre Paragon Street York YO10 4AG (07/01399/FULM)

Members considered a major full application, submitted by Golden Tulip Ltd, for the erection of a six storey 160 bedroom 4 star hotel (revised scheme to that approved under 03/04075/GRG4).

Officers clarified the differences in the hotel dimensions in relation to the approved and the proposed scheme:

Approved scheme :

Condition on the approved scheme restricts the height of the building to 22.5 metres

Overall height of approved building to the top of the atrium 21.920 metres

Predominant ridge height 20.5 metres

Proposed scheme :

Atrium deleted. Predominant ridge height 21.900 metres

Height condition (condition 34) to be amended to say 21.9 metres instead of 22.5 metres as in approved scheme

Representations were received from the agent for the applicant in support of the application. She stated that the issues relating to the star rating was outside of the planning remit. The rooms would still be of a generous size and the outer rooms would have the same views as the approved scheme. The roof terrace would no longer be part of the scheme, and the hotel would still be of high quality. Written representations were also distributed to Members from the agent for the applicant giving details of the proposals in terms of the approved and the proposed scheme.

Representations were received from Cllr Scott in objection to the application. He stated that the original permission granted was for a 4* or 5* hotel, and the proposals now did not include a swimming pool or roof terrace. The hotel would be 3* at the most and there would be an increase in the number of bedrooms. He stated that the application should be refused.

Members discussed the increase in the number of bedrooms and the size of these, and the types of bedrooms e.g. number of suites. With regard to the star rating of the proposed development Members were informed that star rating is not a planning matter. Members further discussed green travel plans for employees, materials to be used, height of elevations and the relativity to the City Walls. Members also discussed the possible deferral of the application in relation to requiring further detail to enable them to make a decision regarding materials to be used and the photo montage available, and the design of the proposal. They also raised concerns regarding the detail included in the committee report.

RESOLVED : That the application be deferred.

REASON :

- (i) For the applicant to review the design of the proposal in light of Members comments;
- (ii) For the applicant to provide further detail of the materials to be used;
- (iii) For the applicant to provide more adequate pictorial representations of the proposals;
- (iv) For Members concerns regarding the committee report to be addressed.

**5e Oaklands Sports Centre Cornlands Road York YO24 3DX
(07/01345/GRG3)**

Members considered a general regulations 3 application, submitted by City of York Council, for the extension to existing sports centre to provide swimming pool and associated facilities including additional car parking and associated plant, and new canopy to existing sports centre entrance.

Officers updated that the disabled parking details had been modified, and that if Members were minded to approve the application that condition 8 (standard highway condition 19) would be replaced with standard highway condition 18.

Members discussed the target dates for completion of the new pool and closure of the Edmund Wilson pool, capacity of the viewing gallery, usage of the pool by the public and school swimming, and parking.

RESOLVED : That the application be approved under General Regulations 3 Council Development subject to the conditions outlined in the report and subject to the following amendment :

Condition 8:

Prior to the development commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

REASON : 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 residential and visual amenity, highway safety, sustainability and design . As such the proposal complies with Policies R1 and R9 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies ED1,ED11,GP1,L1a,ED3 and GP4a of the City of York Local Plan Deposit Draft.

COUNCILLOR R WATSON
CHAIR

The meeting started at 4.30 pm and finished at 8.10 pm.

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COMMITTEE REPORT

Committee: Planning Committee **Ward:** Guildhall
Date: 22 November 2007 **Parish:** Guildhall Planning Panel

Reference: 07/01901/REMM
Application at: Hungate Development Site Hungate York
For: Reserved matters application for Phase 2 - erection of five storey development comprising 154 residential units including car parking and 7no. ground floor commercial units (1151sqm) - to which outline planning permission 02/03741/OUT dated 18.07.06 relates
By: Hungate (York) Regeneration Ltd
Application Type: Major Reserved Matters Application (13w)
Target Date: 27 November 2007

1.0 PROPOSAL

SITE

1.1 The application relates to the Hungate development site, which is located between the Stonebow to the northwest and the River Foss to the south. This particular application forms phase II of the reserved matters applications after outline consent was granted in July 2006. It relates to block E which would sit between block C (approved in phase I) to the east and the focal building to the west.

PROPOSALS

1.2 At outline stage it was proposed this block would be of mixed use, providing 762m² internal space for A1 and A3 uses and 10,557m² dedicated to residential development (which would provide 163 units). The commercial element would be at ground floor level, facing west toward the proposed focal building. The rest of the building would be residential, apart from the basement, which would accommodate parking provision. The building was to be of varying height of 4, 5 and 6 storeys, 6 storey facing the River Foss. The block would have an internal courtyard and a river walkway between the proposed bridge and Friars Quay.

1.3 The reserved matters application proposes 1151m² of A1/A3 use and 10,384m² dedicated to residential (which would provide 154 units). The additional commercial space is because it is now proposed to have commercial units at ground floor level facing the River Foss. The building appearance is reflective to that proposed at outline stage.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006
Conservation Area Central Historic Core 0038
City Boundary York City Boundary 0001
DC Area Teams Central Area 0002
Floodzone 2 Flood Zone 2 CONF
Floodzone 3 Flood Zone 3

2.2 Policies:

CYGP1 Design

CYGP3 Planning against crime

CYGP4 Environmental sustainability

CYGP9 Landscaping

CGP15A Development and Flood Risk

CYNE2 Rivers and Stream Corridors, Ponds and Wetland Habitats

CYT4 Cycle parking standards

CYH2 Affordable housing on housing sites

CYH3C Mix of Dwellings on Housing Site

CYS6 Control of food and drink (A3) uses

CYL4 Development adjacent to rivers

3.0 CONSULTATIONS

INTERNAL

City Development

3.1 The proposal accords to the development brief in terms of the following considerations – mix of uses, size and type of housing, amount and location of affordable housing, design and location of the river walkway. However there are no public art proposals,

Environmental Protection Unit

3.2 Advise that for this part of the site a study of potential contaminants has been undertaken. A full investigation and method of how any contamination is yet to be agreed with the Local Planning Authority. This will need to be done before development commences.

3.3 Also advise that there are no details of alternative ventilation for when windows in the building are closed and that the noise report does not consider possible impact on the occupants of Navigation Wharf.

Housing and Adult and Social Services

3.4 No objection to the amount, type and location of the affordable accommodation. However the car parking spaces for residents of affordable housing need to be agreed, 5 spaces are required.

Landscape Architect

3.5 In response to original plans commented that

- Artificial grass will not be acceptable (YNEP have already objected to its use).
- The amenity space is so limited that every opportunity for 'natural planting' should be utilised.
- The bed with just Hypericum and Lavendar needs livening up with a greater mix of species preferably including some perennials and/or grasses, plus three multi-stemmed shrubs with raised crowns, e.g. Amelanchier, Viburnum Rhytidophylum, Cornus kousa Chinensis, Cercis siliquastrum.
- The northeast corner of the courtyard feels too bare. Additional planting opportunities should be maximised. Therefore, the small leg of lawn in the middle should be a planting bed to reflect the latter one.
- Hard surfaces within courtyard are acceptable.

3.6 It has been confirmed that the revised soft landscaping scheme for the internal courtyard addresses initial reservations and is acceptable.

Highway Network Management

3.7 Advise that the original plans did not allocate any space for staff cycling, for the proposed commercial units. Preferably staff cycling spaces would be within the proposed block. The amount of spaces required depends upon the floorspace, for A1 uses 1 space is required per 55m squared floorspace, for A3 uses 1 space per 10m squared.

3.8 The applicants have also been asked to provide details of the public cycle spaces, these would be on street. At least 28 spaces are required.

EXTERNAL

Police Architectural liaison Officer (ALO)

3.9 Advise that the applicants have worked with ALO and there is no objection or suggested alterations to the scheme as submitted. It is suggested that all vulnerable

ground floor windows are of the secure standard required by the Secure By Design. The applicants are encouraged to gain a Secure By Design award for the scheme.

English Heritage

3.10 No objection to the design, which appears to correspond to the design code for the overall site. Advise that design and conservation officers should be involved in the consideration of materials and landscaping.

Environment Agency

3.11 Originally objected because there were no mitigation measures to protect the residential areas from flooding. Details were requested of finished floor levels and management arrangements for the lower floor level (basement). The objection was withdrawn by letter, dated 6.11.07, which confirmed that the finished floor levels are above the desired level and that details of the basement level were acceptable, i.e. it would be protected up to 10.6m AOD.

Natural England

3.12 No objection.

Planning Panel

3.13 Given the scale of the proposed development the planning panel are of the opinion they do not have the ability to comment on its merits.

River Foss Society

3.14 Object as it is considered the proposal is contrary to the development brief prepared by the Council for the Hungate site. The brief recommends the protection and enhancement of the River Foss as a wildlife corridor (3.25). Section 9.9 says "there should be a continuous green swath along the Foss riverbank ..." and Section 7.11 refers to "a 10-15 metre buffer zone alongside the River Foss". The proposed riverside walkway would be in close proximity to the Foss and contrary to this guidance. The River Foss Society add that the Ecological Management Plan, requested in condition of the outline approval is yet to be sent out for consultation or agreed. It is suggested this process should be implemented before the landscaping associated with this block is agreed.

Sport England

3.15 Made representation when the outline application was considered. No further comments for this reserved matters application.

York Natural Environment Panel

3.16 Unimpressed with the original internal planting scheme, object to the use of artificial turf and consider that too many evergreen species are proposed. Outside the block, consider that there is no requirement for the wholesale removal of

vegetation (which is considered to make a positive contribution to the area) along the river wall - the construction site could be stabilised by sheet piling behind the existing wall.

Yorkshire Water

3.17 No objection. Inform that consent must be gained from Yorkshire Water to divert the public sewer (shown on proposed drainage layout drawing 07115/101).

3.18 The application was publicised by site notice, press notice and letters of neighbour notification. The deadline for comments was 26.9.07. Two letters have been received. The following points are made -

- The development should not be excessively high and red bricks should be used.
- Should include eco-homes that are carbon negative.

4.0 APPRAISAL

4.1 Key issues

- Design and external appearance
- Landscaping and ecological impact
- Housing amount, size and type
- Residential amenity
- Sustainability
- Crime prevention
- Highways, car and cycle parking
- Flood risk

Planning policies

4.2 The application is to be considered in the context of the principles established in the development brief and relevant national, regional and local plan policies.

4.3 The Hungate site was allocated for mixed use (employment and residential) development in the City of York Deposit Draft Local Plan, May 1998. In the 4th set of changes (2005) the site is allocated for premier employment use (B1) and an estimated capacity of 600 new homes, 180 of which could be affordable.

4.4 A development brief for the site, setting out the Council's requirements and aspirations for its development, was approved for consultation purposes in December 2004. The document was approved for the purposes of guiding planning applications for the development of the site in March 2005.

4.5 Although not planning policy, the details of this reserved matters application should be derived from the Design Code submitted in January 2005 and the Design Statement (November 2004) associated with the outline application (02/03741/OUT).

Design and external appearance

4.6 Policy GP1 of the Draft Local Plan refers to design. It states that development proposals must, respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with the surrounding area; retain, enhance, or create urban spaces; provide amenity space and space for waste storage; ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or overdominance. Policy HE2 (Local Plan) states that in areas adjoining conservation areas, development proposals are expected to respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

4.7 The Hungate Development Brief states that the site should be a place with a unique identity, which respects the strong character of surrounding areas and buildings, particularly the built and natural environment and the landscape and ecology of the River Foss. Variations in height, roof modelling, elevational treatment and a selection of materials should be used. There should be a variety of heights adjacent the River Foss to provide varied form and roofscapes, and the canalisation of the river should be avoided.

4.8 The design statement advised that block E would be made up of a landmark corner facing St John's Square, the west elevation (facing the focal building) would be of a scale and style that created a sense of enclosure and grandeur appropriate to public open space. The north and east elevations would reflect the traditional vertical emphasis of York Streets and use a variety of materials and roof shapes/heights. The Foss facing elevation would have a warehouse aesthetic, of similar scale and (repetitive) appearance to Navigation Wharf. The building would vary in height, at its lowest, a small two-storey area parallel with the focal building, at its highest 6-storey facing the river.

Massing

4.9 The height of the building accords to the details approved at outline stage. The river facing 'warehouse' part of the building is 6-storey. The rest of the block is mostly 5-storey but is broken up by two strips of 4-storey areas, which provide outdoor amenity space, and the residential floors on the elevation facing the focal building are set back around 3.5m, to improve separation distances. At first floor level this provides an outdoor terrace area. The building is also broken up by setting back the top elevation, the use of different materials and variable window detailing.

River elevation

4.10 The river elevation has been revised, so the red brick will be more prominent and the windows smaller, as they would be traditionally on a warehouse building. This has been done with the intention of creating a simpler elevation that references Navigation Wharf across the river. A number of balconies have been removed and altered, and the amount of stone and glazing reduced.

Other elevations

4.11 The elevations into the site are considered to be true to the outline proposals. The elevations would be of modern appearance, generally they would retain a strong vertical emphasis, considered to be a feature of "Yorkness" in the design code.

Commercial elements

4.12 The commercial units will be predominantly glazed. The detailed design of the commercial units is proposed to be agreed by condition, to ensure a consistent but flexible approach to shopfront detail and advertisements.

4.13 Overall the design is considered to be true to the development brief and outline permission. Block E would have identity and character and respect it's setting.

Landscaping and ecological impact

4.14 The development brief set the broad aspirations for the site in terms of landscape and ecology. It states that the riverside should become one of the focal areas of the scheme and its potential should be recognised within the overall design of routes and public spaces, orientation of buildings and location of uses. A riverside walkway was requested, to provide an attractive outdoor recreation and leisure environment, with restaurants and cafes facing the river. The vegetation in the river channel should be reinforced with new naturalistic planting on the bank top to provide increased opportunities for wildlife and to enhance the riverside walkway. Paragraph 26 asks that existing trees and hedgerows bordering the site are retained as far as possible.

4.15 The design statements sought to achieve a variety of spatial experiences, from urban to rural along the Foss. The bank of the river west of the new footbridge, by block E, was designated as a "quayside" area, which would offer access to the waters edge. The area would have a more urban feel, consisting of a hard landscaped route beside the river, using materials such as timber, steel and concrete, and with a soft landscaped edge by the waterside. The enhancement of vegetation along the river, by using indigenous species, to enhance visual amenity and quality was proposed.

4.16 The site layout approved at outline stage had the proposed buildings in the southeast corner of the site parallel to the Foss (block C approved in Phase I) set back from the river frontage. This was to increase the opportunities for ecological enhancement of the site and river frontage and to provide a transition between the wharf-like development (block E) and the nature reserve. It was in the east corner of the site where a 10-15m buffer between the Foss and new buildings was requested in the development brief.

4.17 The proposed location of block E and the river walkway, in close proximity to the River Foss, are in accordance with approved details at outline stage and the development brief. In addition to the vegetation on the river bank there would be a further strip of ground cover planting that would vary in width, between 1.5m and 3m. The detailed scheme of vegetation at the edge of the river and the scheme of works for the riverbank wall (condition 20 of the outline approval) are ongoing issues that

are being dealt with within the Ecological Management Plan (EMP). An updated EMP is imminent and will be subject to consultation. Additional details of the materials and layout of the walkway are proposed as a condition of approval. The details will need to account for the supporting structure of the proposed bridge (separate application 07/02296/FUL - to be assessed by members at a forthcoming committee), which appear to be required over part of the walkway.

4.18 The internal soft landscaping scheme has been revised. It is no longer proposed to use artificial grass, instead shade tolerant turf is proposed. An additional raised planting box is proposed and the variation of plant species has been enhanced in accordance with recommendations by the Local Planning Authority.

4.19 The presence of public art is encouraged in the development brief, it is suggested public art should be integrated into the scheme and across the site. Areas for public art would be likely to be within the public streets and squares. On this basis public art should be integrated into the comprehensive landscaping scheme for the site.

Housing amount, size and type

Number of units

4.20 The amount of residential units for the whole site was agreed at outline stage. 720 were proposed overall, 163 of which would be in block E. This application proposes 154 units, 4 less 1-bed units, 10 less 2-bed units but 5 more 3-bed units.

4.21 As with Phase I the amount of units proposed differs from the outline approval. In Phase I 41 additional units were proposed. Fewer units are proposed in block E as commercial premises are instead proposed at ground floor level, facing the river. It was suggested in the development brief that there could be restaurants/cafes overlooking the river and this is not objected to in principle.

4.22 Provided the total number of units over the whole site does not vary, as this was used to calculate the Section 106 agreement requirements, it is considered that an element of flexibility should be afforded given the size of the scheme. The applicants have confirmed in writing that it is not their intention at this stage to exceed the 720 units approved on the site, and this can be monitored on a phase by phase basis.

Size and type

4.23 Draft Local Plan Policy H3c states that a mix of new house types, sizes and tenures will be required on all residential development sites where appropriate to the location and nature of development.

4.24 The masterplan (agreed at outline stage) stated there would be 10,557m² of residential floorspace creating 163 dwellings. 10,384 is proposed, creating 154 dwellings. The dwelling size (by bedroom) proposed was as follows

1-bed = 25.2%

2-bed = 69.3%
3-bed = 5.5%

The proposed dwellings at reserved matters stage are as follows

Studio = 3.3%
1-bed = 20.8%
2-bed = 67.5%
3-bed = 8.4%

4.25 The increase in 3 bed units from the outline application is welcomed. A small percentage of studio apartments have been introduced. At either 31 or 35 m² in size these are smaller than any of the units proposed at outline stage, when the smallest units were 40 m². 2-bed units remain predominant. Overall it is considered the mix within block E is reasonable.

Affordable Housing

4.26 Policy H2a of the Draft Local Plan states affordable housing should be distributed throughout a housing development rather than concentrated in one area, commonly known as pepper potting. The policy also sets targets for affordable housing and the percentages of rented and sale units. For Hungate, the figures were set at outline stage.

4.27 Across the whole development there is a requirement to provide 720 dwellings, 146 of which are required to be affordable - 88 rented, 58 for discounted sale. The affordable units' location is to be agreed at reserved matters stage. Phase I (approved) and II (proposed) would provide 317 dwellings, 62 affordable units - 44% of all units and 42.5% of the required affordable units (40% required rented total and 47% of the discounted sale total).

The units provided in Phase II are as follows

Rented

1-bed = 32.3%
2-bed = 29%

For Sale

1-bed = 19.3%
2-bed = 19.3%

4.28 Phase II picks up on the affordable housing requirement in terms of the percent provided. Only 1 and 2 bed affordable units are proposed, this is considered to be acceptable because 5 of the 4-bed townhouses in phase I will be affordable.

4.29 The affordable units would be spaced out and on each floor of block E. Their distribution across the site has been revised in accordance with CYC recommendations, thus there would be affordable units on the elevation that faces

the river. Overall the pepper potting of affordable housing is considered to be acceptable.

Residential amenity

4.30 The amenity of residents, both future occupants of the proposed buildings and those existing in the area are material considerations. Amenity is recognised in policies GP1, S6 and S7 of the draft Local Plan. GP1 requires that noise from new developments does not have an undue impact; S6 and S7 see to protect amenities of surrounding occupiers, and advise hours operation should be controlled where necessary.

4.31 The outline stage agreed the principle of high density at Hungate; the height of buildings and amount of open space around. There would be 277 units per hectare which may seem high but the building itself is of an acceptable scale and there is considered to be a reasonable amount of internal space and outlook for all potential residents.

4.32 Block E proposes commercial use at ground floor level, a mix of A1 and A3 premises, i.e. shops, restaurants and cafes. The outline permission required (condition 24) that any such premises would need to be noise insulated to a specification to be approved by the Local Planning Authority. There is also potential for noise creation from music being played in cafés/restaurants and people outside the premises (patrons and non-patrons). Such activities could go on into the evening and require consideration.

4.33 Two reports have been submitted, covering noise impact on block E and on Navigation Wharf. The first technical report suggests insulation measures for the proposed building. These include additional insulation between commercial and residential floor levels and the use of double glazed windows on the external façade. The proposed measures would exceed building regulations standards and can thus be considered to reasonably protect surrounding occupants from noise associated with any shop premises.

4.34 The reports advise that noise from persons in the seating area would have an average/continuous (La eq) sound level of 58dB (50dB on the other side of the river). PPG24: Planning and Noise advises indoor sound levels should be 35dB in bedrooms to allow persons to sleep without disturbance. This would be achieved at Navigation Wharf and on block E, block E with windows closed only (with ventilation provided through trickle vents). On this basis it would be reasonable to control the hours of operation of the commercial premises, 23:00 hours through the week, 24:00 on Fridays and Saturdays is suggested. Noise levels can also be controlled by preventing the installation of any external speakers and requiring that amplified music is not audible from the nearest residential units, i.e. at first floor level of block E. There may also be additional noise from persons passing through the site, such noise levels and times would be random. It is considered that this comes with the choice of living in a mixed use city centre site and is thus not reason to request any further noise insulation.

4.35 The block has been built so each commercial unit has an internal extraction system. As such cooking smells and ventilation would have a neutral impact on residential amenity.

Sustainability

4.36 Draft Local Plan Policy GP4a requires proposals for all development to have regard to the principles of sustainable development and sets out the criteria by which this will be assessed.

4.37 A site specific sustainability statement was submitted at outline stage for the Hungate development and the Section 106 agreement includes the requirement for a sustainability and energy efficiency statement, which was submitted to the Local Planning Authority in April this year.

4.38 The design statement submitted with this reserved matters application identifies key sustainability categories, specific to block E are -

- The block will achieve a BREEAM very good rating for both the commercial and residential elements, 15 % of the housing will achieve an excellent rating. A condition requiring the submission of a report detailing how the environmental assessment rating (BREEAM or EcoHomes) as set out in the design statement, will be achieved, is recommended, this was done in phase I.
- The development is mixed use and located so to reduce the need to travel.

Accessibility

- A pedestrian and cycle dominated public realm
- Covered secure cycle provision for staff and residents.
- Limited car parking facilities
- Residents would have access to a 6 month First York Travel pass and a car club.

Energy efficiency

- Energy efficient lighting in all units
- Insulation specification to reduce demand for heating
- 10% of energy for the residential units will be generated on-site.
- Central heating and water boilers to be from "energy efficiency brands"

Considerate construction and site management

- Local and sustainable materials to be used where possible
- Site management to include waste minimisation, recycling and pollution control measures

Landscaping public space planting

- Internal courtyard soft landscaped scheme
- Existing landscape to be retained where possible and new species introduced at riverbank (both part of EMP)

Recycling

- Dedicated areas within the building for residential and commercial waste. Residential waste areas located conveniently at ground floor level near to entrance/exit points.
- Recycling point within the building, for paper, glass and cans.

Crime prevention

4.39 Draft Local Plan Policy GP3 encourages crime prevention measures in new developments such as natural surveillance, secure locations for car and cycle parking and satisfactory lighting.

4.40 The residential (including courtyard) and parking areas would be accessed by a series of cores with restricted access. Each core provides access to a limited number of dwellings, thus a small number of users. This practice is generally found to be the most successful type of shared access on larger schemes. Mail boxes would be internal, at ground floor level. The areas of the public/private realm are overlooked by living and bedrooms.

4.41 It is the applicant's intention to achieve the Secure by Design award for the development. Pre application discussions have been held with the ALO and recommendations regarding restricted access have been implemented. The ALO is of the opinion that secure by design status is achievable and is supportive of the proposal.

Highway considerations including car and cycle parking

4.42 Policy T4 of the City of York Draft Local Plan seeks to maintain and promote cycle use.

4.43 116 Cycle parking spaces are proposed for residents. This amount equates to one space for 75% of the units. The cycle provision is in accordance with the ratio agreed at outline stage.

4.44 51 car parking spaces are proposed, this includes visitor's space and 5% of spaces would be for disabled parking. At outline stage 45 spaces were proposed in this block. There are 9 less residential units proposed and 6 more car parking spaces. The additional parking spaces have arisen, as when looking at the development in a more detailed manner, it has been possible to accommodate them. There is no objection to this variation in numbers, which remains below one space per unit.

4.45 The public cycle parking provision will be located outside the block; this is covered by condition 12 of the outline approval, which requires that the spaces be provided before development of the phase commences. The details of such are under consideration as part of the highway layout and landscaping scheme for the overall site. Visitor parking will be located where convenient, such as around St John's Square, Friars Quay and possibly by the bridge.

4.46 A revised ground floor plan reduces the amount of commercial floorspace and provides two internal cycle store areas, for staff. Around 16 spaces are provided. At outline stage it was agreed that 25% of the required staff cycle spaces would be internal. The exact internal amount required is dependable on the mix of A1 and A3 uses, as A3 uses require more cycle spaces. If for example the split between A1 and A3 floorspace were 50:50, 3 more than the required internal spaces would be proposed. The other spaces will be provided across the site as per the public cycle parking. This was agreed at outline stage and is considered to be acceptable.

Flood risk

4.47 The outline permission required all landscaping details at reserved matters stages to be submitted with proposed finished levels (condition 39). The Environment Agency require that floor levels are at least 10.6 AOD.

4.48 The submitted plans show that the basement level would be protected up to 10.6 AOD (the level at which ventilation into the basement is proposed). The car park would have an underground link to block C, the access point being the one approved in phase I. The residential accommodation would be situated at 12.2 AOD which is above possible, modelled flood levels. As such the development is adequately protected from flood risk.

5.0 CONCLUSION

5.1 The siting of this block and its proposed use has been established at outline stage. As such the key considerations in this reserved matters application are design and external appearance, amenity, landscaping, cycle parking provision and the amount and type of housing. Highways issues such as the external layout and surfacing and the allocation/location of external cycle stands and environmental issues such as the planting and landscaping works along the edge of the River Foss will be addressed through the conditions of the outline approval.

5.2 Officers are content with the massing and size of the development and its external appearance (as revised), the development would provide a reasonable level amenity for its occupants and those around, the proposed river walkway and internal landscaping scheme each respect the details agreed at outline stage and the design codes and principles of the overall site. The amount of resident's and covered staff cycle parking are adequate. The amount and type of housing, including affordable accommodation is also supported.

COMMITTEE TO VISIT

6.0 RECOMMENDATION:

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

John Thompson and partners drawings

001, 002, 03 rev b, 04 rev b, 05, 06, 07, 08, 10 rev b, 11

Waterman Environmental drawings
Hard landscape drawings 0001 rev a
Soft landscape drawings 0003 rev c
Landscape construction 0004
Riverside cross sections EN7177.D.001A.BD

Arcadis drawings
Drainage layout 07115/01 rev P1

Scheme of affordable accommodation received 31.10.2007

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 No development shall take place until a report detailing how the environmental assessment rating (BREEAM or Ecohomes) of "Very Good" as set out in the design statement will be achieved, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development in accordance with Policy GP4a of the Development Control Local Plan and PPS1 "Delivering Sustainable Development".

3 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- Vertical dividing fin(s)
- Typical eaves, verge and parapet details
- Soffit overhang
- Columns including bases and capitols
- All types of windows and window systems (1:20 + larger scale details, door openings showing reveals, lintols and cills)
- Glazing
- Terrace and balconies including soffits and doors onto balconies
- Main entrance doors, door surrounds and canopies
- Shafts into basement car park

Reason: So that the Local Planning Authority may be satisfied with these details.

4 VISQ8 Samples of exterior materials to be app

5 Sample panels of the brickwork and stonework to be used on this development shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork/ stonework and the mortar treatment to be used, and shall be

approved in writing by the Local Planning Authority prior to the commencement of building works. These panels shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location.

6 Prior to first occupation of the commercial units a detailed scheme for the design of the shopfronts (1:20 elevations and sections) and the proposed means of advertising each premises, including illumination, shall be submitted to and agreed by the Local Planning Authority. The commercial premises shall be developed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a consistent acceptable appearance.

7 Prior to development commencing detailed floor plans, elevations and section drawings of the river walkway including the proposed bridge supports, railings, pedestrian routes, the split between pedestrian areas and areas allocated for tables and chairs, shall be submitted to and agreed in writing by the Local Planning Authority and the development implemented in accordance with the approved details.

Tables and chairs shall be confined to the agreed areas at all times unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of design and highway safety.

8 Details of the scheme of lighting for the internal courtyard area shall be submitted, agreed to by the Local Planning Authority and implemented in accordance with the approved details prior to first occupation.

Reason: In the interests of visual amenity and safety.

9 Notwithstanding approved drawings the soft landscaping shall be in accordance with the revised plan - drawing Waterman 0003 revision C.

Reason: For the avoidance of doubt.

10 The commercial premises shall not be open to customers outside the following hours:

Sunday to Thursday 07:00 to 23:00
Fridays and Saturdays 07:00 to 24:00

Outside the permitted hours of operation all tables and chairs shall be stored within the premises.

Reason: In the interests of residential and visual amenity.

11 Music emanating from the commercial premises shall be inaudible from within the nearest residential unit (with windows closed) and no external speakers shall be mounted outside the commercial premises.

Reason: To protect the amenity of surrounding occupants.

7.0 INFORMATIVES:

Notes to Applicant

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;

- design and appearance
- amenity
- landscaping
- nature conservation
- affordable housing/mix of house types
- planning out crime
- sustainability
- flood risk

As such the proposal complies with Policies GP1, GP3, GP4A, GP9, GP11, GP15, HE2, NE1, NE2, NE3, NE7, H2, H3C, T4 and S6 of the City of York Local Plan Deposit Draft.

SECURED BY DESIGN

Your attention is drawn to potential crime reduction by considering the Police 'Secured by Design' Award Scheme for this site. Full details and an application form for the scheme can be found on www.securedbydesign.com

SEWERS

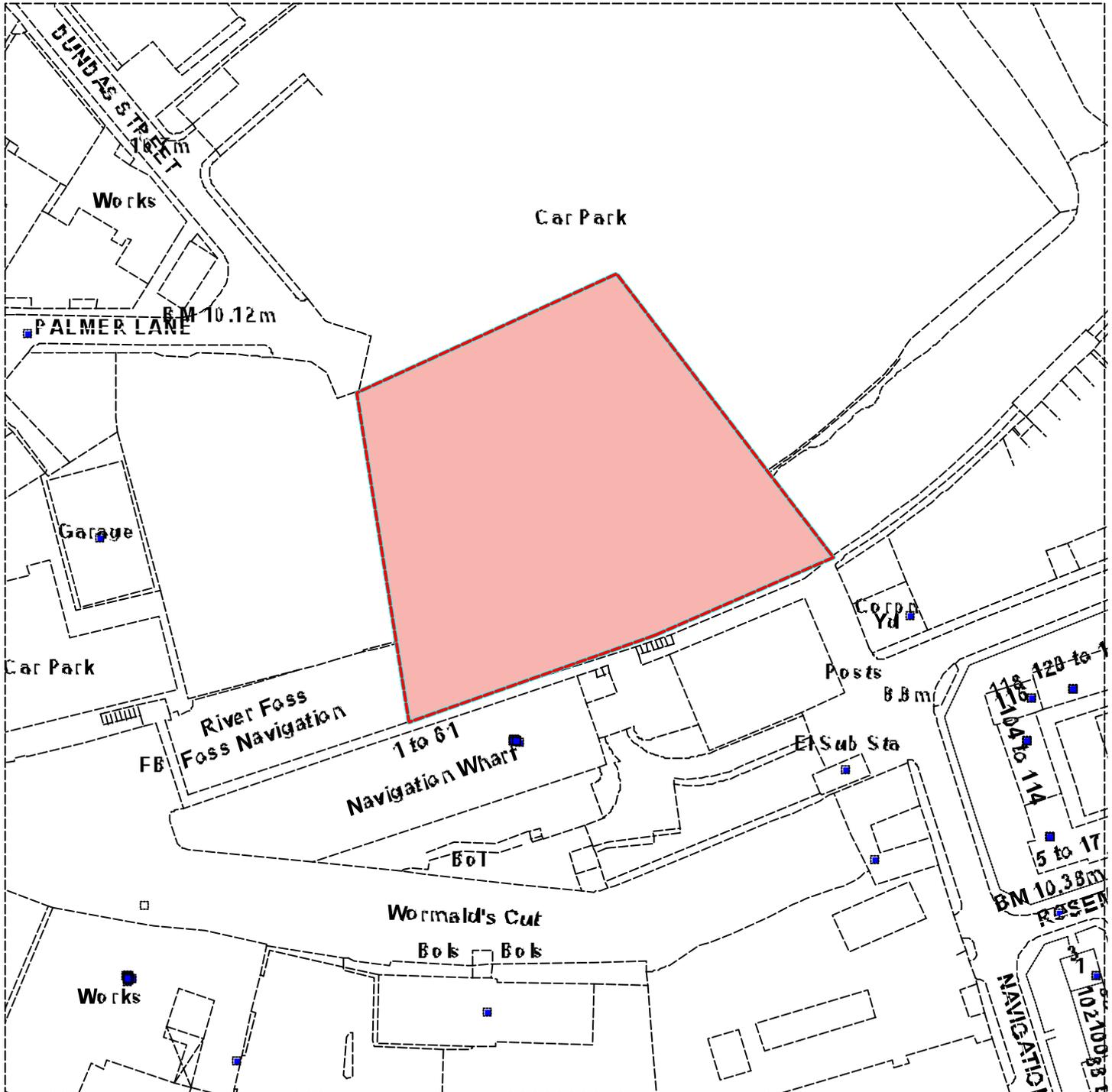
You are advised that consent must be gained from Yorkshire Water to divert any public sewers.

Contact details:

Author: Jonathan Kenyon Development Control Officer
Tel No: 01904 551323

Hungate Phase II - Block E

07/01901/REMM



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	Application Site
Date	09 November 2007
SLA Number	Not Set

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Planning Committee

22 November 2007

Report of the Director of City Strategy

YORK COLLEGE: REQUEST FOR TEMPORARY VARIATION OF TERMS OF SECTION 106 AGREEMENT, REGARDING PROVISION OF SPORTS FACILITIES**Summary**

1. This report presents a request from York College for a temporary variation in the terms of the Section 106 Agreement relating to the College development. The variation sought concerns the availability for the community of the College's new sports facilities. The request is a consequence of the College's response to development opportunities which have the potential to result in significantly enhanced facilities. The report recommends agreement to the request, because of potential benefits for community sports facilities in the long run.

Background*York College – Planning Permissions*

2. In January 2004 planning permission was granted for the new York College building, with associated car parking, new vehicle accesses and landscaping (ref. 04/00376/FUL). A Sports Hall and Fitness Suite is included in the development. The accompanying application (ref 04/00757/FUL) to provide the outdoor element of the College facilities, including games pitches, an all-weather pitch and a multi-use games area (MUGA) was approved in March 2005. The Officer's report to Planning Committee for this application is attached at Annex C. The College is now fully open for students to undertake their courses.
3. The Section 106 Agreement, attached to these planning permissions, makes provision for the community to share in the use of these indoor and outdoor sports facilities. This is for an agreed number of hours per week, during term or vacation periods, as specified in the Section 106 agreement, the relevant extract from which is attached at Annex B.

The Sports Facilities

4. The following facilities have been completed and are already being shared in by the community: -
 - The Sports Hall, Fitness Suite, All Weather Pitch.
5. The remaining facilities to be completed are: -
 - The Multi-Use Games Area (MUGA) and 2 grass sports pitches.
6. The College has the funding needed to complete these remaining facilities. It is fully committed to doing so once a lease for the land involved has been agreed with the Council.
7. However, in the meantime an opportunity to provide wider and enhanced facilities for the community has arisen. This would be achieved by putting the College's funding into a partnership scheme. Other potential partners are York City Council, the Football Foundation and All Saint's School. The Foundation has indicated a willingness to fund a significant amount of the development proposals, by up to £800,000. A letter of support for the project from the Principal of York College is attached at Annex A.
8. If brought to fruition, the result would be: -
 - the MUGA and 2 grass pitches, which the College will provide, whatever PLUS
 - 3 additional grass pitches (with pitch drainage and improvements), a multi-team changing facility and teaching room, (subject to the grant of planning permission) a community junior soccer team based at the site, and the potential for extensive community outreach work.

A plan of the areas involved will be made available at the meeting.

Reason for request to vary the Section 106 Agreement

9. However, bringing all this together would mean a delay in providing the MUGA and the 2 grass pitches. In turn these facilities would not be available for the community to use straightaway, as intended, and agreed in the Section 106. It would be up to 2 years (up to September 2009) before they would become available. It is for this reason that the college's request for a variation to the Section 106 Agreement has been made. The following table summarises the effect this would have upon community use of the sports facilities at the College, compared with the use set out in the original Section 106 Agreement:-

FACILITY	AVAILABILITY FOR THE COMMUNITY	
	DURING TERM TIME Min No. hrs per week	DURING VACATION TIMES Min No. hrs per week
Sports Hall	20	30
Fitness Suite	20	30
All Weather Pitches	25	35

(All the above are provided at the same number of hours per week as in current 106 Agreement, and not affected by the proposed variation)

Grass Pitches	NIL to Sept 09, then *	NIL to Sept 09, then *
	25hrs as in current Section 106	35hrs as in current Section 106
MUGA	NIL	NIL to Sept 09 then *
(Multi-Use Games Area)	(NIL in current Section 106 – not affected)	30hrs as in current Section 106

* affected by proposed variation – provision delayed up to September 2009

10. The Section 106 Agreement includes provision to vary the above hours, subject to agreement in writing between the College and the Council. Legal Services advise that any such variation can be agreed by letter between the parties. It is not necessary to prepare an amended Section 106 document.
11. There is a risk that the negotiations for partnership funding may not come to fruition. In that event, the College would still provide the MUGA and 2 pitches as originally required.

Consultation

12. The Council's Sport and Active Recreation Department support the proposed variation to the Section 106 Agreement, subject to September 2009 being the latest date by which the MUGA and 2 pitches shall be made available. They consider that the delay to September 2009 of these facilities would cause very limited inconvenience for community sport. This is because (i) there are already several grass pitches in the locality of the College that can be used by the community (ii) the astro-turf all-weather pitch is already available to the community (iii) community access to the MUGA is only assured (in the Section 106 Agreement) during vacation periods, when other school facilities are also extensively available.
13. Wider public consultations have not taken place.

Options

Option 1

14. To decline the College's request for a temporary variation to the Section 106 Agreement, and require the MUGA and 2 pitches to be made available for shared College and Community use as soon as practicable.

Option 2

15. To agree to the College's request for a temporary variation to the Section 106 Agreement, as set out in the table at paragraph 9 of this report: that is to delay community access to the MUGA and the 2 pitches until September 2009 at the latest, to allow negotiations to continue for enhanced sports facilities.

Analysis

Option 1

16. With the MUGA and 2 pitches provided at the earliest opportunity the range of sports facilities as approved in the College development, would be available for shared College and Community use. This would be as originally set out in the Section 106 Agreement. The sports hall, fitness suite and all-weather pitch are already being used, or are about to be used, by 17 community groups. However the opportunity for partnership funding to provide significantly enhanced sports facilities through substantial external funding for the community would be lost, at least for the foreseeable future.

Option 2

17. Provision of the MUGA and 2 pitches would be delayed by up to two years, to September 2009, denying community use of them for this time. In that respect, the provisions of the Section 106 Agreement as originally intended, would not be fulfilled. However, Sport and Active Recreation consider that, for the sake of a delay of up to two years, the chance to provide much enhanced facilities should not be lost; including 3 extra community pitches, school changing facilities, community clubs based on the site and outreach work (through potentially up to £800,000 of funding from the Football Foundation).

Corporate Priorities

18. Providing the widest and most accessible range of high quality sports and recreation facilities for the City is essential for the enjoyment and well-being of the community. Section 106 Agreements are important in ensuring that facilities are delivered in relation to specific development projects.

Implications

Legal

19. The Head of Legal Services is satisfied that a variation to the Section 106 Agreement, regarding hours of use of the facilities, can be made, in writing between the parties, if the Council so wishes.

Financial

20. There would be no direct financial losses to the council, whichever option is chosen. However Option 2 offers the opportunity to secure partnership funding, to enhance overall community sports provision in the City.

Human Resources

21. There are no HR implications.

Equalities

22. There are no equality implications.

Crime and Disorder

23. There are no direct implications. Although it is difficult to quantify without considerable research in relation to Options 1 and 2, community sports facilities generally are important in any strategy to contain crime and social disorder problems.

Information Technology (IT)

24. There are no IT implications.

Property

25. City Council land is to be leased to the College to provide the sports facilities, in either Options 1 or 2.

Other

26. There are no other implications.

Risk Management

27. There are no risks in the long-run to the Council. There is a risk that the partnership negotiations in Option 2 will not come to fruition. However, the College would still provide the MUGA and 2 grass pitches as originally agreed in the Section 106 Agreement.

Recommendations

28. Members are requested to agree the College's proposed variation to the Section 106 Agreement.

29. **Reasons**

- (a) To enable the negotiations for a partnership scheme, which would bring in extensive sports funding, to be completed. If successful, a significantly wider and enhanced range of sports facilities would be created for the community, over and above the facilities originally envisaged in relation to

the College development.

- (b) It is believed that the delay to September 2009 in providing the MUGA and 2 grass pitches would cause only limited inconvenience for community sport, bearing in mind the potential benefits to be gained; including 3 extra pitches, changing facilities, a soccer team based at the site and community outreach work.

Contact Details

Author:

Chris Newsome
Planning Officer
Directorate of City Strategy
01904 551673

Chief Officer Responsible for the report:

Bill Woolley
Director of City Strategy

Report Approved
Date: 13 November 2007

Specialist Implications Officer(s)

Legal – Colin Langford Interim Head of Civic Legal and Democratic Services
Financial, Crime & Disorder, Property -Report Author

Wards Affected

All



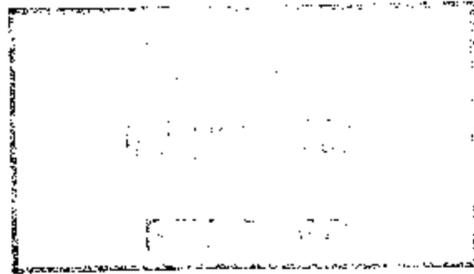
For further information please contact the author of the report

Background Papers:

None.

Annexes

- A. Letter from the Principal of York College 6 November 2007
- B. Extract from Section 106 Agreement dated 4 March 2005
- C. Planning Officer's Report to Planning Committee 24 June 2004
(Ref: 04/00757/FUL).



Sim Balk Lane, York YO23 2BB

01904 770200

Email: customer-services@yorkcollege.ac.uk

www.yorkcollege.ac.uk

MGA/KLM

6 November 2007

Mr C Newsome
 Planning Department
 City of York Council
 9 St Leonards Place
 York
 YO1 7ET

Dear Mr Newsome

Community Use of Sports and Leisure facilities at York College

I am writing on behalf of the college to reaffirm the College's commitment to delivering significantly improved sports facilities with the minimum delay. The College accepts that a condition of the planning agreement for the new college campus was the delivery of 2 additional grass pitches and a Multi-Use Games Area (MUGA) by September 2007. As a result of detailed and constructive discussions with officers of the City Council over many months, it has been proposed that the College's sports funding should be used as partnership funding (thus enabling grant funding from third parties) towards a project that will deliver a MUGA, 5 college/school and community pitches, a new fully accessible pavilion and an extensive football development programme for junior, youth and disability soccer.

Whilst it is regrettable that this would mean some delay in delivery, providing the timescales are not unduly protracted, this would seem a reasonable price to pay for such a significant enhancement to the facilities and the opportunity to access external funding to supplement the investment already being made. It is worth pointing out that the college's new 6 court Sports Hall, fitness suite and all-weather pitch are already available for community use and to date are being used or are planned to be used by at least 17 community groups. Community access to the College's facilities, including sports facilities, was a central feature of the new college campus design and the College is actively encouraging the wider community to make use of these best-in-class facilities.

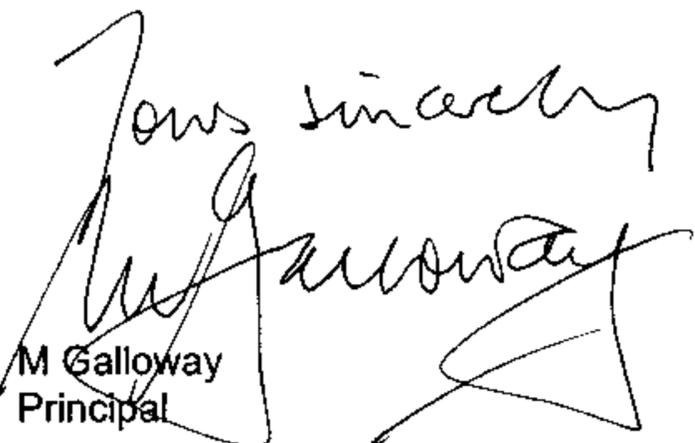


All college documents can be made available in alternative formats.

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Pride in Excellence

The College's commitment to sport and sport education is a matter of public record. Any delay in the implementation of the planning condition follows extensive discussions with the local authority and is purely motivated by a desire to ensure the best possible quality and range of provision for students and the wider community. In the event that the more ambitious proposals recommended by the City Council's officers prove to be undeliverable, or deliverable only in an unacceptably protracted timescale, the College will, of course, honour the commitments it made as part of the section 106 agreement as soon as possible.

Yours sincerely

M Galloway
Principal

Copy: Mr M Slater



All college documents can be made available in alternative formats.

Pride in Excellence

ANNEX. B

Provided that the Council and the College may at any time after the completion of the fifth such annual review agree in writing that no further annual reviews are necessary.

3. To pay to the Council prior to the first use of the Second Development the sum of Two thousand Five hundred pounds (£2,500) to be used by the Council towards the cost of making and implementing a traffic regulation order under the Road Traffic Regulation Act 1984 the effect of which shall be to prohibit waiting along Sim Balk Lane in the vicinity of the Land.
4. Throughout occupation of the First Development to make available for public use the sports hall, fitness suite, all weather pitches MUGA grass pitches changing facilities and car parking provision for members of the public (details of which car parking provision shall have been previously submitted to and approved by the Council in writing) comprised in the Development ("the Facilities") during those periods when the Facilities are not in use by the students and or staff of the College at a charge comparable to those levied by the Council for the use of similar Council-owned facilities throughout the use of the Development provided always (subject to paragraph 4.1 below) that the available public use shall not be less than the number of hours per week set out in the table below (unless otherwise agreed in writing between the College and the Council)

	TERM	VACATION
	Number of hours/week	Number of hours/week
Sports Hall	20	30
Fitness Suite	20	30
All Weather Pitches and Grass Pitches	25	35
MUGA	NIL	30

- 4.1 Provided that the College may close any of the Facilities when there is a risk to the safety of users (such as frost snow or water logging affecting any of the Facilities which are outside) or should any indoor element of the Facilities need to be the subject of repairs

5. The extent of public use of the Facilities shall be reviewed annually by the Council and the College to ensure that the Facilities are available for sufficient periods of time to meet the demands of the College's curriculum.
6. The College may refuse access to the Facilities or (having allowed access) subsequently exclude from the Facilities any person who either:
 - (a) fails to comply with the College's rules of use; or
 - (b) fails to pay the appropriate charge for the intended activity; or
 - (c) is not wearing appropriate sports clothing for the intended activity; or
 - (d) does not have appropriate sports equipment for the intended activity; or
 - (e) acts in a way which may put the safety of that person or others at risk
7. To use all reasonable endeavours to ensure that the final building design and specification of the building procured by the College and comprised in the First Development achieves at least a rating of 'VERY GOOD' against the 'BREEAM Offices 2004 Design and Procurement Assessment Prediction Checklist' attached as the Third Schedule hereto or any revised version thereof applicable at the time of assessment provided that the identity of the person who carries out the assessment shall have been previously approved in writing by the Council and the College prior to any works commencing on the First Development and such design and specification as shall have been approved in the assessment shall be fully implemented unless otherwise previously agreed in writing by the Council and provided further that if the person carrying out the assessment considers that certain of the criteria in the Checklist cannot be met and/or that a rating of "VERY GOOD" is not achievable in either case by virtue of the fact that the building comprised in the First Development is an educational establishment that person shall so indicate in which case the obligations contained in this paragraph shall be deemed to have been complied with.
8. To submit to the Council prior to works commencing on the Development details of a landscape management plan for the landscaping schemes approved under condition 4 of each permission which shall without prejudice to the generality of the foregoing address new and existing planting on the Land for a period of at least 15 years from the commencement of new planting and which shall include in its aims the softening of the visual impact of the Development, the protection of amenities of neighbours and the

ANNEX. C

COMMITTEE REPORT

Committee:	Main Planning	Ward:	Dringhouses And Woodthorpe
Date:	24 June 2004	Parish:	Dringhouses/Woodthorpe Planning Panel

Reference:	04/00757/FUL
Application at:	Land Adjacent To York Sixth Form College Sim Balk Lane York YO23 2UD
For:	Change of use of agricultural land to outdoor sports pitches, all- weather pitch with perimeter fencing and lighting columns, multi use games area with perimeter fencing
By:	York College
Application Type:	Full Application

1.0 PROPOSAL

1.1 The site comprises 7.3ha of open land to the east of the Sim Balk Lane College site. Part of the site (4.3ha) is currently used for outdoor sport. The proposal is to change the use of agricultural land, currently owned by the Council, to outdoor sports pitches and to lay out an All Weather Pitch (AWP), with perimeter fencing and floodlighting, and a Multi-Use Games Area (MUGA) with perimeter fencing. The AWP would be located on a existing grass football pitch adjacent to the Sim Balk Lane site. It would have a flexible playing surface for use throughout the year and 8 X 15m high lighting columns with twenty light fittings. the application does not include details of the proposed fencing. The MUGA is primarily aimed at providing three tennis courts and two netball courts.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies:

CYGB1
Development within the Green Belt

3.0 CONSULTATIONS

INTERNAL

3.1 HIGHWAY NETWORK MANAGEMENT: The applicants state that adequate parking for the sports pitches will be provided on the College site and that community users will be encouraged to use parking spaces on the College site. Players and spectators that currently use the pitches are parking on Sim Balk Lane and causing an obstruction of the pedestrian/cycle route.

3.2 LANDSCAPE ARCHITECT : The statement accompanying the application does not include details of the height, colour or type of fencing for the AWP or specify the type of surfacing for the MUGA. The AWP and MUGA, by way of their artificial surfacing and high fencing, would disturb the openness of the Green Belt on this visually exposed edge of York. However the new College building and car park would be so dominant as to render the additional manufactured pitches less visually significant, especially as this treatment is limited to one pitch and one MUGA. The lighting columns and spacing have been carefully considered to avoid light pollution however there will be an inevitable slightly harmful visual effect due to the area of pitch that is lit.

3.3 ARCHAEOLOGIST: The site is in close proximity to a pre-historic crop mark site and has potential to reveal Romano British deposits. A condition requiring an Archaeological Watching Brief on all groundworks is recommended.

3.4 ENVIRONMENTAL PROTECTION UNIT: NO objections subject to conditions limiting construction hours and times when the pitches would be in use (08.00 to 22.00hrs Monday to Sunday).

EXTERNAL

3.5 YORKSHIRE WATER: No objections - conditions are recommended to protect an area of 3m either side of the water main and sewer that cross the site.

3.6 YORK NATURAL ENVIRONMENT PANEL: "The built footprint of new car park and building is pushing the sports field out from the site into farmland which is green belt. Considering most of the sports field is hard landscaping this would be unsuitable. Overall the affect of the combined applications by the College is incursion into the green belt. In summary the panel are opposed to this group of developments which are interrelated."

3.7 BISHOPTHORPE PARISH COUNCIL: "Firstly we note that most of the area has and is in use as sports pitches. Probably the time these have been used has been sufficient for the change of use has changed by default (sic). Not with standing this we would support the application. There is a demand for sports pitches and whilst these will be for the college use, we would hope that they would be made available to other local groups. As you are aware the Parish Council has objected to the consolidation of the college to the sixth form site. Therefore we have to view this application as if the sixth form site application is refused. We would wish the application for the sports pitches to succeed but wonder about the all weather pitch and associated lighting etc. The lighting would be out of place under these circumstances."

3.8 DRINGHOUSES/WOODTHORPE PLANNING PANEL: No objections.

3.9 SPORT ENGLAND; no response at time of writing.

3.10 NEIGHBOUR LETTERS, SITE AND PRESS NOTICES: Letters of support for the College proposals in general are described in the previous report for the new College building. Three letters from local residents raising the following concerns and objections have been received:

- the lighting would attract 'undesirables'/risk of anti-social behaviour outside of College hours
- will other schools use the facilities
- will there be expansion into other areas

- houses on Dringthorpe Road will be affected - increase in noise due to pitches closer to houses
- proposals will lead to structures built on the land for toilets and changing
- wildlife will be affected - Bats, Owls, Pheasants, Sparrow Hawks, Mice, Voles, Rabbits
- why not use part of the Tadcaster Road site rather than use Green Belt land

4.0 APPRAISAL

4.1 KEY ISSUES

- planning policy
- impact on Green Belt/character and appearance of the area
- impact on residents

4.2 Planning Policy Guidance note 2 'Green Belts' sets out the purposes of including land within Green Belts and establishes specific categories of development that are appropriate within Green Belts. All other development is deemed inappropriate and therefore harmful to the Green Belt. For such development to be acceptable in Green Belts very special circumstances must be demonstrated to show that the harm is outweighed by other considerations. Policy E8 of the North Yorkshire County Structure Plan establishes a Green Belt around the City of York. The boundaries of the Green Belt are detailed on the Proposals Map of the City of York Local Plan Deposit Draft (CYLPDD) and this site clearly falls within the Green Belt. Policy GB1 'Development in the Green Belt' of the CYLPDD follows the advice contained in PPG2 in stating that permission for development will only be granted where: the scale, location and design would not detract from the open character of the Green Belt; it would not conflict with the purposes of including land within the Green Belt; and it would not prejudice the setting and special character of the City, and is for a type of development listed as appropriate development (including facilities essential for outdoor sport). All other forms of development are considered to be inappropriate and very special circumstances would be required to justify where the presumption against development should not apply.

4.3 The proposal is for new sports pitches and facilities for outdoor sport that are forms of development listed in PPG2 and Policy GB1 as being appropriate uses of Green Belt land. For the proposal to be acceptable in terms of Policy GB1 however, it needs to be of a scale, location and design that would not detract from the open character of the Green Belt. It is considered that the proposed lighting columns and fixtures are not of a scale that would harm the openness of the Green Belt. However there would be an impact on the rural /agricultural character of the area from the lighting columns, the fencing, the all weather surfaces and illumination of the site. Should permission be granted for the new College these features would be viewed against the backdrop of a large modern building, with attendant car park, and hard surfaces, that would also be illuminated during the evening and in winter. It is considered that the visual impact of the proposed pitches, fencing, light columns etc would not be significant in this context and providing the hours of illumination are controlled and suitable landscape planting is undertaken along the existing field boundaries.

4.4 The proposed AWP will be the only pitch to be illuminated and is to be located adjacent to the entrance to the College site, facing Sim Balk Lane. The nearest residential properties will be houses on The Grove. There are some significant trees around the boundary with these properties that would screen views of the AWP and MUGA. The applicants have submitted a report detailing the impact of lighting on the area and which indicates that although floodlighting will be visible from these properties there will be no direct light spill. The report recommends additional planting along the boundary, that floodlights are turned off when not in use and the hours of use of the floodlighting are restricted. Restrictions on

the times during which the AWP and MUGA are used would also mitigate the impact of noise generated by users of these facilities. Two new football pitches are proposed on agricultural land to the north east of the proposed College building that would be closer to houses on Dringthorpe Road. These pitches would not be illuminated and would be over 150m from the nearest residential property and therefore unlikely to have a significant impact on the amenity of residents of Dringthorpe Road..

5.0 CONCLUSION

5.1 It is considered that the proposed pitches and associated development would not have a significant impact on the openness or character of the Green Belt or on the residential amenity of people living nearby, given the context of the proposal for the new College building and subject to the conditions outlined below.

5.2 The applicants have agreed to allow use of the proposed sports facilities by the community and it is recommended that a Community Use Agreement be secured by a S106 agreement.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve subject to Section 106 Agreement

- 1 TIME1 Development start within five years
- 2 The use of the Multi Use Games Area and All Weather Pitch for sports activities shall be limited to between 08.00 to 22.00 hours.

Reason : to protect residents living nearby from noise and disturbance generated by activity at unsocial hours when ambient noise levels are low.

- 3 The floodlighting hereby permitted shall be in operation (illuminating the pitch) only when the All Weather Pitch is in use and between 08.00 and 22.00 hours and not at any other time.

Reason : to protect the residential amenity of people living near the site and to mitigate the impact of the floodlighting on the character and appearance of the area.

- 4 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, in the interest of screening the development from residential properties and softening the visual impact of the development on the wider landscape..

- 5 Prior to the commencement of the development hereby permitted full details of the surface materials and fencing for the All Weather Pitch and Multi Use Games Area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason : in the interests of the appearance of the area.

Contact details:

Author: Richard Graham Development Control Officer

Tel No: 01904 551668

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Planning Committee

22 November 2007

Report of the Director of City Strategy

Interim Planning Statement: Sustainable Design and Construction

Summary

1. The purpose of this report is to seek approval from Members to use the Interim Planning Statement (IPS) on Sustainable Design and Construction (attached at Annex A of this report) for Development Control Purposes. (Please note that this IPS was formally referred to as Supplementary Planning Guidance (SPG) but new requirements of the planning system meant that a change in title was required).

Background

2. The IPS has been produced to support Policy GP4a (Sustainability) of the Local Plan. Policy GP4a seeks to ensure that all new development takes account of sustainability issues by requiring applicants to submit a sustainability statement to accompany their proposals. The IPS provides further guidance to applicants on what is expected from them as part of preparing a sustainability statement.
3. On 23rd November 2006 the IPS, was approved at planning committee to go out for public consultation. The consultation took place from 5th February - 4th May 2007 and lasted just over 12 weeks which reflects the complexity of the document. There were a total of 40 respondents and 144 points made in total. These can be found in a schedule of comments which is attached as Annex B of this report.
4. As a result of the consultation, the IPS has incorporated several changes. The main change to the IPS is the inclusion of the 'Code for Sustainable Homes' standards which has replaced the BREEAM Eco-Homes standard for residential development. The Code for Sustainable Homes uses a sustainability rating system indicated by stars to communicate the overall sustainability performance of a home. Code 1* is the lowest level and 6***** is the highest level. It is based on the BREEAM EcoHomes standard and a code 2** is thought to be equivalent to an EcoHomes standard of 'very good'. The code level achieved is awarded following a design assessment of the proposal and a post construction assessment following completion of the development.

5. The Code has been developed by the Government and is seen as a step change in sustainable building practice. The Code is currently being consulted on until October 2007 to see whether the Government should make the single national standard mandatory. For further information on the Code, please refer to Appendix 4 within the IPS (which can be found in Annex A of this report). It was requested by many consultees that this guidance be incorporated within the IPS to ensure that the targets are up to date.
6. The Code was introduced during the final drafting of this document. As a result the Code was not included in the consultation draft. With its introduction and a clear indication from Government that it may become mandatory it seems sensible to include the Code in this amended document to provide a clear standard that all new homes can be set against.
7. The inclusion of this residential-specific standard has resulted in the document being split into residential and non-residential. The changes are as follows:

For Commercial Developments:

- 500m² or more – A BREEAM assessment is still required however the supporting text and questions covered by BREEAM have been removed.
- Less than 500m² - are still required to meet minimum standards outlined within the document but are not required to undertake a BREEAM assessment because it is not deemed financially viable for the applicant.
- Additional information on development of existing buildings including refurbishments, conversions and changes of uses has been added for both large and small scale commercial development. Worked examples for different types of development are included in Annex C of this report.

For All Residential Development:

- 1 dwelling unit and above are now required to meet the Code for Sustainable Homes Level 2 (equivalent to Eco-Homes “very good”). In addition to this Appendix 4 has been added which provides a brief overview of the Code for Sustainable Homes.
- New sections (5 and 6 of the IPS) have been added to cover the development of existing dwellings, including refurbishments, conversions and changes of use.
- The domestic extensions section asks applicants to consider and highlight sustainability measures within their development. It should also be noted that the domestic extensions section is now presented in

the form of a questionnaire. A separate questionnaire form will be made available for DC to send out with application forms.

8. Finally, it should be noted that it is not intended for the IPS to be read as a whole. It is possible to identify at an early stage, using the diagram on page 8 of the IPS (Annex A to this report), which section of the document is relevant to the type of development being undertaken.

Consultation

9. Officers from the Building Research Establishment, the Department of Trade and Industry, Considerate Constructors Scheme and the general public have all been consulted. The following consultation methods were used:
 - copies of the IPS and comments form sent to organisations and individuals with an interest in sustainability in York (including all parish councils, planning panels, residents associations and adjacent planning authorities, as well as interested groups);
 - a press release was published;
 - publication of the IPS and comments form on the Council's website;
 - copies of the IPS and comments form provided in all libraries within the Council area;
 - copies of the IPS and comments form provided in reception at the Guildhall and St Leonard's Place;
 - two consultation events with the construction industry and other interested groups.
10. DC officers have been provided with additional information and guidance on the priority to be given to the various sustainable design and construction methods. Additionally, the Plans Processing Unit (PPU) have been provided with detailed guidance to assist them with any queries that may arise in relation to this IPS.

Options

11. Members have the following options to consider in relation to this IPS:
 - Option 1: To approve the IPS for Development Control purposes to support Policy GP4a;
 - Option 2: To seek amendments to the IPS through recommendations of Planning Committee;
 - Option 3: To defer the IPS and request further work from officers.

Analysis

12. This guidance supports the Council's general approach to sustainable development, and should be used in conjunction with policy GP4a of the draft Local Plan. There is currently no supporting guidance for developers in terms

of sustainable design and construction and this IPS is thought to be an essential measure until a Supplementary Planning Document (SPD) can be produced once the Core Strategy is adopted towards the end of 2009. The information stated within the document reflects that of national and regional guidance. The IPS will be used as a material consideration in determining all future planning applications.

Corporate Priorities

13. The IPS accords with the following corporate priorities:
- decrease the tonnage of biodegradable waste and recyclable products going to landfill;
 - improve the actual and perceived condition and appearance of the City's streets, housing estates and publicly accessible spaces;
 - improve the way the Council and its partners work together to deliver better services for the people who live in York; and
 - improve efficiency and reduce waste to free-up more resources.

Implications

14. The following implications have been assessed:
- **Financial** - None
 - **Human Resources (HR)** - The work will be carried out within existing staff resources and includes the training of relevant staff and the Sustainability Officer's time in dealing with enquiries (see point 9).
 - **Equalities** - None
 - **Legal** - None
 - **Crime and Disorder** - None
 - **Information Technology (IT)** - None
 - **Other** - None

Risk Management

15. In compliance with the Council's risk management strategy, there are no risks associated with the recommendations of this report.

Recommendations

16. That Members agree:
- 1) Approve the IPS: Sustainable Design and Construction (Attached at Annex A) subject to any recommendations made by Planning

Committee for the purpose of Development Control to support Local Plan Policy GP4a;

Reason: To implement policy GP4a of the Draft Local Plan incorporating the fourth set of changes; and

- 2) Agree that the making of any incidental changes or other changes necessary as a result of the recommendations of Planning Committee, are delegated to the Director of City Strategy in consultation with the Executive Member and Opposition Spokesperson for City Strategy and the Chair of Planning Committee.

Reason: So that the report can be published for Development Control purposes.

Contact Details

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Chief Officer Responsible for the report:

Bill Woolley
Director of City Strategy
City Strategy
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*Kristina Peat
Sustainability Officer
Planning and Design
01904 55 1666*

Report Approved **Date** 15/10/07

Specialist Implications Officer

*Implication Human Resources
Name Kristina Peat
Title Sustainability Officer
Tel No. 01904 551666*

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

N/A

Annex:

Annex A: Interim Planning Statement on Sustainable Design and Construction.

Annex B: Schedule of Changes.

Annex C: Worked Examples

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City of York

Interim Planning Statement On Sustainable Design and Construction

October 2007



City of York Council

Interim Planning Statement on Sustainable Design and Construction

October 2007

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Overview

It is the Council's objective to achieve development that has a low or positive environmental impact. A key part of achieving this is to require developers to consider sustainable design and construction issues as part of all new development, and proposals to change existing developments. This Interim Planning Statement (IPS) sets out what is expected from applicants and outlines standards for achieving sustainable design and construction in all types of large and small scale, residential and non-residential development including conversions and domestic extensions.

This IPS went out for a period of public consultation over the course of three months from February to May 2007. As part of preparing this statement the Council sought public views on a draft statement (formally known as a draft Supplementary Planning Guidance - SPG). Following this period of consultation the Council considered all comments received and made the necessary changes to the document. This IPS was formally approved at planning committee, and will be a material consideration in determining all planning applications.

If you would like to speak to an officer about this IPS you can write, phone or email using the details below:

Write: City Development Team / Planning and Design Team
City of York Council
9 St Leonard's Place
York
YO1 7ET

E-mail: citydevelopment@york.gov.uk

Tel: 01904 551666 (Sustainability Officer) or 551466 (City Development)

Additional copies of this document are available upon request, or alternatively can be downloaded on our website for free at: www.york.gov.uk

Please contact us if you would like this information in an accessible format (for example, large print or by email) or another language.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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1. Introduction

- 1.1 This Interim Planning Statement (IPS) supports policy GP4a (as set out in Figure 1) of the City of York Draft Local Plan Incorporating the 4th set of changes (Approved April 2005). It provides guidance to applicants on preparing a sustainability statement as required in the policy. The level of detail required in the statement will be dependent on the size and type of development proposed.
- 1.2 It is the Council's objective to achieve development that has a favourable environmental impact whilst maximising social, economic and environmental gains. This means encouraging positive and long term thinking when making decisions and taking account of a wide range of costs and benefits, including those which cannot be easily valued in monetary terms. The requirement under Policy GP4a for developers to submit a sustainability statement is a key part of ensuring these issues are considered as part of new development. The information stated within this document reflects national and regional guidance and therefore should be met. It is for the applicant to explain how they will meet the requirements and if this is not possible to justify why not, to the satisfaction of the Local Planning Authority (LPA).

Policy Overview

- 1.3 According to the Brundtland Commission 1982, sustainable development is widely known as:

'development that meets the needs of the present without compromising the ability of future generations to meet their own needs.'

- 1.4 The principle of sustainable development underpins many international and national policies – from The Kyoto Protocol on climate change to Planning Policy Statement 22: Renewable Energy (PPS22). The UK Government published an updated Sustainable Development Strategy, 'Securing the Future' in March 2005. The Strategy outlines that the goal of sustainable development is to be pursued in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment and a just society that promotes social inclusion, sustainable communities and personal well-being. These wide ranging economic and social aims are to be progressed alongside protecting and enhancing the physical and natural environment and using resources and energy as efficiently as possible. This approach is reflected in the emerging Regional Spatial Strategy for Yorkshire and the Humber. In addition, the York City Vision & Community Strategy 2004 – 2024 states that the Council must seek a progressive reduction of York's Ecological Footprint to 3.5 hectares per person by 2033 and by 70% over the next 50 years. For more information visit www.york.gov.uk/environment/Sustainability/Agenda21/Ecological_footprint/
- 1.5 An overarching aim of the City of York Development Control Local Plan (2005), is to achieve sustainable design and construction. Policy GP4a, as set out in Figure 1, introduces ten criteria that cover a wide spectrum of environmental, social and economic issues that will be used to judge the sustainability of a proposal.

Figure 1: Policy GP4a (Sustainability)

Proposals for all development should have regard to the principles of sustainable development as summarised in criteria a- i below.

All commercial and residential developments will be required to be accompanied by a sustainability statement. The document should describe how the proposal fits with the criteria listed below and will be judged on its suitability in these terms.

Development should:

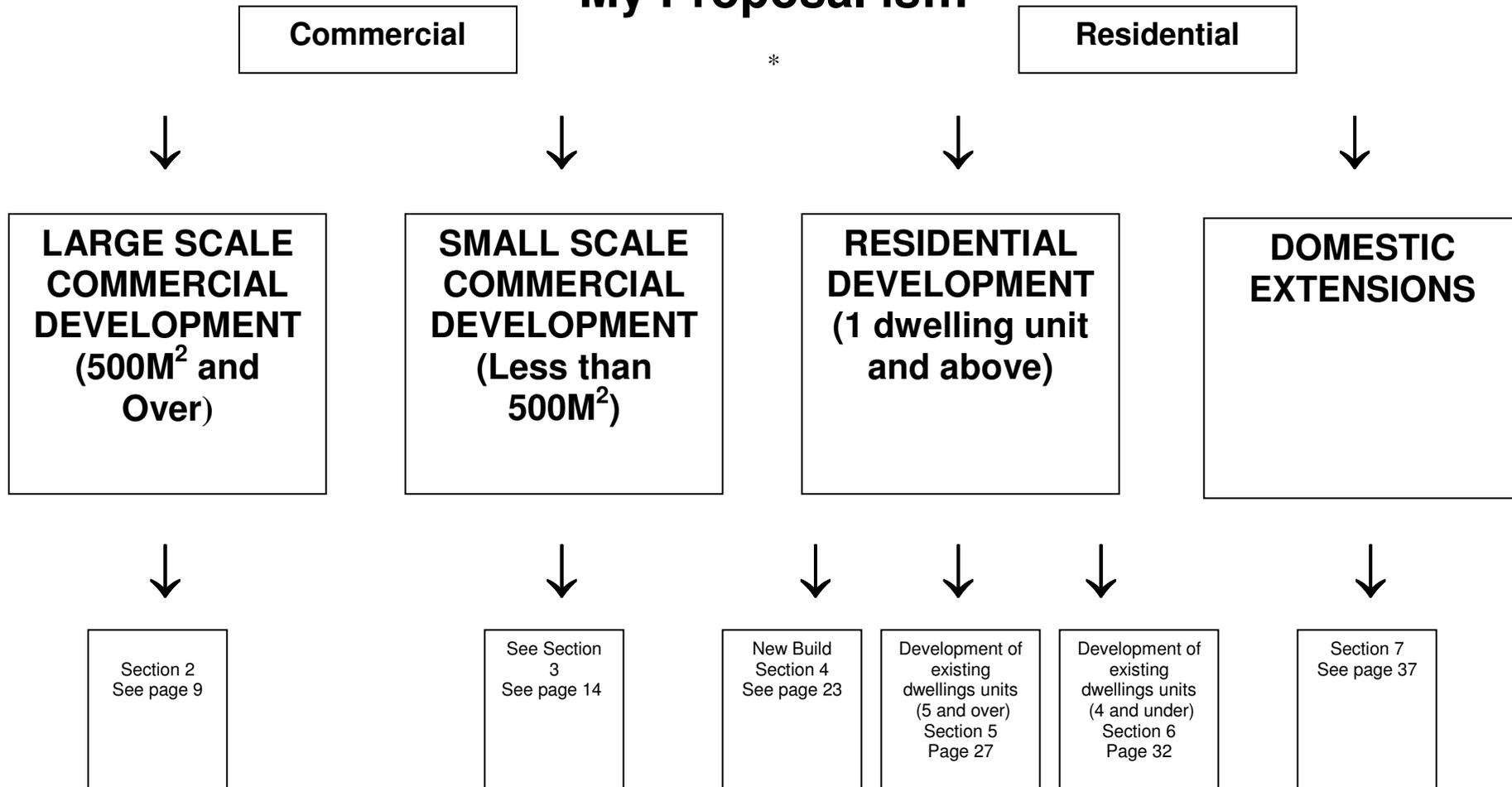
- a) provide details setting out the accessibility of the site by means other than the car and, where the type and size of the development requires, be within 400m walk of a frequent public transport route and easily accessible for pedestrians and cyclists;
- b) contribute toward meeting the social needs of communities within the City of York (including housing, community and recreational facilities, car clubs, recycling facilities and communal laundry blocks) and to safe and socially inclusive environments;
- c) maintain or increase the economic prosperity and diversity of the City of York, and maximise employment opportunities (including supporting local goods and services and providing training and employment for local unemployed and young people);
- d) be of a high quality design, with the aim of conserving and enhancing the local character, heritage and distinctiveness of the City;
- e) minimise the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during construction and throughout the use of the development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of materials should be considered;
- f) minimise pollution, including that relating to air, water, land, light and noise;
- g) conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife areas and room for trees to reach full growth;
- h) maximise the use of renewable resources on development sites and seek to make use of renewable energy sources, such as heat exchangers and photovoltaic cells; and
- i) make adequate provision for the storage and collection of refuse and recycling.

What will be expected from applicants?

- 1.6 As stated in policy GP4a, all developments will be required to submit a sustainability statement, which describes how the proposal fits with the criteria listed in the policy. For domestic extensions, sustainability statements can be submitted in the form of a questionnaire (see page 37 of the document for more details). This IPS will be a material consideration in determining all planning applications. Therefore it is in the applicants best interest to use this guidance, and if necessary consult on the proposals with the Council at an early stage.
- 1.7 The level of detail required in the sustainability statement will be dependent on the type and size of development proposed. Therefore, for the purposes of this IPS, development has been split into six main types (see below). The specific guidance for different types of development is identified on the diagram over the page.
- **Large scale commercial development:** development over 500m² and over for commercial development; see page 9
 - **Small scale commercial development:** developments of less than 500m² for commercial development; see page 14
 - **Residential Development:** New build of 1 dwelling unit and above; see page 23
 - **Development of Existing Residential Dwelling Units** (of 5 dwellings and above); see page 27
 - **Development of Existing Residential Dwelling Units** (of 4 dwellings and below); see page 32
 - **Domestic extensions:** extensions to existing residential dwellings; see page 37

How to use this Interim Planning Statement:

My Proposal is...



* For mixed use developments consideration should be given to the floorspace. If 500m² or over, a BREEAM Bespoke assessment should be undertaken. If less than 500m², the small scale commercial and the residential sections should be observed and minimum standards met.

2. Large Scale Commercial Developments

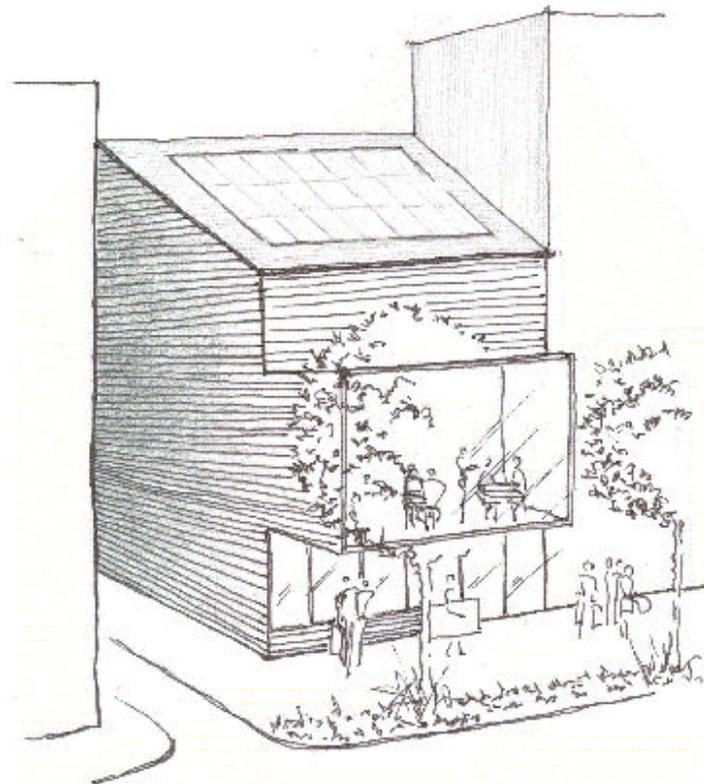
For commercial development of 500m² and over.

- 2.1 Applicants proposing developments over the threshold of 500m² for commercial uses, will be required to submit a sustainability statement which addresses all of the criteria set out in policy GP4a. The sustainability statement should state that a BREEAM assessor have been appointed and give an indication of timescales. The statement should also explain how the minimum standards (recycled materials, waste and landfill, pollution, site management and renewable energy) stated at the end of this section, will be met.

BREEAM Standards

Minimum Standard: Applications for large-scale commercial developments will be expected to achieve an overall BREEAM standard rating of 'very good', this will need to be achieved at the Design and Procurement and Post Construction stages.

- 2.2 BREEAM is explained in more detail in Appendix 1. This will mean committing to achieve a BREEAM certification under an appropriate scheme at the detailed design stage. Applicants are advised to appoint a BREEAM assessor as soon as possible to ensure that the requirements are achieved. Further information on BREEAM and assessors can be found on www.bre.co.uk. Whilst the minimum standard expected from developers is 'very good', developers are encouraged to meet a higher standard where possible and the Council will continue to review the standards in the future to take account of technological advances.



- 2.3 If the proposal is to be built in phases then the LPA would expect a sustainability statement with the initial or outline application setting out principles, aims and commitments to achieve the requirements for the whole of the development. These requirements should be conditioned at the outline stage as reserved matters. As each phase comes forward for approval, a detailed sustainability statement would be required to ensure that the most up to date relevant standards are met.
- 2.4 In addition to a BREEAM assessment the following local minimum standards and questions that are not covered by BREEAM should also be satisfied:

Community Involvement and the Local Economy

- 2.5 The Council encourages community involvement at every opportunity and at the earliest stage of the development process. Early community involvement may help to overcome any objections that may arise at a later date. For more information please see our Statement of Community Involvement*, at www.york.gov.uk/environment/Planning/Local_development_framework/Statement_of_comm_involve/. The Council also encourages the use of locally sourced materials and provision of employment for local residents.
- 2.6 When addressing parts b) and c), of policy GP4a (see Figure 1) the following questions should be answered within the sustainability statement:
- In what way have you involved those communities/neighbours adjacent to the proposed development?
 - Will the proposed development use local labour during construction?
 - What percentage of materials used will be sourced locally (where available)?
 - Will the construction of the development provide any training opportunities for local people?

Pollution and Site Management:

Minimum Standard (Recycled Materials): All development requiring demolition of an existing building should include measures to maximise the reclamation of materials for recycling and reuse. For these developments, the sustainability statement must demonstrate a commitment to the implementation of the Institute of Civil Engineers (ICE) Demolition Protocol or equivalent.

- 2.7 Reducing the construction industry's demand for primary resources is vital to improving the sustainability of construction. The *Demolition Protocol* shows how the production of demolition material can be linked to its specification as a high

* The Statement of Community Involvement (SCI) sets out the Council's proposals for how the community will be involved, both in the production of planning documents, and through consultation on planning applications.

value material in new buildings. Further information is available on the Institute of Civil Engineers website www.ice.org.uk.

2.8 The protocol has 2 main components:

(i) Demolition Recovery Index:

The protocol shows how a building audit can be used to generate a *Demolition Recovery Index* (DRI). The DRI allows project teams to identify the potential for cost effectively recovering material from demolition. In addition, the DRI provides planning authorities with a tool for ensuring that demolition methodologies reflect national and local authority policies on waste management and sustainable development.

(ii) New Build Recovery Index:

The development of new standards, for example through the *Construction Products Directive*, means that the potential for specifying demolition recycle in new buildings is continually increasing. The protocol's New Build Recovery Index (NBRI) provides a tool for establishing the potential percentage and quantity of recovered materials that can be specified in a new building or other structure. Where a project involves demolition and new build, the NBRI can be linked to the DRI to provide project teams with a model for assessing the efficiency of resource use for the whole project.

Minimum Standard (Waste and Landfill): A Site Waste Management Plan must be submitted, and should be prepared in accordance with the DTI (Department of Trade and Industry) guidance on Site Waste Management Plans. For more information visit www.dti.gov.uk

The plan should include the following steps:

- 1) Assign responsibility to producing the plan;
- 2) Identify the types and quantities of waste;
- 3) Identify waste management options;
- 4) Identify waste management sites and contractors;
- 5) Carry out necessary training;
- 6) Plan for efficient materials and waste handling;
- 7) Monitor how much and what types of waste are produced;
- 8) Monitor and implement the plan;
- 9) Review how the plan worked at the end of the project.

2.9 Construction accounts for one-third of waste materials in the UK, including some 1.3 million tonnes of products that are delivered to site each year and not used. Analysis by leading firms in the construction industry shows that good practice in materials ordering and managing site waste can save up to 20% of materials on site. Together with financial savings from segregation and recycling wastes to avoid landfill, this can reduce build costs by 3%.

2.10 Applicants are reminded that recovered materials can be used as components in new construction. In particular, applicants should refer to the minimum standard

on the use of reclaimed/recycled materials in construction and the ICE Demolition Protocol outlined in paragraphs 2.8 above.

Minimum Standard (Pollution): The Sustainability Statement must:

- demonstrate the avoidance of materials that have used CFCs and HCFCs in their manufacture unless it can be shown that no alternatives are available;
- demonstrate that all timber and timber products used in the proposed development will be FSC accredited (or similar independent accreditation system for timber produced from sustainably managed forests); and
- demonstrate that lighting schemes are provided that are designed to reduce the occurrence of light pollution. Schemes will be expected to employ energy efficient lighting that also reduces light scatter. The council will normally accept proposals in line with the Institute of Lighting Engineers Guidance GNO1 2005.

2.11 Guidance on reducing light pollution has been prepared by the Institute of Lighting Engineers (ILE) who have produced a note on the reduction of obtrusive light GNO1, 2005. This provides good practice guidance and environmental designations in zones of 1 to 5, which designate area characteristics according to their use and lighting requirements. The zones range from the darkest areas in isolated rural sites to the lightest in a city centre with a lot of night time activity. Within these zones the guidance specifies the lighting installations that would be acceptable. In addition it provides curfew times in which appropriate light installations should be switched off, i.e. after 23:00hrs. It would be expected that applicants would follow these guidelines, identify the environmental zone in which the site lies and also undertake the actions suggested in the guidance. This information will need to be submitted as part of the sustainability statement.

Minimum Standard (Site Management): The applicant should commit to achieving a level of performance equivalent to that required under the *Considerate Constructors Scheme*. The Council will expect this to be supported by a commitment to achieve certification under the *Considerate Constructors Scheme* unless the applicant can demonstrate why this cannot be achieved.

2.12 *The Considerate Constructors Scheme*, started in 1997, is a voluntary Code of Considerate Practice, which is adopted by participating construction companies, and everyone involved on the construction site. The scheme aims to improve the image of construction. The Code commits those contractors in the scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. The scheme covers all construction activity within the UK, and is open to construction companies of all types and size. For more information visit:
www.considerateconstructorscheme.org.uk.

Renewable Energy:

Minimum Standard (Renewable Energy): The sustainability statement must demonstrate that at least 10% of the expected energy demand for the development will be provided for through on site renewable generation for heat and/or electricity. In addition parts of the development should be identified that could accommodate renewable energy installations in the future, for example the number/area of south facing roofs and potential wind turbine locations.

- 2.13 Renewable energy is the generation of heat, hot water or electricity from renewable resources such as the sun, wind and earth. Government grants are now available for many technologies and for different development types including commercial. More information can be found on the *Low Carbon Buildings Programme* website www.lowcarbonbuildings.org.uk. In order to qualify for a grant the development must first demonstrate energy efficiency and have planning consent for the technologies.

Refurbishments, Conversions, and Changes of Use

- 2.14 The reuse of existing buildings can be the most sustainable development option – many tonnes of resources and carbon emissions are locked up in our existing building stock. Their reuse and renovation saves resources and carbon emissions. However it must be recognised that the retention of some buildings is not the most sustainable long-term option due to their condition or inability to meet higher insulation standards. In some cases demolition and the reuse of materials may be the most sustainable option. It is for the applicant to justify the decision to demolish and new build as opposed to renovation in the submitted sustainability statement to the satisfaction of the Local Planning Authority.
- 2.15 Standard versions of BREEAM exist for common building types (i.e. courts, industrial, multi-residential, prisons, offices, retail and schools), and less common building types can be assessed against tailored criteria under the Bespoke BREEAM version.

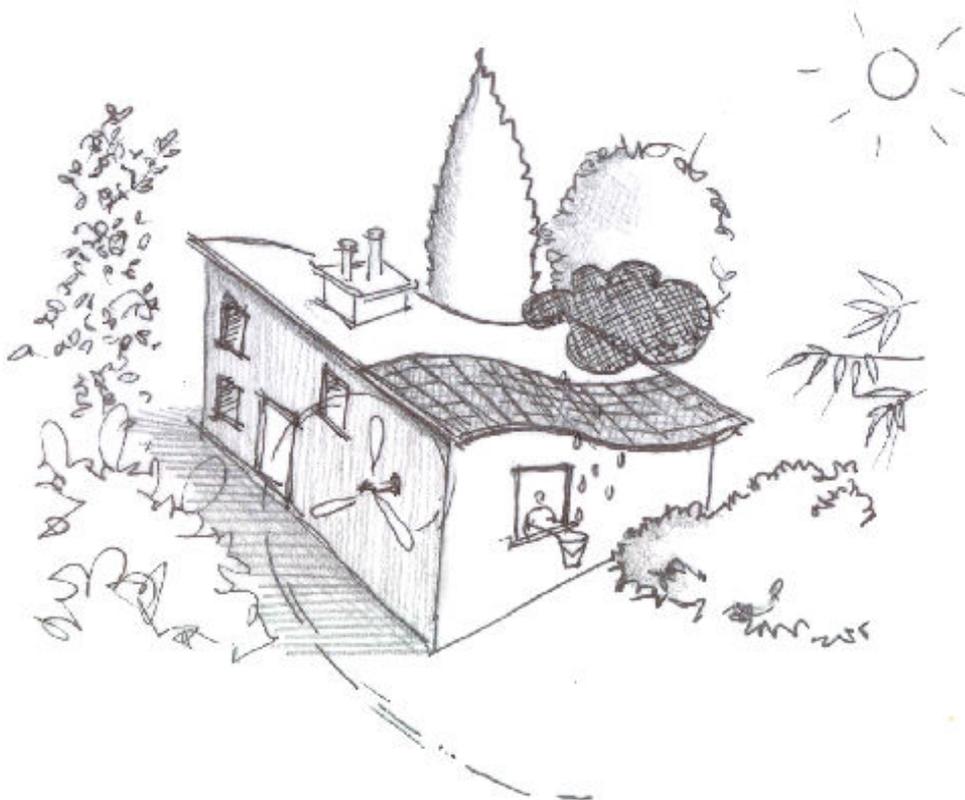
Minimum Standard: Applications involving the reuse of large commercial buildings will be expected to achieve an overall BREEAM standard rating of 'Very Good' for Design & Procurement Assessment and Post Construction Assessment stages.

- 2.16 For further information on BREEAM and how it will operate, please see Appendix 1. For further advice and best practice see Appendix 2 and 3.

3. Small Scale Commercial Developments

For commercial development of less than 500m².

- 3.1 Applicants proposing developments of less than 500m² for commercial uses, will be required to submit a sustainability statement which addresses all of the criteria set out in policy GP4a. Guidance on what is required with regard to each criteria is provided in the form of questions set out under each section below. The sustainability statement should answer all of the questions below and subsequently the relevant minimum standards (in carbon emissions and energy use, pollution, site management and renewable energy) will be met. It should be noted that a BREEAM assessment is **not** required for small scale developments.
- 3.2 Where practical and appropriate standards are identified to indicate what the Council expect developers to achieve as a minimum in new developments. In each case, the sustainability statement should set out the applicant's commitment to achieving the minimum standard and a description of how they are going to achieve it.



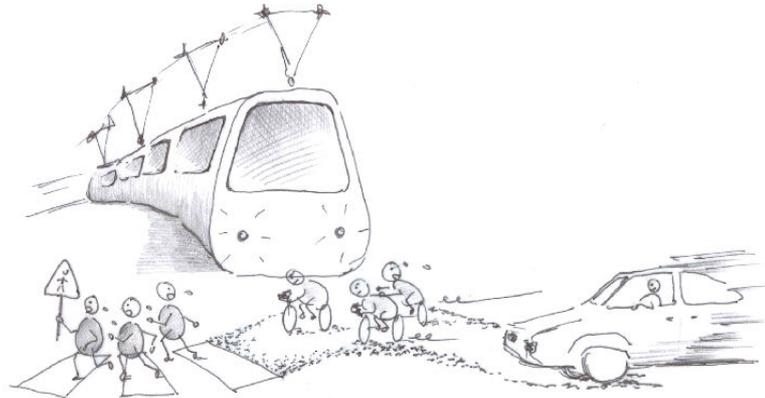
Accessibility:

Part a) of policy GP4a:

Development should provide details setting out the accessibility of the site by means other than the car and, where the type and size of development requires, be within 400m walk of a frequent public transport route and easily accessible for pedestrians and cyclists.

3.3 When addressing part a), the following questions should be answered:

- How does the proposal make provision for access to it by means other than the car?
- How close are the nearest public transport links?
- How does the proposal provide facilities for cyclists and pedestrians?



Community Involvement and the Local Economy:

Part b) of policy GP4a:

Development should contribute toward meeting the social needs of communities within the City of York (including housing, community and recreational facilities, car clubs, recycling facilities and communal laundry blocks) and to safe and socially inclusive environments.

Part c) of policy GP4a:

Development should maintain or increase the economic prosperity and diversity of the City of York, and maximise employment opportunities (including supporting local goods and services providing training and employment for local unemployed and young people).

3.4 The Council encourages community involvement at every opportunity and at the earliest stage of the development process. Early community involvement may help to overcome any objections that may arise at a later date. For more information please see our Statement of Community Involvement*, at

* The Statement of Community Involvement (SCI) sets out the Council's proposals for how the community will be involved, both in the production of planning documents, and through consultation on planning applications.

www.york.gov.uk/environment/Planning/Local_development_framework/Statement_of_comm_involve/ . The Council also encourages the use of locally sourced materials and provision of employment for local residents.

3.5 When addressing parts b) and c) of Policy GP4a, the following questions should be answered:

- In what way have you involved those communities/neighbours adjacent to the proposed development?
- Will the proposed development use local labour during construction?
- What percentage of materials used will be sourced locally (where available)?
- Will the construction of the development provide any training opportunities for local people?

Design:

Part d) of policy GP4a:

Development should be of a high quality design, with the aim of conserving and enhancing the local character, heritage and distinctiveness of the City.

3.6 When considering planning applications the intention is to seek a standard of design that will secure an attractive development and safeguard or enhance the environment. The Council requires development of the highest quality design, as a fundamental part of enhancing environmental quality and sustainability. It is also recommended that any associated Village Design Statements and Conservation Area documents are referred to at this stage.



3.7 When addressing part d), the following questions should be answered:

- How does the design make a positive visual contribution to the site and to adjacent areas?
- How does the design respect the character of the area and of adjoining properties?

- Have the windows been sized according to the direction of the building to minimise heat loss and maximise solar gain, if not why not?
- Where possible, how have existing buildings been re-used?
- Is the height of building similar to those around it to prevent heat loss by exposure and to reduce energy demands? Are the buildings grouped together for the same reasons?
- Does the development proposal have thermal mass materials in it that will absorb and release heat (e.g. Concrete)? (For more information visit www.itienenergy.com)
- How does the development proposal employ the use of natural ventilation systems to provide cooling? (For more information visit www.carbontrust.co.uk)
- In what way does the design of the development address crime prevention?

Resources:

Part e) of policy GP4a:

Development should minimise the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during construction and throughout the use of the development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' * costs of materials should be considered.

3.8 When addressing part e), the following questions should be answered. By responding to the questions and providing the relevant evidence in your sustainability statement, the minimum standards below should be satisfied:

- In what way have opportunities been maximised to re-use and recycle materials?
- How does the proposal consider the 'whole life' costs of the development?
- How does the proposal maximise the use of materials with reduced environmental impact?
- How does the proposal demonstrate how construction waste will be reduced during construction and occupation of the development?
- What already exists on-site in terms of resources?

* Whole life costs of a material and building identify the total costs of making, running and maintaining it. For more information see further advice in Appendix 3.

- Has an Energy Assessment been undertaken and submitted? (For more information visit www.est.org.uk).
- In what way have you included details of water efficiency measures? (For more information visit www.ofwat.gov.uk).
- Does the proposal provide fitted water butts for every development with a garden or landscape area? (For more information visit www.yorkshirewater.com).

3.9 Construction accounts for one-third of waste materials in the UK, including some 1.3 million tonnes of products that are delivered to site each year and not used. Analysis by leading firms in the construction industry shows that good practice in materials ordering and managing site waste can save up to 20% of materials on site. Together with financial savings from segregation and recycling wastes to avoid landfill, this can reduce build costs by 3%. Applicants are reminded that recovered materials can be used as components in new construction.

Minimum standard (Carbon emissions and energy use): The Council will require an energy assessment of the proposed development. The energy assessment should demonstrate that the following order of preference has been applied to reduce the carbon emissions: reduce demand for energy (e.g. avoid/reduce heating/cooling requirements); use of energy efficiency measures to meet demand, including community combined heat and power (CCHP), trigeneration and district heating; incorporating on-site renewable energy equipment. The assessment should acknowledge the changing climate through the lifetime of the proposed development.

Minimum standard (Water use): The Council will require the following water efficiency measures to be met: dual flush Ecs (4/6) litre; shower nominal flow rates less than 9 litres/minute; controls on urinals or waterless urinals (where installed); flow restricted spray taps; water meters with pulsed output for each building/dwelling. The sustainability statement must also include an evaluation of rainwater harvesting systems, grey water systems and Sustainable Urban Drainage Systems (SUDS). For more information visit www.environment-agency.gov.uk

Pollution and Site Management:

Part f) of policy GP4a:

Development should minimise pollution, including that relating to air, water, land, light and noise.

3.10 When addressing part f), the following questions should be answered. By responding to the questions and providing the relevant evidence in your sustainability statement, the minimum standards below should be satisfied:

In terms of Pollution:

- What measures have been incorporated to reduce pollution, including light pollution?
- In what way does the proposal seek to reduce rainwater run-off?
- In what way does the proposal discourage the use of materials used in manufacture that are known to deplete the ozone layer such as CFC's and HCFC's?
- If the proposal includes timber products will these be FSC certified or from another externally accredited source for sustainably managed timber?
- What measures have been incorporated to avoid pollution of the water environment?

In terms of Site Management:

- How will the proposal meet the requirements of the *Considerate Constructor Scheme* or equivalent.

3.11 *The Considerate Constructors Scheme*, started in 1997, is a voluntary Code of Considerate Practice, which is adopted by participating construction companies, and everyone involved on the construction site. The scheme aims to improve the image of construction. The Code commits those contractors in the scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. The scheme covers all construction activity within the UK, and is open to construction companies of all types and size. For more information visit:
www.considerateconstructorscheme.org.uk

Minimum Standard (Pollution): Materials that have used CFC's and HCFC's in their manufacture must be avoided unless it can be shown that no alternatives are available. All timber and timber products must be FSC accredited (or similar independent accreditation system for timber produced from sustainably managed forests).

Minimum Standard (Site Management): The applicant should commit to achieving a level of performance equivalent to that required under the *Considerate Constructors Scheme*. The Council will expect this to be supported by a commitment to achieve certification under the *Considerate Constructors Scheme* unless the applicant can demonstrate why this cannot be achieved.

Landscape and Wildlife:

Part g) of policy GP4a:

Development should conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife areas and room for trees to reach full growth.

3.12 It is important that cultivation of green areas is considered wherever possible to counteract carbon emissions. Hard standing should always be kept to a minimum to ensure that there is sufficient food for the local wildlife and to generally provide a sense of wellbeing. For a definition of a “Natural Area”, see Appendix 2.

3.13 When addressing part g), the following questions should be answered:

- Does the proposal include landscaping/public space and if so to what extent?
- How has the existing or proposed landscaping treatment been assessed for how it can contribute to the biodiversity, comfort and amenity of a development by excluding cold winds and creating sun traps or cooling in gardens and open space?
- How does it make use of/create an external open area, providing shelter, sunny aspects and shade?
- In what way does the proposal include the retention or provision of natural areas including hedge rows, verges and river banks?
- Does the proposal include a green or brown roof? If not, please give reasons why this is not feasible. (For more information visit: www.groundwork-sheffield.org.uk/upload/documents/document48.pdf)
- In what way does the development proposal include space for wildlife such as specifically designed landscaping or roof integrated bat boxes?
- How does the proposal include planting that uses indigenous species?
- In what way does the proposed development effect any existing trees, and how will it enhance the stock of trees in the locality?
- How does the proposal incorporate the linkages between green spaces and accessible urban greenspaces?
- Has the impact of the development on soil erosion and compaction been considered? If so, how can the effects be controlled/mitigated to have a positive impact on geodiversity and biodiversity?

Renewable Energy:

Part h) of policy GP4a:

Development should maximise the use of renewable resources on development sites and seek to make use of renewable energy sources, such as heat exchangers and photovoltaic cells.

Minimum Standard (Renewable Energy): The sustainability statement must demonstrate that at least 5% of the expected energy demand for the development will be provided for through on site renewable generation for heat and/or electricity. In addition, it should be identified how the development could accommodate renewable energy installations in the future, for example the number/area of south facing roofs.

- 3.14 Renewable energy is the generation of heat, hot water or electricity from renewable resources such as the sun, wind and earth. Government grants are now available for many technologies and for different development types including commercial. More information can be found on the Low Carbon Buildings Programme website www.lowcarbonbuildings.org.uk. In order to qualify for a grant the development must first demonstrate energy efficiency and have planning consent for the technologies.
- 3.15 When addressing part h), the following questions should be answered in order to meet the minimum standard above:
- How does the proposal include the use of renewable energy?
 - What percentage of the development's energy will be provided by on-site renewables?
 - In what way have you evaluated the use of different renewable energy technologies in the proposed development, both in the short and long term?

Recycling:

Part i) of policy GP4a:

Development should make adequate provision for the storage and collection of refuse and recycling.

- 3.16 When addressing part i), the following questions should be answered:
- How does the proposal provide adequate space for waste and green waste wheeled bins?

Refurbishments, Conversions, and Changes of Use

- 3.17 The reuse of existing buildings can be the most sustainable development option – many tonnes of resources and carbon emissions are locked up in our existing building stock. Their reuse and renovation saves resources and carbon

emissions. However it must be recognised that the retention of some buildings is not the most sustainable long-term option due to their condition or inability to meet higher insulation standards. In some cases demolition and the reuse of materials may be the most sustainable option. It is for the applicant to justify the decision to demolish and new build as opposed to renovation in the submitted sustainability statement to the satisfaction of the Local Planning Authority.

- 3.18 The requirements for refurbishments, conversions, and changes of use are the same as those set out above in this section. It is recognised that some development, particularly refurbishments may struggle to meet the requirements of this section. In such cases it is for the applicant to explain and justify non-compliance in the submitted sustainability statement to the satisfaction of the Local Planning Authority.
- 3.19 For further advice and best practice see Appendices 2 and 3.

4. Residential Developments (New Build)

For residential developments of 1 dwelling unit and above.

- 4.1 Applicants proposing new residential developments of one new dwelling or more, will be required to submit a sustainability statement which addresses all of the criteria set out in Local Plan policy GP4a (shown in Figure 1).

Minimum Standard: Applications for new build residential developments of 1 dwelling unit and above will be expected to achieve a Code for Sustainable Homes Level 2**. This will need to be achieved at the Design and Procurements and Post Construction stages.

- 4.2 As part of the sustainability statement, developers of new homes are required to take into account the “Code for Sustainable Homes”, a new Government standard introduced in April 2007, along with a target that all new homes should be “zero carbon” by 2016. Appendix 4 provides detailed information on the Code for Sustainable Homes and paragraph 4.9 expands on the zero carbon concept. The sustainability statement should also state how the development will meet the minimum standards (in water use, recycling, renewable energy and recycling) set out at the end of this section.
- 4.3 If the proposal is to be built in phases then the LPA would expect a sustainability statement with the initial or outline application setting out principles, aims and commitments to achieve the requirements for the whole of the development. These requirements should be conditioned at the outline stage as reserved matters. As each phase comes forward for approval, a detailed sustainability statement would be required to ensure that the most up to date relevant standards are met.



Code for Sustainable Homes

- 4.4 The Code for Sustainable Homes uses a sustainability rating system indicated by stars to communicate the overall sustainability performance of a home. Code 1* is the lowest level and 6***** is the highest level. The code level achieved is awarded following a design assessment of the proposal and a post construction assessment following completion of the development. The Code covers the following categories:
- Energy/CO₂
 - Water
 - Materials
 - Surface water run-off
 - Waste
 - Pollution
 - Health and well-being
 - Management
 - Ecology
- 4.5 In recognition of the importance of water and energy efficiency, there is a requirement to meet at least a Code Level 2 star rating in these categories. Whereas the other categories will have to achieve an overall average of Code Level 2.
- 4.6 In addition to meeting the Code Level 2, the following local minimum standards should be met:

Resources:

Minimum standard (Water use): The sustainability statement must also include an evaluation of rainwater harvesting systems, grey water systems and sustainable urban drainage systems (SUDS). For more information visit www.environment-agency.gov.uk Also a water butt should be fitted to all new residential properties with gardens or landscape areas.

Renewable Energy:

- 4.7 Renewable energy is the generation of heat, hot water or electricity from renewable resources such as the sun, wind and earth. Government grants are now available for many technologies and for different development types including commercial. More information can be found on the Low Carbon Buildings Programme website www.lowcarbonbuildings.org.uk. In order to qualify for a grant the development must first demonstrate energy efficiency and have planning consent for the technologies.

Minimum Standard (Renewable Energy): The applicant must demonstrate that a % of the expected energy demand for the development will be provided for through on site renewable generation for heat and/or electricity. For developments of 5 dwelling units and above, 10% of energy will be expected to be produced on site, for developments of 4 dwellings and under, 5% of energy will be expected to be produced on site. In addition parts of the development should be identified that could accommodate renewable energy installations in the future, for example the number/area of south facing roofs.

Recycling:

- 4.8 The City of York Council runs a range of recycling services for residents; kerbside collection for recyclates, green waste collections and a wide selection of 'take to' recycling banks around the city. In order to continue this service and expand it the following local minimum standards have been provided to ensure that all residents have the opportunity to take advantage of the services offered and also have the space in their property to temporarily store materials before they are collected by the council. Full details of the requirements are in Appendix 5.

Minimum Standard (Recycling): Residential proposals for detached, semi-detached or terraced properties with gardens or forecourts must provide external space at each property to store at least 2 X 180 litre wheeled bin (one black for residual waste and one green for garden waste) either within a bin store or outside the property.

Residential proposals for detached, semi-detached or terraced properties with gardens or forecourts must provide external space at each property to store at least 2 X boxes and two bags for household recycling. This is in addition to the space required for residual waste and green waste bins.

Proposals for communal properties such as flats. Space needs to be provided externally for the storage of the following at each property:

1 X 180 Litre bin capacity for residual waste (this can be combined into larger bins by using a simple calculation e.g. a block with 6 properties x 180 litres = 1080 litres, therefore 1x 1100 litre bin is needed or a block of 20 properties x 180 litres= 3600 litres, therefore 3x 1100 litre bins are needed).

1 X 55 litre green box, (2-wheeled bins which can be shared between properties could be used for recyclable materials, e.g. 3 no. 240 litre bins between 4/5 properties with 1 for glass, 1 for plastics & cans and 1 for paper & cardboard).

2 X bags

- 4.9 A zero carbon property is one that achieves zero net carbon emissions from energy use on site on an annual basis. Energy use on site relates to all energy use of the building, structures and non-building uses (e.g. street lighting), excluding transport. To achieve zero net carbon emissions, the building would need to be powered and heated by renewable energy. Fossil fuels may be used on site, as long as there is sufficient export of renewable heat, cooling and/or power to offset the resulting carbon emissions.

- 4.10 For information regarding development of existing buildings, please see sections 5 and 6. For further advise and best practice, see Appendices 2 and 3.

5. Development of Existing Residential Dwelling Units (of 5 dwellings and above).

Refurbishments, Conversions, and Changes of Use

- 5.1 The reuse of existing buildings can be the most sustainable development option – many tonnes of resources and carbon emissions are locked up in our existing building stock. Their reuse and renovation saves resources and carbon emissions. However it must be recognised that the retention of some buildings is not the most sustainable long-term option due to their condition or inability to meet higher insulation standards. In some cases demolition and the reuse of materials may be the most sustainable option. It is for the applicant to justify the decision to demolish and new build as opposed to renovation in the submitted sustainability statement to the satisfaction of the Local Planning Authority.
- 5.2 If the proposal is to be built in phases then the LPA would expect a sustainability statement with the initial or outline application setting out principles, aims and commitments to achieve the requirements for the whole of the development. These requirements should be conditioned at the outline stage as reserved matters. As each phase comes forward for approval, a detailed sustainability statement would be required to ensure that the most up to date relevant standards are met.

Minimum Standard: For refurbishment work to residential developments of 5 dwellings and above, an Eco-homes standard of 'Very Good' should be achieved. Applicants will need to appoint a BREEAM assessor to undertake this assessment.

- 5.3 In addition to meeting Eco-Homes standard 'very good', the following minimum standards should also be met:

Pollution and Site Management:

Minimum Standard (Site Management): All development requiring demolition of an existing building should include measures to maximise the reclamation of materials for recycling and reuse. For these developments, the sustainability statement must demonstrate a commitment to the implementation of the Institute of Civil Engineers (ICE) Demolition Protocol or equivalent.

- 5.4 Reducing the construction industry's demand for primary resources is vital to improving the sustainability of construction. The *Demolition Protocol* shows how the production of demolition material can be linked to its specification as a high value material in new buildings. Further information is available on the Institute of Civil Engineers website www.ice.org.uk.
- 5.5 The protocol has 2 main components:
- (i) Demolition Recovery Index:

The protocol shows how a building audit can be used to generate a *Demolition Recovery Index* (DRI). The DRI allows project teams to identify the potential for cost effectively recovering material from demolition. In addition, the DRI provides planning authorities with a tool for ensuring that demolition methodologies reflect national and local authority policies on waste management and sustainable development.

(ii) New Build Recovery Index:

The development of new standards, for example through the *Construction Products Directive*, means that the potential for specifying demolition recycle in new buildings is continually increasing. The protocol's New Build Recovery Index (NBRI) provides a tool for establishing the potential percentage and quantity of recovered materials that can be specified in a new building or other structure. Where a project involves demolition and new build, the NBRI can be linked to the DRI to provide project teams with a model for assessing the efficiency of resource use for the whole project.

Minimum Standard (Waste and Landfill): A Site Waste Management Plan must be submitted, and should be prepared in accordance with the DTI (Department of Trade and Industry) guidance on Site Waste Management Plans. For more information visit www.dti.gov.uk

The plan should include the following steps:

- 1) Assign responsibility to producing the plan;
- 2) Identify the types and quantities of waste;
- 3) Identify waste management options;
- 4) Identify waste management sites and contractors;
- 5) Carry out necessary training;
- 6) Plan for efficient materials and waste handling;
- 7) Monitor how much and what types of waste are produced;
- 8) Monitor and implement the plan;
- 9) Review how the plan worked at the end of the project.

5.6 Construction accounts for one-third of waste materials in the UK, including some 1.3 million tonnes of products that are delivered to site each year and not used. Analysis by leading firms in the construction industry shows that good practice in materials ordering and managing site waste can save up to 20% of materials on site. Together with financial savings from segregation and recycling wastes to avoid landfill, this can reduce build costs by 3%.

5.7 Applicants are reminded that recovered materials can be used as components in new construction. In particular, applicants should refer to the minimum standard on the use of reclaimed/recycled materials in construction and the ICE Demolition Protocol outlined in paragraphs 5.4 and 5.5 above.

Minimum Standard (Pollution): The Sustainability Statement must:

- demonstrate the avoidance of materials that have used CFCs and HCFCs in their manufacture unless it can be shown that no alternatives are available;
- demonstrate that all timber and timber products used in the proposed development will be FSC accredited (or similar independent accreditation system for timber produced from sustainably managed forests); and
- demonstrate that lighting schemes are provided that are designed to reduce the occurrence of light pollution. Schemes will be expected to employ energy efficient lighting that also reduces light scatter. The council will normally accept proposals in line with the Institute of Lighting Engineers Guidance GNO1 2005.

5.8 Guidance on reducing light pollution has been prepared by the Institute of Lighting Engineers (ILE) who have produced a note on the reduction of obtrusive light GNO1, 2005. This provides good practice guidance and environmental designations in zones of 1 to 5, which designate area characteristics according to their use and lighting requirements. The zones range from the darkest areas in isolated rural sites to the lightest in a city centre with a lot of night time activity. Within these zones the guidance specifies the lighting installations that would be acceptable. In addition it provides curfew times in which appropriate light installations should be switched off, i.e. after 23:00hrs. It would be expected that applicants would follow these guidelines, identify the environmental zone in which the site lies and also undertake the actions suggested in the guidance. This information will need to be submitted as part of the sustainability statement.

Minimum Standard (Site Management): The applicant should commit to achieving a level of performance equivalent to that required under the *Considerate Constructors Scheme*. The Council will expect this to be supported by a commitment to achieve certification under the *Considerate Constructors Scheme* unless the applicant can demonstrate why this cannot be achieved.

5.9 *The Considerate Constructors Scheme*, started in 1997, is a voluntary Code of Considerate Practice, which is adopted by participating construction companies, and everyone involved on the construction site. The scheme aims to improve the image of construction. The Code commits those contractors in the scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. The scheme covers all construction activity within the UK, and is open to construction companies of all types and size. For more information visit:
www.considerateconstructorsscheme.org.uk

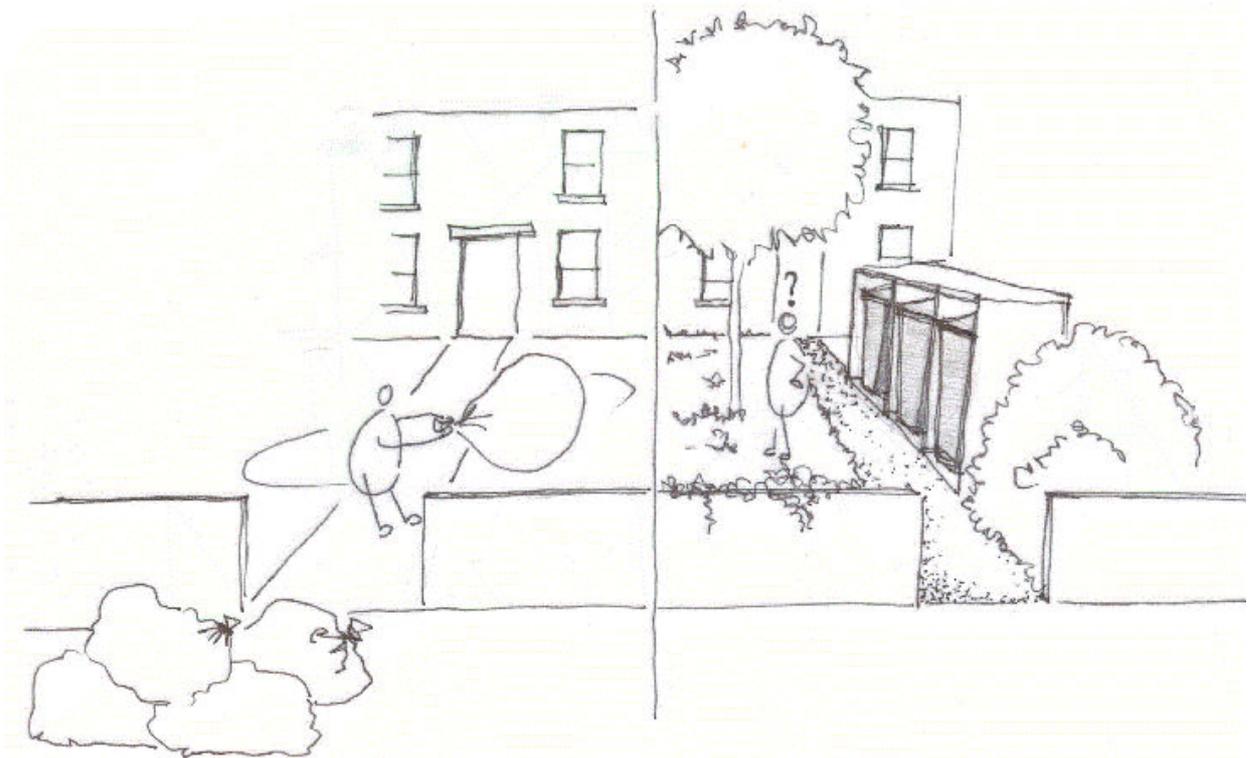
Renewable Energy:

Minimum Standard (Renewable Energy): The sustainability statement must demonstrate that at least 10% of the expected energy demand for the development will be provided for through on site renewable generation for heat and/or electricity. In addition parts of the development should be identified that could accommodate renewable energy installations in the future, for example the number/area of south facing roofs and potential wind turbine locations.

5.10 Renewable energy is the generation of heat, hot water or electricity from renewable resources such as the sun, wind and earth. Government grants are now available for many technologies and for different development types including commercial. More information can be found on the *Low Carbon Buildings Programme* website www.lowcarbonbuildings.org.uk. In order to qualify for a grant the development must first demonstrate energy efficiency and have planning consent for the technologies.

Recycling:

5.11 The City of York Council runs a range of recycling services for residents; curbside collection for recyclates, green waste collections and a wide selection of 'take to' recycling banks around the city. In order to continue this service and expand it the following local minimum standards have been provided to ensure that all residents have the opportunity to take advantage of the services offered and also have the space in their property to temporarily store materials before they are collected by the council. Full details of the requirements are in Appendix 5.



Minimum Standard (Recycling): Residential proposals for detached, semi-detached or terraced properties with gardens or forecourts must provide external space at each property to store at least 2 X 180 litre wheeled bin (one black for residual waste and one green for garden waste) either within a bin store or outside the property.

Residential proposals for detached, semi-detached or terraced properties with gardens or forecourts must provide external space at each property to store at least 2 X boxes and two bags for household recycling. This is in addition to the space required for residual waste and green waste bins.

Proposals for communal properties such as flats. Space needs to be provided externally for the storage of the following at each property:

1 X 180 Litre bin capacity for residual waste (this can be combined into larger bins by using a simple calculation e.g. a block with 6 properties x 180 litres = 1080 litres, therefore 1x 1100 litre bin is needed or a block of 20 properties x 180 litres= 3600 litres, therefore 3x 1100 litre bins are needed).

1 X 55 litre green box, (2-wheeled bins which can be shared between properties could be used for recyclable materials, e.g. 3 no. 240 litre bins between 4/5 properties with 1 for glass, 1 for plastics & cans and 1 for paper & cardboard).

2 X bags

5.12 For more information on BREEAM Eco-Homes see Appendix 1. For further advice and best practice see Appendices 2 and 3.

6. Development of Existing Residential Dwelling Units (of 4 dwellings and below).

Refurbishments, Conversions, and Changes of Use

- 6.1 The reuse of existing buildings can be the most sustainable development option – many tonnes of resources and carbon emissions are locked up in our existing building stock. Their reuse and renovation saves resources and carbon emissions. However it must be recognised that the retention of some buildings is not the most sustainable long-term option due to their condition or inability to meet higher insulation standards. In some cases demolition and the reuse of materials may be the most sustainable option. It is for the applicant to justify the decision to demolish and new build as opposed to renovation in the submitted sustainability statement to the satisfaction of the Local Planning Authority.
- 6.2 **For refurbishment work to residential developments of 4 dwelling units or less**, It is recognised that some development, particularly refurbishments may struggle to meet the requirements below. In such cases it is for the applicant to explain and justify non-compliance in the submitted sustainability statement to the satisfaction of the Local Planning Authority. The following minimum standards should be met:

Resources:

- 6.3 When addressing part e) of policy GP4a (see figure , the following questions should be answered. By responding to the questions and providing the relevant evidence in your sustainability statement, the minimum standards below should be satisfied:
- In what way have opportunities been maximised to re-use and recycle materials?
 - How does the proposal consider the ‘whole life’ *costs of the development?
 - How does the proposal maximise the use of materials with reduced environmental impact?
 - How does the proposal demonstrate how construction waste will be reduced during construction and occupation of the development?
 - What already exists on-site in terms of resources?
 - Has an Energy Assessment been undertaken and submitted? (For more information visit www.est.org.uk).

* Whole life costs of a material and building identify the total costs of making, running and maintaining it. For more information see further advice in Appendix 2.

- In what way have you included details of water efficiency measures? (For more information visit www.oftwat.gov.uk).
- Does the proposal provide fitted water butts for every development with a garden or landscape area? (For more information visit www.yorkshirewater.com).

6.4 Construction accounts for one-third of waste materials in the UK, including some 1.3 million tonnes of products that are delivered to site each year and not used. Analysis by leading firms in the construction industry shows that good practice in materials ordering and managing site waste can save up to 20% of materials on site. Together with financial savings from segregation and recycling wastes to avoid landfill, this can reduce build costs by 3%. Applicants are reminded that recovered materials can be used as components in new construction.

Minimum standard (Carbon emissions and energy use): The Council will require an energy assessment of the proposed development. The energy assessment should demonstrate that the following order of preference has been applied to reduce the carbon emissions: reduce demand for energy (e.g. avoid/reduce heating/cooling requirements); use of energy efficiency measures to meet demand, including community combined heat and power (CCHP), trigeneration and district heating; incorporating on-site renewable energy equipment. The assessment should acknowledge the changing climate through the lifetime of the proposed development.

Minimum standard (Carbon emissions and energy use): Reference in the sustainability statement should be also made to the Energy Savings Trust (EST) Best Practice standards. The Council will expect an improvement on current Building Regulations standard of at least Best Practice 25%. The EST Best Practice standards recommend improvements on current Building Regulations Part L 1A as follows: 10% (Good Practice); 25% (Best Practice); and 60% (Advanced Standard). The EST research shows that all development can meet the 10% improvement target at no extra cost and recommends that a target of 25% improvement on current Building Regulations Part L 1A targets should be set for new residential developments.

Minimum standard (Water use): The sustainability statement must also include an evaluation of rainwater harvesting systems, grey water systems and sustainable urban drainage systems (SUDS). For more information visit www.environment-agency.gov.uk. The Council will require the following water efficiency measures to be met: dual flush Ec5 (4/6) litre; shower nominal flow rates less than 9 litres/minute; controls on urinals or waterless urinals (where installed); flow restricted spray taps; water meters with pulsed output for each building/dwelling. The sustainability statement must also include an evaluation of rainwater harvesting systems, grey water systems and Sustainable Urban Drainage Systems (SUDS). For more information visit www.environment-agency.gov.uk. Also a water butt should be fitted to all new residential properties with gardens or landscape areas.

Pollution and Site Management:

6.5 When addressing part f) of policy GP4a (see Figure 1), the following questions should be answered. By responding to the questions and providing the relevant

evidence in your sustainability statement, the minimum standards below should be satisfied:

In terms of Pollution:

- What measures have been incorporated to reduce pollution, including light pollution?
- In what way does the proposal seek to reduce rainwater run-off?
- In what way does the proposal discourage the use of materials used in manufacture that are known to deplete the ozone layer such as CFC's and HCFC's?
- If the proposal includes timber products will these be FSC certified or from another externally accredited source for sustainably managed timber?
- What measures have been incorporated to avoid pollution of the water environment?

In terms of Site Management:

- How will the proposal meet the requirements of the *Considerate Constructor Scheme* or equivalent.

6.6 *The Considerate Constructors Scheme*, started in 1997, is a voluntary Code of Considerate Practice, which is adopted by participating construction companies, and everyone involved on the construction site. The scheme aims to improve the image of construction. The Code commits those contractors in the scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. The scheme covers all construction activity within the UK, and is open to construction companies of all types and size. For more information visit: www.considerateconstructorscheme.org.uk

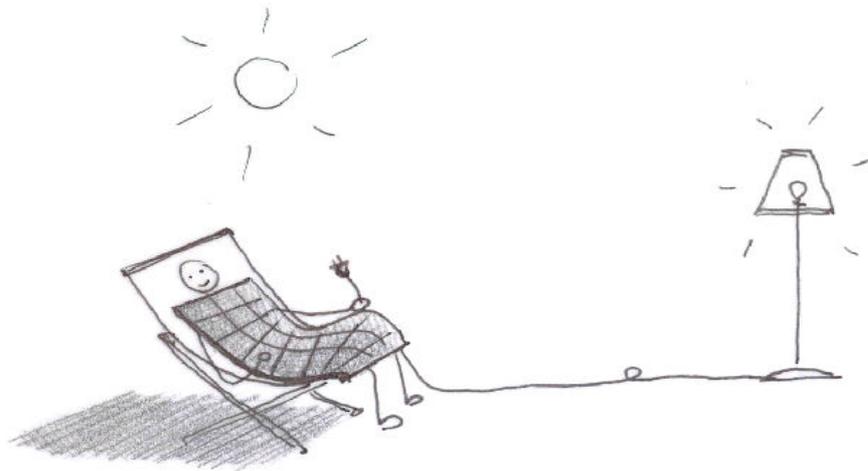
Minimum Standard (Pollution): Materials that have used CFC's and HCFC's in their manufacture must be avoided unless it can be shown that no alternatives are available. All timber and timber products must be FSC accredited (or similar independent accreditation system for timber produced from sustainably managed forests).

Minimum Standard (Site Management): The applicant should commit to achieving a level of performance equivalent to that required under the *Considerate Constructors Scheme*. The Council will expect this to be supported by a commitment to achieve certification under the *Considerate Constructors Scheme* unless the applicant can demonstrate why this cannot be achieved.

Renewable Energy:

- 6.7 Renewable energy is the generation of heat, hot water or electricity from renewable resources such as the sun, wind and earth. Government grants are now available for many technologies and for different development types including commercial. More information can be found on the Low Carbon Buildings Programme website www.lowcarbonbuildings.org.uk. In order to qualify for a grant the development must first demonstrate energy efficiency and have planning consent for the technologies.

Minimum Standard (Renewable Energy): The sustainability statement must demonstrate that at least 5% of the expected energy demand for the development will be provided for through on site renewable generation for heat and/or electricity. In addition parts of the development should be identified that could accommodate renewable energy installations in the future, for example the number/area of south facing roofs.



Recycling

- 6.8 The City of York Council runs a range of recycling services for residents; curbside collection for recyclates, green waste collections and a wide selection of 'take to' recycling banks around the city. In order to continue this service and expand it the following local minimum standards have been provided to ensure that all residents have the opportunity to take advantage of the services offered and also have the space in their property to temporarily store materials before they are collected by the council. Full details of the requirements are in Appendix 5.

Minimum Standard (Recycling): Residential proposals for detached, semi-detached or terraced properties with gardens or forecourts must provide external space at each property to store at least 2 X 180 litre wheeled bin (one black for residual waste and one green for garden waste) either within a bin store or outside the property.

Residential proposals for detached, semi-detached or terraced properties with gardens or forecourts must provide external space at each property to store at least 2 X boxes and two bags for household recycling. This is in addition to the space required for residual waste and green waste bins.

Proposals for communal properties such as flats. Space needs to be provided externally for the storage of the following at each property:

1 X 180 Litre bin capacity for residual waste (this can be combined into larger bins by using a simple calculation e.g. a block with 6 properties x 180 litres = 1080 litres, therefore 1x 1100 litre bin is needed or a block of 20 properties x 180 litres= 3600 litres, therefore 3x 1100 litre bins are needed).

1 X 55 litre green box, (2-wheeled bins which can be shared between properties could be used for recyclable materials, e.g. 3 no. 240 litre bins between 4/5 properties with 1 for glass, 1 for plastics & cans and 1 for paper & cardboard).

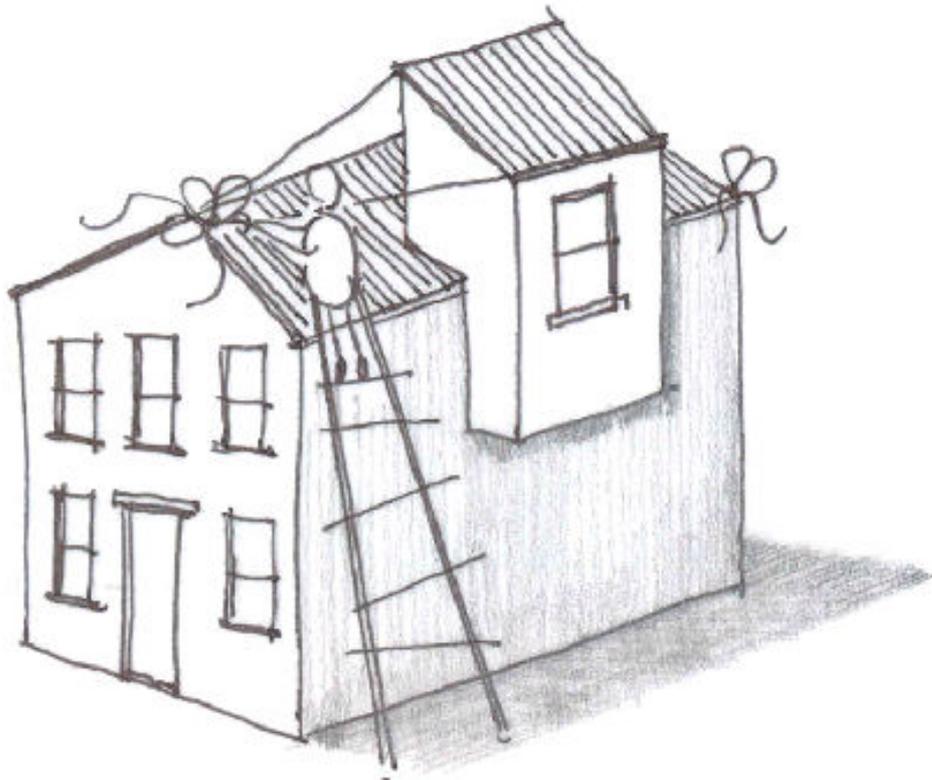
2 X bags

6.9 For further advice and best practice see Appendices 2 and 3.

7. Domestic Extensions

Extensions to existing residential dwellings.

- 7.1 If a domestic extension is being proposed then a sustainability statement must be submitted. The sustainability statement can be submitted in the form of a questionnaire which can be found in this section of the IPS, or can be obtained separately by contacting the Council planning team (see Appendix 2 for contacts). The statement must address all of the relevant criteria set out in policy GP4a of the Local Plan (Figure 1), which can be found on page 6. Please answer all of the questions and where you consider them not to be relevant to your development, please explain why.



Accessibility:

7.2 When addressing part a) of policy GP4a, please answer the following questions:

- Have you considered how the proposal makes provision for the needs of cyclists?

- Have you considered in what ways the development provides cycle storage that is secure, convenient and safe?

Community Involvement and the Local Economy:

7.3 The Council encourages community involvement at every opportunity and at the earliest stage of the process. For domestic extensions this may be done by consulting with neighbours before an application is submitted. This may help to overcome any objections that may arise at a later date. For more information please see our Statement of Community Involvement, at www.york.gov.uk/environment/Planning/Local_development_framework/Statement_of_comm_involve/

7.4 When addressing parts b) and c), of policy GP4a, please answer the following questions:

- How have you kept neighbours informed of your proposals?

- Have you considered using local supplies / companies during the construction of your development?

Design:

7.5 When considering planning applications the intention is to seek a standard of design that will secure an attractive development and safeguard or enhance the environment.

7.6 When addressing part d), of policy GP4a, answer the following questions:

- Have you considered the ways in which the design makes a positive visual contribution to the site and to adjacent areas whilst respecting the character of the area and of adjoining properties?

- Have you considered how the windows have been sized according to the direction of the building to minimise heat loss and maximise solar gain?

- Have you considered how the design could improve on biodiversity and geodiversity? For example, if an area of garden has been lost through a domestic extension, have you considered reducing the impact of this?

Resources:

7.7 When addressing part e), of policy GP4a, please answer the following questions:

- Have you maximised opportunities to reuse and recycle materials?

- Have you considered the ‘whole life’ costs of the development. Whole life costs of a material and building identify the total costs of making, running and maintaining it. For more information see further advice in Appendix 2?

- Have you maximised the use of materials which will reduced environmental impact?

Pollution and Site Management:

7.8 When addressing part f), of policy GP4a, please answer the following questions:

- Have you considered whether the development will lead to an increase in pollution (including light pollution) and if so, what measures could be used to minimise this?

- Have you considered how the proposal seeks to reduce rainwater run-off, such as reducing areas of hard standing and installing a water butt?

Landscape and Wildlife:

7.9 Residential areas can often provide valuable habitats for protected species such as bats. It is important that landscape and wildlife are considered before any building work takes place.

7.10 When addressing part g), of policy GP4a, please answer the following questions:

- Have you considered what percentage of the proposed planting contains native species (plants which grow naturally in Britain)?

- Have you looked at how the proposal incorporates building design that makes the development more wildlife friendly, for example the inclusion of bird and bat boxes?

Renewable Energy:

7.11 Renewable energy is the generation of heat, hot water or electricity from renewable resources such as the sun, wind and earth. Government grants are now available for many technologies and for different development types. To find out more information, log on to the *Low Carbon Buildings Programme* website www.lowcarbonbuildings.org.uk. In order to qualify for a grant the development must first demonstrate energy efficiency and have planning consent for the technologies.

7.12 When addressing part h), of policy GP4a, please answer the following questions:

- Have you looked at what measures have been taken to minimise the use of energy such as levels of insulation, energy efficient light bulbs and rated appliances? Further information on Renewable Energy can be found in Appendix 2.

- Have you considered what measures have been taken to reduce water consumption such as flow restricting sprat taps, low level flush WC (4 / 6 Litre flush), showers with normal flow rates less than 9 litres/ mg, installation of a water butt, or a rain water harvest system?

- Have you considered the ways in which the proposal could provide renewable energy on-site such as a solar thermal system to provide hot water? Further information on Renewable Energy can be found in Appendix 2.

Recycling:

7.13 The council provides a number of services so that residents can recycle their household waste. Currently properties with gardens have a black bin for waste (180 litre wheelie bin), a green bin for garden waste (also a 150 litre wheelie bin), a green box for plastic bottles, glass and tins and bags for cardboard and paper. In addition there are recycling banks for other types of recycled waste around the city. Please note that additional information regarding recycling can be found in Appendix 5.

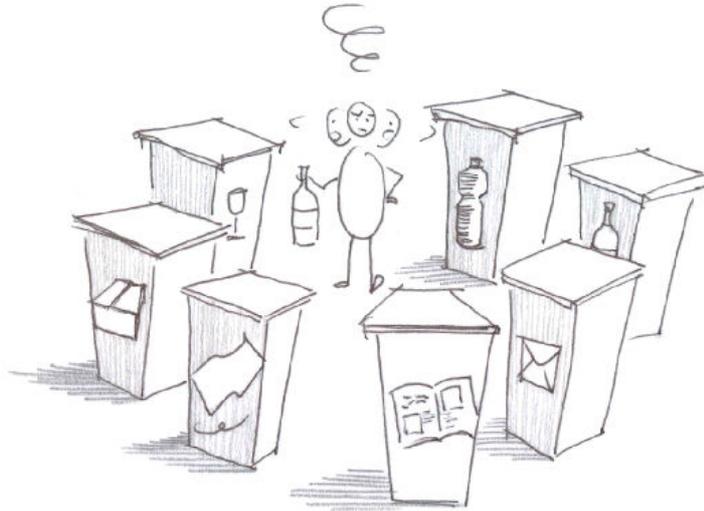
7.14 When addressing part i), of policy GP4a, please answer the following questions:

- Have you considered installing a compost bin to compost kitchen food waste.? The Council currently have compost bins on offer at £8 and £10 including delivery. Visit www.york.gov.uk/environment/waste/

- Are you aware of the materials that are collected by the Council as part of the kerbside collection for your area? More information can be found at www.york.gov.uk/environment/waste or by calling the Waste and Recycling team on 01904 553272.

- Does the extension allow for adequate space within the boundary of your property to store waste and recycling containers outside? Further information on recycling standards can be found in Appendix 5.

- Have you considered whether your proposal provides space to easily separate waste inside of the property?



7.15 For further advice and best practice, please refer to Appendices 2 and 3.

Appendix 1: BREEAM

What is BREEAM?

- 1 For over a decade, the Building Research Establishment's Environmental Assessment Method (BREEAM) has been used to assess the environmental performance of both new and existing buildings. It is regarded by the UK's construction and property sectors as the measure of best practice in environmental design and management. BREEAM assessments cover a wide range of environmental issues and present the results in a way that is widely understood by those involved in property procurement and management.
- 2 BREEAM assessments cover a range of building types, including offices, homes (known as EcoHomes); industrial units; retail units; schools; leisure centres; and laboratories. BREEAM assesses the performance of buildings in the following areas:
 - *management*: overall management policy, commissioning site management and procedural issues
 - *energy use*: operational energy and carbon dioxide (CO₂) issues
 - *health and well-being*: indoor and external issues affecting health and well-being
 - *pollution*: air and water pollution issues
 - *transport*: transport-related CO₂ and location-related factors
 - *land use*: greenfield and brownfield sites
 - *ecology*: ecological value conservation and enhancement of the site
 - *materials*: environmental implication of building materials, including life-cycle impacts
 - *water*: consumption and water efficiency
- 3 Credits are awarded in each area according to performance. A set of environmental weightings then enables the credits to be added together to produce a single overall score. The building is then rated on a scale of **PASS**, **GOOD**, **VERY GOOD** or **EXCELLENT**, and a certificate awarded that can be used for promotional purposes.

Why BREEAM?

4. The BREEAM rating system is a nationally recognised assessment method to reduce the environmental impact of buildings and development. It is a standardised format developed by the Building Research Establishment over many years. It is particularly useful as it seeks to incorporate sustainable design and construction elements into a proposal at the earliest stage thus helping to make them more cost effective. Development; what is built and how it is built contributes to nearly 50% of the countries carbon dioxide emissions (the main green house gas which is contributing to global warming and climate change). It is the responsibility to all individuals and organisations to seek to reduce their impact on the environment, using the BREEAM standard is one way to ensure new development is doing this.

5. The BREEAM family of assessment methods and tools are all designed to help construction professionals understand and mitigate the environmental impacts of the developments they design and build. The assessment takes the overall score for the different elements in the process and gives a rating for the development from 'pass', 'good', 'very good' or 'excellent'. The assessment is such that points can be achieved (or not) in different areas to get an overall rating. For example a highly water efficient development in a rural location will score well on water use and management but score poorly on transport issues - conversely a less water efficient development in a city centre location will score poorly in water use and management but do well in transport. As a result both developments could achieve the same BREEAM rating but have done so in different ways. This IPS requires large scale development to meet an overall BREEAM standard of 'very good' at both Design and Procurement and Post Construction assessments, it does not require a very good standard to be reached in all or specific elements of the assessment.
6. Further information on BREEAM and assessors can be found at www.bre.co.uk.

EcoHomes

(only applies to residential refurbishments, conversions and changes of use of 5 dwellings and above)

7. BRE runs a widely-accepted national standard for the design of sustainable housing scheme called *EcoHomes Environmental Ratings for Homes*.
8. The scheme considers wide-ranging environmental concerns and balances these against the need for high-quality, safe and healthy homes. The issues below are optional, the most appropriate issues for each development can be selected and assessed:
 - Energy;
 - Water;
 - Pollution;
 - Materials;
 - Transport;
 - Ecology and land use; and
 - Health and wellbeing.
9. The EcoHomes scheme is straightforward, flexible and independent in assessing how environmentally friendly and sustainable developments are. Developments that meet the necessary standard are given a rating of 'pass', 'good', 'very good' or 'excellent', providing a credible label for new and renovated homes.
10. To get an assessment, information about the proposed development must be entered into a workbook provided by BRE. A licensed assessor, trained and monitored by the BRE, checks the relevant information has been provided and gives a rating, which is passed back to BRE to be approved. For more information visit www.bre.co.uk

Appendix 2: Further Advice:

Key Council Contacts:

Kristina Peat – Sustainability Officer
01904 551666
kristina.peat@york.gov.uk

Development Control or the Transport Planning Unit
01904 551553
planning.enquiries@york.gov.uk

The City Development Team
01904 551466
citydevelopment@york.gov.uk

National Guidance (Planning Policy Guidance and Statements) to be observed:
(These are available to download from www.communities.gov.uk or by calling 020 7944 4400).

- PPS1 – Delivering Sustainable Development
- PPS3 – Housing
- PPS9 – Biodiversity & Geological Conservation
- PPS10 – Planning for Sustainable Waste Management
- PPG15 – Planning for the Historic Environment
- PPG17 – Planning for Open Space, Sport & Recreation
- PPS22 – Renewable Energy
- PPS23 – Planning & Pollution Control
- PPG24 – Planning & Noise.

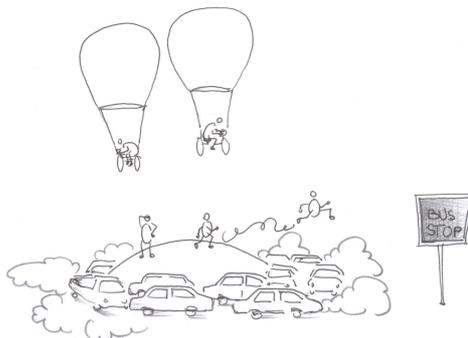
Regional and Local Guidance:

- For a copy of the emerging draft RSS (December 2004) contact Government Office for Yorkshire and the Humber on: www.goyh.gov.uk
- For a copy of the City of York Development Control Local Plan (2005), please contact the City Development Team or visit: www.planningportal.gov.uk

For more information on Accessibility:

- The UK campaign for better streets and public areas at www.livingstreets.org.uk
- Advice on best practice from the Department of Transport at www.dft.gov.uk
- A copy of the Council Rights of Way Improvement Plan can be obtained by calling 01904 551481, or by email rightsofway@york.gov.uk
- The National Cycling Portal at www.bikeforall.net
- Sustrans (for a useful source of cycle route maps) at www.sustrans.org.uk
- York Cycle Campaign at www.yorkcyclecampaign.org.uk
- National Touring Club at www.ctc.ork.uk
- National Cycling Strategy board at www.nationalcyclingstrategy.org.uk
- Good cycle design www.tfl.gov.uk/cycles

- Good design guidelines www.lancashire.gov.uk/environment/cycling/policy.asp



For more information on Community Involvement and the Local Economy:

- Participation Works! 21 techniques of community participation for the 21st Century at www.renewal.net
- Community Development Foundation at www.cdf.org.uk
- Advice on shaping local environments at www.communityplanning.net
- The Council's Statement of Community Involvement (SCI) www.york.gov.uk/planning or call 01904 552410.
- Department for Education and Skills at www.dfes.gov
- Learning and Skills Council at www.lsc.gov.uk
- Centre for Employment and Enterprise Development at www.ceed.co.uk
- A copy of the Regional Economic Strategy can be downloaded at http://www.yorkshire-forward.com/www/view.asp?content_id=385&parent_id=28

For more information on Design:

- For information regarding climate change and design visit: www.tcpa.org.uk or call 020 7930 8903
- Good street design: www.dft.gov.uk/pgr/sustainable/manforstreets/

For more information on Resources:

- Thermal mass materials www.itienenergy.com
- Naturel ventilation www.carbontrust.co.uk
- More information from www.greenstreet.org.uk which gives information on water saving aimed at housing associations but is equally helpful for all households. Use the menu on the left of the screen to get details of different systems.
- Energy Saving Trust www.est.org.uk
- Water efficiency measures www.ofwat.gov.uk
- Information on water butts www.yorkshirewater.com
- Sustainable Urban Drainage Systems www.environment-agency.gov.uk
- Green infrastructure:
www.leedsmet.ac.uk/as/cudem/projects/country/CIAT_final.pdf or
www.countryside.gov.uk/LAR/Regions/yorkshireAndHumber/activities/Landscape/Countryside_towns/index.asp
- Refer to the publication 'Towards a New Vernacular'. This can be accessed via: www.countryside.gov.uk/LAR/Landscape/PP/New_Vernacular.asp

- Whole life costs of a material and building identify the total costs of making, running and maintaining it. For a material this information is contained in the BRE Green Guide for Specification and includes the environmental impacts, replacement cost, repair and maintenance costs of materials and gives them a rating in terms of their whole life performance – so a material that is more expensive to use in construction but needs less maintenance and will last longer, is actually cheaper (financially and environmentally) over its lifetime than an alternative that had a lower capital cost when first used. The same can be applied to buildings so that energy efficiency measures or renewable energy technologies may have a higher initial capital cost but over the lifetime of the building will save money by reduced running costs.

For more information on Pollution and Site Management:

- North Yorkshire and York waste management company at www.yorwaste.co.uk
- For advice on cleaning up contaminated land visit: www.environment-agency.gov.uk/subjects/landquality/113813/881475/?version=1&lang=e

For more information on Landscape and Wildlife:

- The Association of Wildlife Trusts www.awct.co.uk
- The Institute of Ecology and Environmental Management www.ieem.org.uk
- The Bat Conservation Trust at www.bats.org.uk
- Bats in Buildings at www.batcon.org/binb
- RSPB leaflets ‘What’s in the roof?’ and ‘Save the house sparrow initiative’ available at www.rspb.org.uk
- Living Roofs www.groundwork-sheffield.org.uk/upload/documents/document47.pdf
- Copies of the Council’s existing Biodiversity assessment and landscape management plan are available from the Council for reference. To obtain a copy, please call 01904 551671.
- National Plant Specification: www.gohelios.co.uk
- Plants for amenity landscapes: www.plantspec.org.uk
- Information on piling on contaminated sites can be found at: www.environment-agency.gov.uk
- English Nature Booklets: Living Roofs, wildlife on allotments, email: enquiries@english-nature.org.uk Tel: 01733 455100
- Instant green roofs - www.turf.co.uk
- www.compost.org.uk
- “Natural Areas” are categorisations of the English landscape based on areas which are similar in character associated with wildlife, landforms, geology and land use and human impact. For more information, please visit <http://www.english-nature.org.uk/Science/natural/role.htm>

For more information on Renewable Energy:

- Advice on energy saving and construction waste see the green buildings page at www.big-builders.com/construction.

- More information on energy efficiency and renewable energy can be found at the York Energy Efficiency Advice Centre. Call 0800512012 or visit 20 George Hudson Street, York, Y01 6WR.
- Overview of renewable energy, visit green power at www.ncgp.org
- Advice on renewable energy and how to apply for grants please see the *Low Carbon Buildings* Programme on www.est.org.uk or call 0800 915 7722. Building regulations have certain standards but you should aim for standards above those required by building regulations on energy efficiency and insulation. This will save you money in the longer term.

For more information on Recycling:

- Government-funded programme of free, confidential advice to UK businesses at www.envirowise.gov.uk
- Environmental charity with advice on recycling www.encams.org

For more information about BREEAM:

- www.bre.co.uk
- www.breeam.co.uk
- www.breeam.org/ecohomes

Appendix 3: Best Practice

- 1 Some housing developments now provide dwellings with either 6 months free bus travel or a new bicycle to encourage sustainable travel. One example where this has happened in York is the Birch Park Housing development.
- 2 Developers could provide information packs for new owners, including information on how energy efficient the building is, and also how best to make it as efficient as possible in the future. This is particularly important for residential schemes, but can also be applied to commercial schemes.
- 3 Yorwaste (a waste management company) at Harewood Whin provide aggregates made from waste building materials, (including sand, gravel, crushed rocks, and other bulk materials used by the construction industry). For more information call sales and marketing at Yorwaste on 01609 774400 or visit www.yourwaste.co.uk/recyl/operation
- 4 For domestic alterations a free DIY home energy check is available at the energy efficiency advice centre (EEAC). Call them on 0800 512 012, or see their website www.energypartnership.org.uk
- 5 The government provides grants of up to 50% of the total cost for the installation of renewable energy generation technologies as part of their Low Carbon Buildings programme. The grants are available to residential, public sector and commercial installations. For more information visit www.lowcarbonbuildings.org.uk
- 6 Developers should consider travel initiatives such as car clubs, where people are able to share the cost and running of a car. One example of where this is currently being done for employees at the City of York Council. For more information visit: www.york.gov.uk/transport/Public_transport/car_club
7. “Whizzgo” is York’s Car Club. For a small membership fees cars are available for use on an hourly basis located at convenient parking places around the city. Proposals for large residential developments should seriously consider providing parking bays and cars for the car club within the proposal.
8. A wind turbine may not be an appropriate renewable energy technology for a city centre site but others are. Ground source heat pumps can be hidden under landscape or parking areas associated with a development providing a heating source in the winter and cooling in the summer.
9. If a wind turbine is to be considered as part of the proposal then the following information should be provided with it:
 - a. Photomontage of what it will look like.
 - b. Background noise assessment.
 - c. Independent noise assessment for the model of turbine proposed.
 - d. If it is to be attached to a building a structural survey of that building.

10. A site may have little or no wildlife interest before a development takes place but it does not have to remain so. Using the correct planting and landscape strategy can provide ideal habitat for wildlife, the installation of nest and bat boxes will also make a difference. Green roofs are also a very good way to create habitat.

Appendix 4: The Code for Sustainable Homes

A copy of the Code for Sustainable Homes can be obtained by visiting www.communities.gov.uk or by calling 020 7944 4400.

What is the Code for Sustainable Homes?

The following text is a summary of the Code for Sustainable Homes guidance (December 2006).

- 1 The Code for Sustainable Homes has been developed to enable a step change in sustainable building practice for new homes. It has been prepared by the Government in close working consultation with the Building Research Establishment (BRE) and Construction Industry Research and Information Association (CIRIA), and through consultation with a Senior Steering Group consisting of Government, industry and NGO representatives.
- 2 The Code is intended as a single national standard to guide industry in the design and construction of sustainable homes. It is a means of driving continuous improvement, greater innovation and exemplary achievement in sustainable home building.
- 3 The Code will complement the system of Energy Performance Certificates which was due to be introduced in June 2007 but has been delayed, under the Energy Performance of Buildings Directive (EPBD). The EPBD will require that all new homes (and in due course other homes, when they are sold or leased) have an Energy Performance Certificate providing key information about the energy efficiency/ carbon performance of the home. Energy assessment under the Code will use the same calculation methodology therefore avoiding the need for duplication.
- 4 In the short-term, Code compliance is voluntary but home builders are encouraged to follow Code principles set out in this publication because the Government is considering making assessment under Code standards mandatory in the future. Currently, consultation is taking place on making the Code mandatory. For more information about the consultation visit www.communities.gov.uk/publications/planningandbuilding/futurecodeconsultation

How does the Code work?

- 5 The Code uses a sustainability rating system – indicated by ‘stars’, to communicate the overall sustainability performance of a home. A home can achieve a sustainability rating from one (★) to six (★★★★★★) stars depending on the extent to which it has achieved Code standards. One star (★) is the entry level – above the level of the Building Regulations; and six stars (★★★★★★) is the highest level – reflecting exemplar development in sustainability terms.

- 6 The sustainability rating which a home achieves represents its overall performance across the nine Code design categories (energy/CO₂, water, materials, surface water run-off, waste, pollution, health and well-being, management, and ecology).
- 7 Minimum standards exist for a number of categories – these must be achieved to gain a one star (★) sustainability rating. Energy efficiency and water efficiency categories also have minimum standards that must be achieved at every level of the Code, recognising their importance to the sustainability of any home.
- 8 Apart from these minimum requirements the Code is completely flexible; developers can choose which and how many standards they implement to obtain 'points' under the Code in order to achieve a higher sustainability rating.
- 9 So, in order to achieve a particular code level and the associated sustainability rating, a home must integrate minimum standards, and additional points for other design features must be attained.
- 10 Assessment procedures will be transparent and technically rigorous, whilst at the same time straightforward and beneficial to all parties.
- 11 The method will be similar to BRE's EcoHomes System which depends on a network of specifically trained and accredited independent assessors. BRE will retrain and accredit assessors for the new Code. Code assessors will conduct initial design stage assessments, recommend a sustainability rating, and issue an interim Code certificate. They will perform a post-completion check to verify the rating before a final Code certificate of compliance is issued.
- 12 A design stage assessment will only need to be carried out on each home type within any development – not every single home. Post-completion checks will be carried out on a sample basis.
- 13 Builders whose home designs and completed work are assessed under the Code will receive a certificate showing the overall sustainability rating for the home, and a breakdown of how that rating has been achieved.

Appendix 5: Recycling

Information for Developers of Residential proposals:

1. This information is intended to help and guide developers in providing adequate storage facilities at residential properties to store containers for Refuse, Green Waste and Recycling. It is recommended that all developers contact the City of York Council's Waste Services Department for advice at the planning stage and again before construction begins. It is the responsibility of developers to provide containers and these can be ordered and purchased by ringing 01904 553272 or e-mailing recycling.team@york.gov.uk.
2. Individual properties e.g. detached, semidetached, terraced with gardens or forecourts.

Refuse & Green (garden) waste collection.

- 2.1 City of York Council currently operate an alternate weekly collection of domestic and garden waste to over 60,000 suitable properties. These properties primarily include those with garden space, e.g. detached, semi-detached, town houses with gardens etc. The standard sized refuse and green waste wheeled bin has a capacity of 180 litre.

Table 1. Wheeled bins for Refuse/Green Waste Collections – individual properties

Bin Capacity (litres)	Policy Standard	Width (mm)	Height (mm)	Depth (mm)	Domestic or Green Waste
180	Yes	480	1070	730	both

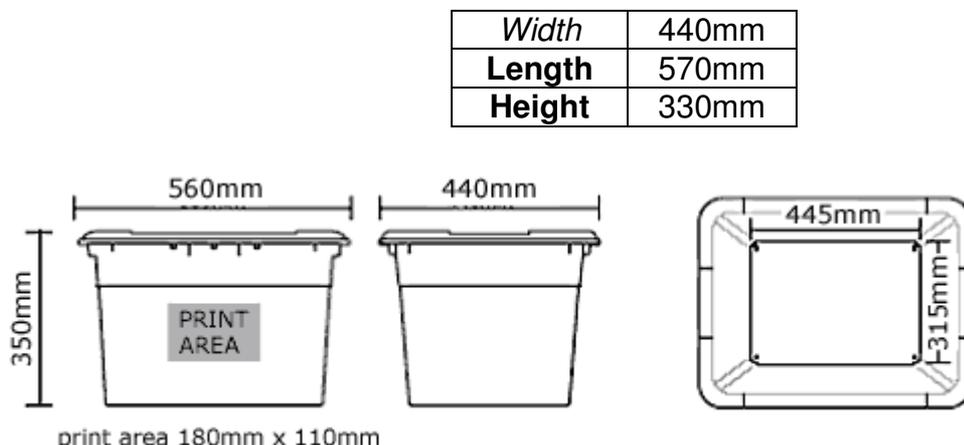
- 2.3 The wheeled bins will be collected from the edge of each property at the front. The Refuse Collectors will not enter onto private land to make a collection. Consideration must therefore be given to the fact that the residents will be required to wheel their bins to the front and leave on the edge of their properties for collection as well as adequate space for pedestrians with prams/wheel-chairs to pass safely.

Kerbside recycling.

- 2.4 The City of York Council currently empty boxes and bags from each property on the scheme every fortnight on the same day as refuse collection though on the alternate week. Residents are asked to put paper and cardboard into bags and glass bottles and jars, plastic bottles and food and drink cans in the 55 litre box. Collections are from the front of the property.

Figure 1. Kerbside Recycling Box Dimensions

2.5 Figure 1 indicates the dimensions of the Kerbside Recycling boxes. The box can be kept outside if necessary and the bag can be kept on top of or inside the box.



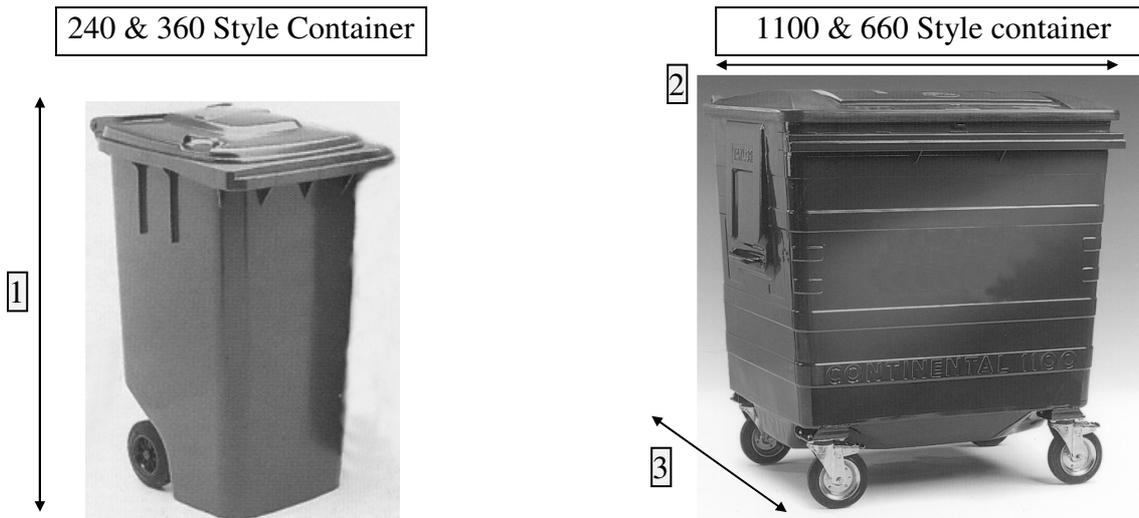
3. Communal Properties i.e. flats

3.1 In the past these types of property have been difficult to collect waste and recycling from. Adequate space needs to be provided for temporary storage of waste and recycling outside the property and possibly also inside in communal areas. There are a number of options available as to how this can be achieved and the options, or combination of options, will depend on the size, layout and servicing/management arrangements for the proposal. Which ever is chosen it must enable the collection of paper and cardboard in bags and glass bottles and jars, plastic bottles and food, drink cans in a box.

3.2 The City of York Council can provide several different sized containers for communal properties residual waste. See Table 2. N.B. 360 litre containers are usually only used for 2 properties sharing a container.

Table 2. Wheeled bins for Refuse Collections – communal properties

Bin Capacity (litres)	Width (mm)	Height (mm) (Lid closed)	Depth (mm)
360	620	1100	860
660	1360	1170	770
1100	1200	1360	915



- 3.3 Developers should ensure that adequate provision is made to store an adequate number of containers, based on the dimensions in table 2 and figure 1 on communal properties.
- 3.4 The Refuse Collectors can enter onto a communal property to access a bin store in order to collect the refuse where reasonably possible. Consideration should be given to allow the collection vehicle enough room to gain access to the bin store. Table 3 details the dimensions of an average sized RCV.

Table 3. Dimensions of an average refuse collection vehicle.

Dimensions	Refuse Vehicle	Recycling Vehicle
Height	3.39 m	6.00m
Width	3.00 m	3.00 m
Length	11.00 m	11.00 m
Vehicle Weight	Up to 26 tonnes	Up to 26 tonnes
Turning Circle (kerb to kerb) *	21.50m	22.50m
Location of work area	Rear	Side

* For wall to wall add 1600mm.

- 3.5 Bin stores for communal properties should be located as near to the road as possible with a flat even surface between the stores and the vehicle collection point, (NB not gravel, cobbles etc.) to reduce the distance the refuse collectors have to travel to empty the bins and a site visit may be made to determine suitability.
- 3.6 If it is not possible to get a Collection Vehicle next to the bin storage area the Refuse Collectors will only enter onto the property to collect the refuse if the bins are within a reasonable walking distance, up to a maximum of 20 metres, for collection. City of York Council will not hold any keys to bin stores so access must be available for our staff on collection days.
- 3.7 Collections are made from the boundary, at the front of the property, in the same location as the refuse bin. The Collection Operatives will not enter onto private land to make a collection.

4. Costs

Refuse and Kerbside Recycling Collections

- 4.1 Containers for both the Refuse and Kerbside Recycling Collections should be purchased by the developer preferably via the City of York Council York Customer Centre Section as per City of York Council policy. Table 4 gives indicative prices for the costs of the containers:

Table 4. Indicative costs of Refuse and Kerbside Recycling containers

Container	Price (incl. delivery)
Box & set of Bags	£4.99 + VAT
180 litre wheeled bin	£26.30 + VAT
360 litre wheeled bin	£49.50 + VAT
660 litre wheeled bin	£249.00 +VAT
1100 litre wheeled bin	£285.00 + VAT

Correct as at September 2007 and subject to change.

Recycling Banks

- 4.2 It is recommended that all new developments include an area that can be used to site recycling banks. Other local authorities have found that there is still a need for recycling banks in addition to Kerbside Recycling collections. These banks tend to be used by residents whose property is not suitable for a Kerbside Recycling collection, for materials that cannot be collected through the Kerbside Collections or used by residents who collect surplus materials that they wish to recycle before the next collection day.
- 4.3 The area should be within walking distance to the residential properties but not so close that those living in close proximity to the banks are disturbed by noise. It may be necessary to consult residents living in close proximity to the recycling banks.
- 4.4 The number and size of containers can vary from site to site depending upon local requirements. It is recommended that a minimum area of approximately 8m x 4m is required to site a standard range of paper, glass and can banks.
- 4.5 Consideration should be given to vehicle access which is required to empty the containers. The design of the site of the site should also be considered as it will require hard standing and may need screening from nearby properties if appropriate.
- 4.6 Developers may be required to pay for any recycling banks required. Depending upon the circumstances a contribution may also be required from the Developers towards the costs of emptying the banks for a certain period.

5. Home Composting

5.1 To assist residents to reduce the amount of residual waste they put out for collection it is recommended that a home compost bin is provided to each property with a garden. The council works in partnership with the government's 'Waste Resource Action Plan' (WRAP) to promote home composting and provide home compost bins to residents in York and North Yorkshire at discounted prices. The council may be able to assist the developer purchase compost bins through this partnership.

5.2 For further assistance and advice please contact the recycling team on:

Tel:- 01904 553272,
email: recycling.team@york.gov.uk
write:- City of York Council
Waste Services
Eco Depot
Hazel Court
York
YO10 3DQ.

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Annex B: Schedule of Comments from the consultation process

	Comments	CYC Response
1	<i>Status/Weight of the document</i>	
1.1	Should produce an SPD rather than an SPG. PPS 12 paragraphs 5.22 to 5.24 explain the position of SPG or, under the new system, SPD. Existing SPG can only be used as a material consideration if the adopted plan policy on which 'hangs' is formally saved. As the City of York Council does not have any saved policies then there can be no existing SPG for the York area. Any new documents produced since the Planning and Compulsory Purchase Act 2004 should be SPD.	In light of the comments raised, it is agreed that by producing a Supplementary Planning Guidance this may contradict with the guidance set out in PPS12. However it is still considered by the Council that an interim guidance is needed until an SPD can be produced. As the Council have yet to adopt their Core Strategy, work on an SPD can not yet start. To avoid confusion the SPG will now be re-named as an IPS (Interim Planning Statement). This can be found in Annex A of te Committee Report.
1.2	As there is no adopted Local Plan in the York area and nothing to link this document to, it would not be correct to call it either an SPG or an SPD. We also consider that York should be focusing resources on progressing the DPD proposed in the revised LDS as an immediate priority. Use of draft policy GP4 in the draft SPG is not appropriate within the new planning system. It mixes objectives which should be in the Core Strategy e.g. a) accessibility, b) social needs and c) economic prosperity, with details e.g. l) on storage waste, which should not.	The Draft Local Plan and subsequently Policy GP4a has been approved for development control purposes and therefore does have a link to this document. We agree that the production of Development Plan Documents under the new planning system is essential; however with realistic targets in place, it is essential that the Council has interim measures in place to ensure that development is continuously sustainable. It is considered that when the Core Strategy has been adopted, the development of a Sustainable Design and Construction SPD will be produced to replace this document. Adoption of the Core Strategy is expected in February 2010. The timetable for all of the LDF documents can be found on our website: www.york.gov.uk/environment/planning
1.3	Any reference to the City of York Local Plan Policy GP4a must make clear that it has not been the subject of any independent scrutiny through the statutory plan-making system and does not form part of an adopted development plan. This will require	The IPS is clear that the Local Plan is draft and that the IPS will be used as a material consideration. Further explanation is not needed within the document and it should certainly not encourage developers to not meet the IPS requirements. Therefore it is not deemed necessary to make

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	changes to Paragraphs 1.1 and 1.2, including a clear acceptance that any requirements arising from Policy GP4a cannot be mandatory on developers.	Changes to paragraphs 1.1 and 1.2. The Overview also sets out the status of the IPS.
1.4	Make clear what weight and priority each aspect of the guidance should be. Some aspects of sustainability go to the core of what CYC are trying to achieve and are grounds for refusal whilst others may be negotiable if they conflict with another planning aspiration such as privacy or appearance.	For the purpose of the IPS, weight is not given to any particular aspect. This is because the IPS is based around policy GP4a where no weight is specified, however it may be worth prioritising issues in future LDF documents.
1.5	What happens when someone decides that they do not wish to spend thousands of pounds on obtaining a rating? Bearing in mind the Building regulations – Sections A4 and A5 and BREEAM are supernumerary. (Also applies for small scale developments). It is not clear what weight this document will carry in the planning process, with the transition from ‘Local Plan’ to Local Development Framework’	Currently the IPS is used as a material consideration, however we are expecting that legislation called “The Validation of Planning Applications” will be passed by April 2008 which will enable us to apply local requirements for applicants to comply with to ensure applications are validated.
1.6	There can be no general policy requirement for developers to prepare a sustainability statement based upon the Local Plan policy. For the avoidance of doubt, there is no such requirement in national or regional policy.	The development control local plan has been agreed by members for DC purposes therefore we are able to use the local plan as planning guidance. Within the Local Plan it states that all applications are required to be submitted with a sustainability statement, therefore this is what is required.
1.7	PPG22 (paragraphs 8 and 22) makes clear that any requests for incorporating renewable energy proposals in new developments should be set out in development plan policy. It is not a matter which should be dealt with by a draft informal policy which cannot be the subject of any independent scrutiny. In this regard, it is significant that the BREEAM standard imposes no such requirement.	The City of York Council’s Core Strategy is not due to be adopted until 2011, therefore there are currently no renewable energy targets set at a local level. The target stated within the IPS reflect those set at a regional level. Policy ENV5 within the draft RSS (December 2005) states that all development strategies, plans and decisions will maximise renewable energy capacity by requiring at least 10% of energy to be used in sizable new development to come from on-site RE sources.
2	Implementation / Monitoring / Process / Cost	

<p>2.1</p>	<p>Concerned over the implementation of the requirements because of;</p> <ol style="list-style-type: none"> 1. Staff levels to respond to requests for information and pre-apps in acceptable time limits. Also who will monitor and enforce the requirements? 2. Staff with required experience, knowledge and training to help rather than hinder progress. 	<p>The requirements of the IPS will be dealt with in a similar way to other planning requirements. The requirements will be enforced using conditions and will be monitored by the enforcement team. All of the City of York Council Development Control officers, enforcement officers and officers from the plans processing unit have received training explaining how the guidance works and what it entails. This consisted of several 2 hour sessions in which officers were able to raise questions and gain a detailed understanding of the process. Guidance notes will also be provided to DC and admin staff on the new requirements.</p> <p>In addition to this several Council member and officer also received official training from BRE (British Research Establishment) during the consultation period. Therefore it is felt that staff are now able to deal with applications in this sense.</p>
<p>2.2</p>	<p>Who will carry out the BREEAM assessment?</p>	<p>For large scale non-residential developments a BREEAM assessor should be appointed. Further information can be obtained from the BRE website www.bre.co.uk It is suggested that further information of how BREEAM will work should be added. This can now be found in Appendix 1.</p>
<p>2.3</p>	<p>Suspect that a whole new industry will develop consisting of experts who will frame submissions for applicants and thus all the boxes will be ticked. This will cost the applicant money which in the case of a domestic proposal would be in addition to planning fees.</p>	<p>In line with government guidance the code for sustainable homes, it is recommended that all new residential developments undertake the assessment. This inevitably will be done at a cost, however a key issue here is that the Council are promoting an invest to save principle. By investing in good design, materials and technology it will save money over the lifetime of the building and reduce running costs. It should also be noted that there is no assessment required for domestic extensions.</p>
<p>2.4</p>	<p>The cost to the developer will make most proposals unviable because of the number of new consultants involved (ecologist, BREEAM assessment consultant, Construction products</p>	<p>This has created a level playing field, as most developers will need to adhere to numerous assessments. This is to ensure that developments are sustainable in all senses.</p>

	assessment, Lighting engineers, pollution consultants, etc.) It will hugely increase resources and cost to undertake even the simplest development. At the worst it will result in development grinding to a shuddering halt. The planning system is bad enough at present.	
2.5	To reduce such cost it would be most helpful if a typical example could be provided by the Council (based on a semi-detached dwelling extension or some similar project). This would then give some incite into exactly what the Council will be requiring.	Worked examples have been included as Annex C to the committee report and can be included as an Appendix to the IPS if members request that this is done. These could also be made available on the website. Please note that the IPS doesn't require BREEAM for a domestic extension.
2.6	Any SPG that is agreed should be phased in and not made compulsory throughout on one day. Both officers and applicants need time to adjust to get used to new requirements. The first phase should be for sustainability statements only for very large projects.	This IPS is seen as an interim measure and therefore the Council will use this to learn from before developing specific planning policies as part of the LDF. Officers and members of the Council have received training from the BRE and are therefore aware of the requirements to support developers and their applications.
3	<i>Building Regulation Queries</i>	
3.1	Main concern is 'minor amendments' to approved schemes. The latitude used by some authorities previously to accommodate design development of schemes which had been designed by the clients consultants for purely aesthetic reasons without due regard for what was buildable and environmentally functional (compliance with building regulations approved documents, L1 & L2), would result in a material change, requiring a new application. Whilst this may be viewed by many as a positive action in ensuring that the design is more thoroughly developed prior to a planning submission, (consultants producing designs which have been tested for technical robustness) it is currently causing clients and contractors alike concern as some designs	The IPS seeks to introduce the requirements for sustainable design and construction at the earliest stage of the proposal to ensure they are incorporated. This means that issues such as buildability will need to be addressed earlier and may actually help to prevent the situation described here from occurring.

	<p>are gaining approval which subsequently require resubmission with modifications to ensure compliance with building regulations.</p> <p>Energy efficiency in a building's end use and construction is manifestly the responsibility of the building regulations part L. In addition, the government intend to further increase the controls on new construction via further amendments to the building regulations within the next 2 years.</p>	
3.2	<p>Many of the requirements are not appropriate at planning application stage – e.g. BREEAM energy assessments, comments on use of local labour and materials – these would be more relevant to the Building Regs stage.</p>	<p>BREEAM and code assessment strongly suggest that they are involved with the application at the earliest stage. This is to ensure that proposals will meet the required target. Although it may be difficult to say i.e. whether local labour will be used, the applicant could indicate that thought is being given to the issues at the application stage.</p>
3.3	<p>As 'green' materials, systems and installations are integral to a building's overall construction, voluntary BREEAM's are best left to RIBA (what does this mean?) work stage F3 in conjunction with detailed applications for consents under the Building Regulations. This would not prevent your council making the subsequent provision of such assessments, a planning condition.</p>	<p>Best practice is to have BREEAM assessment on board very early on or as part of the design team from the start to ensure maximum points.</p>
3.4	<p>Question raised regarding the legality of a planning condition requiring an applicant to exceed the minimum standards of the Building Regulations in respect of carbon emissions by 25% based on parameters produced by a none governmental organisation (NGO).</p>	<p>The NGO mentioned here is the Energy Savings Trust an organisation supported and funded by government and the leading energy efficiency organisation in the UK. This requirements applies to smaller scale non-residential development and is similar to that required from the Code for Sustainable Homes. The use of this requirement ensures similar standards for all development.</p>
3.5	<p>It would mean far more if the planning policy required applicants to have undertaken preliminary discussions with either LABC or private certifier building control organisation, supported by part L design philosophies and supporting SBEM or SAP calculations</p>	<p>Yes, that's what some applicants are already doing, or we condition the submission of such documentation before construction starts.</p>

	and have that documentation deposited as part of a planning application.	
4	<i>National Policy Implications</i>	
4.1	Is meeting the 'Very Good' BREEAM standard realistic. Perhaps this should be tested before becoming a final SPG.	Agree that standards should be realistic which is why the 'Very Good' standard was selected rather than the 'Excellent'. The IPS is seen as a test in itself for such requirements which will eventually be introduced through the Local Development Framework (LDF).
4.2	Planning authorities should focus on the overall objectives of carbon reduction and the details of how to deliver this objective. Additionally, the Code for Sustainable Homes should be used as a single national standard.	Carbon reduction is one of the main focuses of the government and will be for the City of York's climate change strategy but it is a difficult concept to explain to the construction industry. Whilst there are some notable exceptions it is still the rule that many of the industry thinks of carbon emissions only in terms of energy use. It is clearly much wider than that. To concentrate purely on carbon reductions may mean other resource issues are missed. The Code for Sustainable Homes Level 2 will now be the target for all new residential development.
4.3	More attention should be given to existing housing stock, rather than consistently opting for the easy option of further restrictions on new building. Effort should be focused on changing public perception of the issues if this is not to be a very costly mistake	Agree that adapting existing stock is a huge task and a most important one. The IPS once drafted will be giving advice on conversions and already gives advice to those wishing to build a domestic extension. Section 5 and 6 cover the development of existing dwelling units. We agree that public perceptions on sustainability should be a key focus. One of the ways the Council is hoping to tackle this is through the development of a Climate Change Strategy.
4.4	With much LPA guidance there is a danger that we re-produce national guidance and householders may just skim read thinking they know what is what. Emphasis on what aspects of sustainability are unique to or a priority within York and why, should be made.	In order for developers to build within York they will need to meet the standards set out within the IPS and therefore reading the IPS is a must. We agree that the IPS needs to be York specific which is why some of the examples are given, however the applicant still needs to explain their proposal in terms of BREEAM and / or the Code for Sustainable Homes etc.
4.5	Links to national and local planning policy would be helpful	The guidance is based on Local Plan Policy GP4a which can be found

	alongside each goal.	in figure 1 of the document. Links to National guidance have now been added to Appendix 2. It is thought that reference throughout the document would increase planning 'jargon' and make the chapters longer and less user-friendly.
4.6	<p>In order to recognise current standards, it would be useful if the document were amended to recognise the Code for Sustainable Homes.</p> <p>Additionally, it would be useful if the SPG detailed how the minimum standards for on-site renewable energy generation will be monitored and enforced.</p>	<p>Agree. The IPS will now recognise the code for sustainable homes as requested by many consultees. A full explanation of why this has been incorporated within the Committee report. Appendix 4 has also been created to give an overview of the Code for Sustainable Homes.</p> <p>The means of monitoring of renewable energy installations is currently being investigated and it is hoped that the planning application software will be able to accommodate this additional monitoring element. However this will still only cover those installations that that require planning consent.</p>
4.7	In light of the immanent Planning White Paper we suggest that 6.1 should read "...If a domestic extension either as a permitted development or requiring planning permission is being proposed..."	As this paper is still out for consultation, it is not certain that this will be approved, therefore changing to the wording is not thought to be needed at this stage. Therefore no change to wording.
5	General Policy Queries	
5.1	Requirements under the BREEAM sections that <i>reduce demand</i> should be given priority and prominence. There is a tendency in the building industry and in government to concentrate on technological solutions rather than reduction on demand via high levels of insulation and air tightness.	Agree that reducing demand is a priority however technological advances are still required due to non renewable energy not being an ever lasting resource. Technologies have a lot to offer therefore should be a key element of the IPS, however the reduction of demand has now been emphasised within the IPS.
5.2	GP4a states commercial and residential development will be required to be accompanied by a sustainability statement but Para 3.1 states that all developments are included in the requirement.	The IPS now applies to commercial and residential development in parallel with GP4a, As the policy within the Local Plan has been agreed for DC purposes, this can not be changed. However all developments will be required to submit a sustainability statement through the development of the LDF.

<p>5.3</p>	<p>Need to recognise that sustainability in design is a social and economic aim, and runs comfortably alongside protecting the physical and natural environment. This approach is evidenced and included within the Regional Housing Strategy for Yorkshire and Humberside 2005 – 2021.</p> <p>Parking ratios may be reduced in an ‘unevidenced’ belief that this will force people to walk and use public transport. Cycle paths need to be more carefully designed.</p>	<p>It is viewed that the social implications of development including safety is well covered in existing work as described by the respondent. The IPS is an interim document which addresses sustainable construction in particular. These issues including parking ratios will be addressed as part of the new LDF system,</p>			
<p>5.4</p>	<p>The three categories of large, small scale developments and domestic extensions is wrong. The requirement for householders to commission and submit a sustainability statement when they wish to build small extensions to their homes is unrealistic and over complicated for the homeowners, as well as time consuming for officers. Who will check and sign-off the completed domestic extension?</p>	<p>The document is split into six sections to make it easier to use the document. To aid understanding of the use of the document we are now going to add a flow diagram at the beginning to guide people to the specific page needed. It is essential that householders submit a sustainability statement as these issues need to be visible within the public arena and at an early stage. It is however agreed that the domestic extensions section of the document should be improved. This will now be replaced with a questionnaire.</p>			
<p>5.5</p>	<p>The definition of large scale developments is too small, should it not be 15 dwellings or more similar to the size of developments to which affordable housing is applicable. Similarly, developments up to 15 units, could be classed as small scale.</p>	<p>The threshold of 5 or more dwellings is based on research undertaken prior to consultation on this document. The information was taken by looking at the average size of housing development planning applications which come through each year. The threshold chosen is due to the nature of development coming forward in York; while there are some notable large developments, the majority of the planning applications coming through the council are of a smaller nature. The threshold was chosen to acquire the most effective delivery of sustainable. The table below shows the number of residential planning permissions being granted between 2003 – 2007:</p> <table border="1" data-bbox="1137 1278 2018 1315"> <thead> <tr> <th data-bbox="1137 1278 1431 1315">Year</th> <th data-bbox="1431 1278 1724 1315">Applications</th> <th data-bbox="1724 1278 2018 1315">Applications</th> </tr> </thead> </table>	Year	Applications	Applications
Year	Applications	Applications			

			granted for 10 or more dwellings	granted for 5 or more dwellings
		2003/2004	16	30
		2004/2005	17	35
		2005/2006	18	30
		2006/2007	10	21
		Total	61	116
5.6	Could there be a separate category for non-domestic development, commercial office schemes, factories etc, an area where government encourage companies with incentives or penalties to reduce their energy usage and receive tax breaks. The potential to incorporate larger sustainable technologies are greater.	Commercial development has separate sections within the IPS. The information provided applies equally to all areas of development. The IPS clearly states that commercial development is split into large and small scale categories.		
5.7	Where city centre developments and conversions are involved e.g. Warehouses, etc, the opportunity to provide renewable energy can be extremely difficult. I would suggest a form of commuted payment to be appropriate. This would allow the Council to spend these funds on other sustainable initiatives.	The City of York Council need to consider commuted sum approach once the status of the policy and IPS are certain i.e. in the LDF. Wycombe District Council are considering this approach and it is soon to be tested by LDF inquiry. Therefore it may be a case of 'watch this space' to see if this approach works. If it is successful then it would be recommended that it be used when developing an SPD.		
5.8	Many villages have had their village design statement (VDS) adopted as SPGs. Many of the paragraphs in the draft SPG reflect the guidance contained in a VDS. The requirements of a VDS should take precedent in interpretation of guidance policies. Paragraph 3.1 indicates that an applicant should consult with CYC. Where there is a VDS, such interests of an applicant would also be best served if the Parish Council were to be consulted, as local knowledge is important.	This IPS overlooks the whole of development, and different phases of development within the City. It is agreed that the guidance may re-iterate what is said in a VDS; however the IPS needs to contain a certain level of guidance in terms of design. It could be suggested that a reference be made to review the VDS to see if there are additional design requirements where this is not already covered by BREEAM or the Code for Sustainable Homes. Therefore new text to go in the design section of Small scale non-residential chapter. New text in paragraphs 3.6, to read: "It is also recommended that any associated Village		

2003/2004
 2004/2005
 2005/2006
 2006/2007
 Total

	No reference to requirement for Design & Access Statement – much of the content would be duplicated. (Page 7 Para 3.1)	<p>Design Statements and Conservation Area documents are referred to at this stage”.</p> <p>The Parish Councils are currently consulted on applications within their boundary or application which may have cross boundary issues. Therefore it is likely that the parish Council will be consulted on an sustainable design and construction issues within their area.</p> <p>There is a possibility that information may be repeated within a design and access statement, however the information required in a sustainability statement is very much geared towards the key issues within figure 1 (policy GP4a). Therefore applicants will still be required to submit both a Design and Access Statement and a Sustainability Statement.</p>
5.9	Paragraph 3.1 indicates that an applicant should consult with CYC. Where there is a VDS, such interests of an applicant would also be best served if the Parish Council were to be consulted, as local knowledge is important.	The Parish Council would be consulted at the planning application stage regardless, therefore it is deemed unnecessary to further consult parish councils more than once.
5.10	Would have expected the BREEAM rating to be by negotiation as it may be dependant on the extent of the works and age of the building.	The expectation is for BREEAM ‘very good’ for all new commercial developments and Code Level 2 for residential. If there are special circumstances present i.e. due to the age of the building etc, then it is up to the applicant to prove why its not possible.
5.11	Construction is not all that the points loaded system that is BREEAM, covers. There are significant sections on management of the building or development post completion and fitting installations (window blinds for example), which are likely to be complete unknowns at planning application stage.	It is for these reasons that the Government have included Post Construction Assessments in the Code for Sustainable Homes and why the current draft of the IPS also includes this requirement for all development that needs BREEAM assessments.
5.12	It would be helpful if the SPG explain slightly more explicitly how the requirements relate to other considerations which the Council	The requirements in the IPS will be a material consideration and this is stated within the introduction. Perhaps an additional sentence stating

	will be using to assess the acceptability of development proposals, i.e. listed buildings, Conservation Areas etc.	that this guidance reflects national and regional guidance should also be added. Sentence within introduction paragraph 1.2 states: “The information stated within this document reflects national and regional guidance and therefore should be met. It is for the applicant to explain how they will meet the requirements and if this is not possible to justify why not, to the satisfaction of the Local Planning Authority (LPA).”
5.13	A number of sections in the SPG indicate that a particular aspect should achieve a BREEAM rating of very good. A2 for example states "Minimum standard (Accessibility): achieve BREEAM rating of at least very good in terms of Transport". This misinterprets the application of BREEAM which give an overall rating for a project, not a rating for individual aspects.	The original intention was to ensure that the ‘very good’ standards are met across the board rather than, for example achieving very good by a development excelling in one area. However we agree that the statements are mis-leading and therefore have been removed. Appendix 1 has now been amended to incorporate additional BREEAM information.
5.14	Parts of the SPG suggest solutions to meeting the various criteria. Some prompts may be helpful, but on whole we should strive for the best solutions for each project and be careful not to stifle innovation.	The examples offer a prompt and ideas and should not be seen as prescriptive. The examples clearly state; “For Example” and it is not thought that they will discourage innovative solutions.
5.15	Section A1 (4.2) requires that large-scale developments should achieve an overall BREEAM standard rating of “very good.” This is fundamentally misguided for the following reasons:- 1. The environmental performance of buildings is a matter primarily for the Government through Building Regulations which planning controls should not seek to duplicate. Where planning authorities wish to require higher levels of building performance this should be set and justified in a development plan document. 2. The Council has given no justification for its requirements	The reality of sustainable design and construction is that traditional relationships between planning and building control are changing. BREEAM is a route which other LPA are taking, which has not yet been challenged. Sustainable design and construction is not just about issues such as energy efficiency and CO2 emissions, dealt with by building control, but is much wider and the role of planning as set out in PPS 1 is to promote sustainable development. It is agreed that we need to state why we have decided to use BREEAM. This information can be found in Appendix 1. “The BREEAM rating system is a nationally recognised

	<p>that all developments should achieve the BREEAM standard rating of “very good.” In particular there is no evidence that the Council has addressed any of the issues set out in paragraphs 31 and 32 of the Draft PPS, especially the impact on the viability of marginal brownfield sites and the need to maintain the supply and pace of housing development in line with RSS objectives.</p> <p>3. The Draft SPG should not make reference to the BREEAM standard as it is now outdated. If there is justification for the Council to require a specific environmental performance from new development (which has not been demonstrated), it should be by reference to the DCLG Code for Sustainable Homes which was issued in December 2006.</p>	<p>assessment method to reduce the environmental impact of buildings and development. It is a standardised format developed by the Building Research Establishment over many years. It is particularly useful as it seeks to incorporate sustainable design and construction elements into a proposal at the earliest stage thus helping to make them more cost effective. Development; what is built and how it is built contributes to nearly 50% of the countries carbon dioxide emissions (the main green house gas which is contributing to global warming and climate change). It is the responsibility to all individuals and organisations to seek to reduce their impact on the environment, using the BREEAM standard is one way to ensure new development is doing this.”</p> <p>BREEAM is not outdated for all non residential development and conversion/refurbishment and the BRE update the assessment methodology regularly. For new build residential development however, the Code for Sustainable Homes has been introduced by the government and the IPS has been amended to reflect this</p>
<p>5.16</p>	<p>The Assembly is encouraged to see that the approach that has been taken clearly reflects the current Regional Spatial Strategy (December 2004) and draft Regional Spatial Strategy (December 2005).</p>	<p>Noted.</p>
<p>5.17</p>	<p>Local Authorities are required by PPS9 (Biodiversity and Geological Conservation) to maintain networks of natural habitats by ‘avoiding or repairing the fragmentation and isolation of habitat’ undertaken ‘as part of a wider strategy for the protection and extension of open space and access routes.’ PPG17 (Open</p>	<p>Reference to PPS9 and PPG17 have now been referred to within Appendix 2.</p>

	Space, Sport and Recreation) requires policies to be developed based on standards for provision of open spaces, including accessible natural green space.	
5.18	The threshold for large scale developments is far too low. It should be at least 15 houses or more, the same as the affordable housing threshold.	Due to the IPS now referring to the Code for Sustainable Homes, all new residential development will be required to meet code level 2. This is the equivalent to BREEAM very good. For explanation on how the thresholds were chosen see point 5.5 in this schedule of comments.
5.19	For small scale developments - there is far too much expected of applicants. There could be a little scheme of just one house yet a dissertation is required on matters as ridiculous as “in what way will the construction of the development provide any training for local people”, is your typical small house builder now expected to run training courses for unskilled employed individuals who happen to live near the house that he is trying to build in a fiercely competitive market?	If it is not reasonable for a development to meet these standards then it is up to the applicant to demonstrate that this is the case. However, the IPS asks that developers consider all of the issues.
5.20	There should be no requirements at all for a sustainability statement if undertaking a domestic extension. It is ridiculous to expect somebody who wishes to simply alter or extend their home to have to produce this paperwork.	The current local plan policy GP4a requires all residential planning applications to be supported by a sustainability statement, and this policy has been approved by members for DC purposes. However, we do agree that it would be unreasonable to ask people proposing a domestic extension to meet minimum standards. Therefore, this section is merely asking people to consider the issues of sustainability.
5.21	The document is generally well aligned to the Regional Economic Strategy (RES), we specifically welcome the references to the need for; <ul style="list-style-type: none"> - ‘development to minimise the use of renewable resources’. This complements the Objective 5 (cii) of the RES, which seeks to promote ‘energy security and reduce fossil fuel dependence by more energy efficient and clean renewable energy generation’.	Noted.

	- major developments to achieve minimum BREEAM Accessibility standard of 'very good'. This complements objective 6 (cii) of the RES, which seeks to 'tackle access to transport'.	
5.22	Appendix 1 – why is it not possible to include a typical BREEAM assessment matrix as a guide to applicants? Similarly for Ecohomes standards?	A BREEAM assessment is undertaken by an assessor working on behalf of BRE. The assessment is a private assessment tool which is funded by a payment from the developer. We are unable therefore to give an assessment matrix as an example. It should be noted however than Council officer will receive BREEAM training before the IPS is approved in order to aid the planning application process.
5.23	This section should state which codes (i.e. BREEAM, Ecohomes, code for sustainable homes) is expected under each category).	Agree that clarity is needed within the document. The format of the document will be changed to incorporate the code for sustainable homes. Therefore, with the aid of the flow diagram at the beginning of the document, it should be much easier to use.
6	General Comments	
6.1	Very necessary and high standards required. Clearly spelt out, comprehensive and thorough. Overall the guidance is excellent – good to see so many aspects of sustainability covered. Pleased to see the importance of high quality design recognised by this SPG. We welcome the guidelines for development to respect or enhance the character of the surrounding area and the promotion of sustainable design, construction techniques, the use of renewable energy sources, and the provision of recycling facilities.	Noted.
6.2	Nothing mentioned about rivers Ouse and Foss. There are missed opportunities here i.e. river transport, and the replacement of a pump at City Mills Locks to replace lost water on entry to Foss section. York has been slow and lacking in vision, although organisations such as 'Foss Society' have tried	Agree that waterways should be mentioned, however the IPS is not a document to discuss missed opportunities where the river is concerned. It should however be mentioned that the river can provide a habitat for many species. Paragraph 3.15 (bullet point 4) of section 3 within the small scale commercial section should now state: "In what way does

	<p>to support Council. There is an idea of having a Marina for boating which should be considered. Need for investment in the river to supply income and support flooding schemes in the future, (see cuttings from the evening standard and waterways publication).</p>	<p>the proposal include the retention or provision of natural areas including hedge rows, verges and river banks?”</p> <p>The waterways strategy produced by the Transport Planning Unit aims to ensure that the use of waterways in York for passenger transport and freight transport is developed and promoted as appropriate. This can be achieved by supporting proposals, considering schemes when sites become available, working with the freight quality partnership, investigating possible funding and protecting wharf facilities in the city for future use.</p>
<p>6.3</p>	<p>Presume that we will not lose sight of the fact that some people will still need access by car. It would concern me if we ended up creating developments that tried to design out cars, and then by doing so would create problems i.e. parking on verges</p>	<p>The Council recognises that the car is an essential method of transport for some people, however the use of more sustainable forms of transport is highly encouraged and is top on the list of the Council's priorities due to increasing congestion and pollution problems present within the City. Therefore we are not losing sight that people will still need to travel by the private car, but we will encourage the use of alternatives methods via this guidance.</p>
<p>6.4</p>	<p>Felt that the breakfast seminar did not address the contents of the SPG.</p>	<p>The breakfast seminar was not solely to talk about the IPS but to look at sustainable development and how it is being tackled in York as a whole.</p>
<p>6.5</p>	<p>www.yorkfootprint.org link does not work. (Page 5 Para 2.2)</p>	<p>The link will be updated to: www.york.gov.uk/environment/Sustainability/Agenda21/Ecological footprint/</p>
<p>6.6</p>	<p>More advice required on conversion work and the benefits compared with new build.</p>	<p>New Sections (5 and 6) have been added to provide guidance on the development of existing residential dwelling units. Paragraphs have also been added to the large and small-scale commercial sections. In brief, the additional guidance requires that redevelopment 5 or more dwellings meet the BREEAM EcoHomes standard and the locally set minimum standards, and that redevelopments of 4 or less dwellings are</p>

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		required to meet the minimum standards.
6.7	Askham Bar College is pursuing a development policy and is committed to the application of sustainable design and construction criteria in the development of the campus.	Noted.
6.8	Relationships between sustainable development and economic prosperity depend on an established local supply structure of 'green' materials and experienced manpower. Faced with these realities more sustainable development can be achieved by: <ul style="list-style-type: none"> a) Importing the necessary materials, many from abroad, and constructing types of buildings illustrated in the SPG, b) Using what we already have more efficiently, and deploying existing materials and manpower in new ways, more in line with category above (within the letter). This approach is not illustrated in the SPG. 	Point 6.6 of this schedule of comments outlines where new sections have been added in relation to the reuse of existing buildings.
6.9	The Council is charged with safeguarding a national collection of 600 year old sustainable oak buildings. Their longevity has proved their 'sustainability'. Lessons for the future can be gained from rediscovery of the building practices of former, less industrialised ages.	Agree lessons should be learnt. Point 6.6 of this schedule of comments outlines where new sections have been added in relation to the reuse of existing buildings.
6.10	Recommend that all website links are checked and are correct.	Agree that all website links will be checked and updated if necessary.
6.11	It should be noted that SUD's now means Sustainable Drainage Systems rather than Sustainable Urban Drainage Systems. This needs to be changes throughout the document.	Agree that this should be amended, although there is no significant difference in the definition of these terms.
6.12	Most designers now expect that there is an absolute need to test even the most basic designs against such algorithmic programmes as the BRE SBEM (simplified building energy model) calculations, otherwise it is probable to obtain planning	Noted.

	consent for a design that will be prohibited by the Building Regulations.	
6.13	Air quality, noise, vibration, odour, dust, smoke, lighting and contamination of land, most of these areas are relevant to the design and construction of sites. I note that this document is an overarching one and is not designed to cover all the areas of concern in detail. I assume the specific areas will be addressed in separate supplementary planning guidance documents.	Agree, that there are many different issues of sustainability and it is difficult to cover all of the issues in detail. The IPS does touch on all of the issues mentioned, and yes some of them are being addressed in more detail through future SPDs. However, all of these issues will be addressed in more detail through the production of the LDF.
6.14	Natural England has recently commented on City of York Council Nestle South Draft Development Brief and was supportive of many of the key objectives for the redevelopment of this area. In particular the development brief focused on green infrastructure linkages and accessible urban greenspace. We consider that this should be emphasised more within this Supplementary Planning Guidance, particularly in the Section A: Large Scale Developments.	In terms of the residential developments section and the large scale developments section these will be dealt with by The Sustainable Code for Homes, and BREEAM respectively. Therefore it may be more appropriate to add a sentence within the small scale development section. New bullet point in section 3 paragraph 3.15 to read: “How does the proposal incorporate the linkages between green spaces and accessible urban greenspaces”?
6.15	Natural England is supportive of the scope and detail within Bradford City Council’s Sustainable Design Guide SPD, which was adopted on 28/02/06. Below is a link to the document, which may be a useful reference. Natural England are supportive of this document as it meets their sustainability aims and policy objectives in relation to climate change: http://www.bradford.gov.uk/NR/rdonlyres/BAD3E13E-2CC7-4C67-8930-341222BE78BA/0/SustainableDesignGuide.pdf	Having read Bradford City Council’s Sustainable Design Guide SPD, we agree that this is a good example in terms of content of an SPD. However the IPS is written around policy GP4a and therefore is restricted in its content. It may however be appropriate to use the SPD as a good practice example when producing the City of York SPD once the Core Strategy has been adopted.
6.16	Natural England and its partners have undertaken various research on design and local vernacular, which they recommend is used in the preparation of the Design Guide. For our publication ‘Towards a New Vernacular’ please see link below: http://www.countryside.gov.uk/Images/NVReport%2014_tcm2-	Agree that a reference should be included within the document. It may be best to add the reference within the Appendix 2 (further advice). A more up to date link which may be more appropriate is: www.countryside.gov.uk/LAR/Landscape/PP/New_Vernacular.asp

	<p>20906.pdf</p> <p>The 'New Vernacular' approach advocates the development of new buildings in the countryside that re-connect their design and construction with the environment. It promotes innovative, sustainable, high-quality buildings that enhance local character and respect their context. The key principles of sustainable development are identified as Energy, Materials, Flexibility, Quality, Environment and Community.</p>	
<p>6.17</p>	<p>The SPG is far too onerous. It makes ridiculous and unreasonable demands upon applicants. Has anyone at the Council worked out how many trees will need to be felled just to provide the paper for all this additional red tape?</p>	<p>Sustainability is an issue which is facing all Local Authorities now. The IPS is tackling sustainability issues through the planning process, and by comparison with other Local Authorities is taking the same route. Therefore it is argued that the demands are realistic. Unfortunately Council documentation has to be made available in paper form for those who do not have access to a PC. However, in an attempt to reduce paper use, awareness raising of the consultation was done through email with directions to the document via a website link. The Council are keen though to use sustainable forms of printing and are looking into such measures for future LDF documents.</p>
<p>6.18</p>	<p>Policies on the minimisation of waste before (in design of) development should be elaborated so as to provide more guidance and certainty for developers. The SPG should also note that use of secondary and recycled minerals in development should be encouraged.</p>	<p>The minimisation of all types of waste through good design is a complex issue, and not something that this brief document could elaborate on. However links will be provided to guide applicants. It should also be noted that BREEAM awards points for the use of secondary and recycled materials. The demolition protocol also deals with this.</p>
<p>6.19</p>	<p>(4.4), (4.7), (4.9) etc – when satisfying the various criteria applicants should not be asked questions to consider, but be required to show how the criteria are being satisfied e.g. – “A2.1 Walking: show how the proposal makes priority provision for the</p>	<p>Agree that questions should require applicant to “do” rather than to “consider”. The questions in Section 3 require explanations rather than singular answers, wherever possible. However, for the domestic extensions section there are no minimum standards, and therefore no</p>

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	needs of pedestrians”. Requirements should be more specific e.g. (4.2) “...encouraged to...” should be replaced by “expected to...” As the SPG is non-statutory any submissions will be subject to negotiation, and the higher the expected threshold from which negotiation starts, the better.	set requirements. The most we can ask applicants to do at this stage is to consider the sustainability aspects. This section is mainly to raise awareness and ask people to think about these issues.
6.20	The phrase (1.2) “...low or positive environmental impact...” should be redrafted for clarity – this is a confusing concept, particularly for those not familiar with the terminology. We suggest “...that has favorable environmental impact...”.	Agree that the wording should be changed to reduce confusion. Paragraph 1.2 to now read: “It is the Council’s objective to achieve development that has a favourable environmental impact” .
6.21	(3.2) ““dwellings” should read either “...flats and/or houses/...” or “...dwelling units...” for clarity. Areas should specify net or gross for clarity.	For clarity where reference is made to dwellings, this has been replaced with dwelling units. Throughout the document, residential development shall be referred to as dwelling units.
6.22	4.24 omit all references to possible funding – programmes are constantly changing (see above).	Disagree that references to funding should be removed. If and when a website changes, there is always a link provided to new more appropriate website.
6.23	Appendix 3: 1 - Birch Park – why single this out, make it a general point. No mention of car club/car share. Appendix 3: 2 - energy rating now overtaken by legislation? Omit. Appendix 3: 5 – omit all reference to possible funding as programmes are constantly changing	Within Appendix 3: Point 1 now states “Some housing developments now provide dwellings with either 6 months free bus travel or a new bicycle to encourage sustainable travel. One example where this has happened in York is the Birch Park Housing development” . Reference is now made to the car club. New point 6 to state: “Developers should consider travel initiatives such as car clubs, where people are able to share the cost and running of a car. One example of where this is currently being done for employees at the City of York Council. For more information visit:

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		<p><u>www.york.gov.uk/transport/Public transport/car club</u></p> <p>Point 2 The legislation for the energy rating certificates has not yet been enacted for all houses so this should be kept in to cover the current gap.</p> <p>Point 5 This funding stream is still in place and if it changes in the future the link will still direct people to the correct site and links are always provided when they change so reference should be retained.</p> <p>4 new best practice examples have also been added.</p>
6.24	<p>Failure to emphasise the importance of geo/bio-diversity issues, and to refer to the (outdated) bio-diversity audit and landscape appraisal plans. The conservation and re-use of excavated soil as a resource, the implications of site soil compaction, and the management of hedges and verges is not covered. Can a new BAP and LAP be prepared before the final SPG is incorporated into the LDF?</p>	<p>A revised BAP is due to be completed in early 2008 so this will be available to refer to before the IPS becomes SPD and incorporated into the LDF, however, until then it is agreed that reference should be made to the existing biodiversity assessment and landscape appraisal. New text within Appendix 3 under the landscape and wildlife section to read: “Copies of the Council’s existing Biodiversity assessment and landscape management plan are available form the Council for reference. To obtain a copy, please call 01904 551671.</p> <p>Soil compaction and erosion have now been introduced within the IPS. See 6.64 of this schedule of comments for more information.</p>
6.25	<p>Conservation advice – there is no reference to this. This is a serious omission considering the number of listed buildings, ancient monuments and conservation areas in York. There is concern that BREEAM requirements, for example may not be appropriate when listed buildings or buildings in conservation areas generally are considered.</p>	<p>The IPS is not meant to provide conservation advice as there are other CYC documents to do this. BREEAM does consider listed buildings and this is one of the main reasons the Bespoke assessment was introduced. It is up to the applicant to prove to the Local Planning Authority that BREEAM ‘Very Good’ is not possible due to listings etc.</p>
	<p>General Comments – Document Layout/Content in general</p>	

6.26	States that BREEAM assessment is not required for small scale developments. (Page 21 Para 5.1) Yet page 31 , Para 6.1 states that “proposals for domestic extensions will not be expected to undertake a BREEAM assessment as required for large and small scale developments”	This is a typo, a BREEAM assessment is only required for large scale developments. There are minimum requirements for small scale developments though.
6.27	There are conflicts in your draft supplementary advice with other legislation and planning guidance on preserving the distinctive historic character of York. The buildings illustrated in your draft advice, for example are now common in Europe as a whole and have no local distinguishing features. Other LPA’s learnt not to include illustrative material in guidance because they inevitably imply endorsement of a particular approach or design solution. This tends to perpetuate sameness rather than distinctiveness. It may be best to remove all photographs from the SPG.	The pictures have now been replaced with graphic illustrations which have been drawn by an architecture student currently on work experience at the City of York Council. As you will see a lot of thought has been put into the message which the drawing is giving. We have found that it is not always easy to get the message across through a photograph.
6.28	Agree with everything in your draft SPG. We feel that each point should have one sentence and a box to tick. Too much reading is boring! We feel it would be beneficial to the applicant to think of each of these points before drawings start.	Agree that reading should be kept to a minimum, however the IPS is also an instructive document as many applicants are not considering or know they should be considering these issues at the moment. The document will be simplified.
6.29	<p>Contents page – A Large scale development and B Small scale development - under resources should read (recycled Materials, Water usage, <u>Soils/Drainage</u> Waste and Landfill).</p> <p>Figure 1: Policy GP4a (Sustainability) point F), replace land with the word soils. And point G), after the word conserve add geodiversity, and biodiversity for sentence to read “conserve geodiversity, biodiversity and enhance natural areas and landscape features,…”</p>	<p>There is little point in doing this as this change derives from the change in policy, as the Local Plan and its policies have been approved for DC purposes.</p> <p>We can not change the text within policy GP4a. The Local Plan has been approved for Development Control purposes. Therefore any changes would need to be approved by Members.</p>
6.30	Should the house extensions advice be in a separate note? There is possible scope to give more specific guidance with	Agree. As we are not requiring domestic extensions to meet minimum standards or to undertake a BREEAM assessment, the guidance set out

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	diagrams for extensions that would be very useful to householders (e.g. design of bike and bin stores, orientation to sun, solar panels, greening parking spaces, wildlife, drainage etc) whilst still keeping the document short.	should be as simple as possible. Therefore a questionnaire to fill in has now been incorporated instead of text and questions. This will be available separately for DC to send out with applications.
6.31	Where possible the document should be simplified as it is very comprehensive and there was a feel that it could be difficult to meet all the criteria. In particular, it was thought that it would be difficult to get approval for large scale developments. In turn, this might encourage applicants to split large applications into small packages in order to get around the need for rigid adherence to the criteria for large scale developments.	<p>Agree that the document should be made more user friendly, however some issues of sustainability are inevitably complex. If the development was split, it could be phased which is what normally happens for large scale developments. The Council would discuss these issues at the pre-application stage. A good example of this is the York University campus extension.</p> <p>Add paragraph 2.3 to large scale commercial development proposals and paragraph 4.3 residential developments which states that: "If the proposal is to be built in phases then the LPA would expect a sustainability statement with the initial or outline application setting out principles, aims and commitments to achieve the requirements for the whole of the development. These requirements should be conditioned at the outline stage as reserved matters. As each phase comes forward for approval, a detailed sustainability statement would be required to ensure that the most up to date relevant standards are met."</p>
6.32	Whilst not part of the draft SPG, Policy GP4a should be reviewed along with the introduction of the SPG. For example, although GP4a deals mostly in aspirational and general terms item h) indicates particular technologies to consider for renewables. Technology moves on and the policy should not leave itself open to being left behind: the way the policy is met should be left for designers and developers to research the best and latest options for their project	Reviewing the policy at this stage would have detrimental effect on the IPS. The IPS should be seen as an interim measure until more specific sustainability and renewable energy policies can be developed through the creation of the Development Control Development Plan Document.
6.33	The SPG needs to inspire and encourage as well as to lay down	New graphics have been added.

	the ground rules, so the best photographic and graphic examples should be included from exemplar projects nationally and internationally.	
6.34	If there must be an SPG in relation to sustainability issues it must be reduced from that in the draft to be far more realistic and user friendly. The list of demands on applicants needs to be drastically reduced or we might as well pack up and stop building all together.	Agree that the document will become more user friendly including language and presentation. The IPS addresses current international, national and regional thinking on sustainable design and construction issues. The fact that the Sustainable Code for Homes was introduced shortly after gives support to the expectations upon developers to meet the IPS's demands.
6.35	York Council documents waste a great deal of paper if they are only written on one side of the paper with a blank sheet on the other. Remedy this by using both sides and you will save a lot of trees and also save money.	The IPS was published using both sides of paper. However, if consultees downloaded and printed the internet version, then both sides would not have been printed on. All final copies will be published on both sides.
	General Comments - Accessibility	
6.36	A2 Accessibility. 400m from a public transport system is too prohibitive in rural areas, if a figure is needed it should be double this figure. Also I question the move towards a more comformative policy, it is not more attractive to have rural schemes with public access i.e. right to roam over areas of woodland, in a way that may mitigate such a demand for being 400m from a bus stop?	The 400m target derives from the findings of that Local Transport Plan 2 (LTP2). Applicants should justify why this target cannot be met.
6.37	A2 (page 10), the development should ensure that cycling (and walking) are the natural choices for short journeys. This means building convenient cycle storage into the dwellings – secure storage right next to each front door. It could also mean making car parking a little more difficult to access. As soon as a resident comes out of their house it should be obvious that walking or cycling are the easiest, most natural options and the design needs to ensure this. (This is also relevant to small scale	Whilst these are comments are useful cycling storage provision is currently covered within the Local Plan under the transport chapter. Issues such as cycle provision will be covered within the LDF through other DPDs.

	developments).	
6.38	Paragraph 4.5 should be deleted. If the Council wishes to rely on the BREEAM very good rating as the measure for accessibility, it should do so for all aspects of accessibility and not seek to impose the higher local plan standard for cycling which has not been the subject of any independent scrutiny.	Agree that it is unreasonable to ask the applicant to exceed BREEAM in this instance. Therefore this statement should be removed.
6.39	The Assembly is encouraged by Policy A2 Accessibility which encourages improved accessibility of sites and would also like to highlight that reference should be given to the accessibility criteria in both the current and draft RSS (Table 7.1 and 7.2 of current RSS and Table 16.8 and 16.9 of draft RSS) Must be in conformity.	Reference to the RSS has now been made within Appendix 2.
6.40	Supportive of the emphasis in the SPG on more sustainable modes of transport e.g. walking routes, cycling routes and public transport. Walking and cycling provision within new developments also brings potential health benefits for urban communities. To support this we would wish to see reference to City of York Council's Rights of Way Improvement Plan.	Agree that reference should be made to the Rights of Way improvement plan. Within Appendix 2 (further advice) new text to state: “A copy of the Council Rights of Way Improvement Plan can be obtained by calling 01904 551481, or by email rightsofway@york.gov.uk”
	General Comments – Community Involvement and Local Economy	
6.41	Is informing local people a specific requirement in planning applications? (Page 11 Para 4.7 & Page 23 Para 5.5)	The Council is committed to providing a high quality and responsive planning service that meets the needs of the community. The principles guiding consultation with the community take account of those set out in the Code of practice on consultation in 'The York Compact'. The Council uses 9 principles to guide public involvement in planning matters. These principals are set out within the statement of community involvement (SCI) which can views at: www.york.gov.uk/environment/Planning/Local_development_framework/

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6.42	A3.1 add open spaces to sentence – new sentence to read “How are allotments / permaculture / gardens / open spaces included in urban housing developments?”	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed.
6.43	Under paragraph A3.2 Local Economy. The third bullet point relates to opportunities for training and skills development. This could be expanded to ask about the provision of funding for training and skills and using local training providers.	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed. In terms of Residential Development, these issues are covered by the Code for Sustainable Homes
6.44	A3.1 define “permaculture” or redraft.	Permaculture refers to is the design of sustainable human habitats. It is based on the observation of natural systems and uses ecological principles to increase diversity and productivity of local human ecosystems. Permaculture designs incorporate food, energy, and shelter for people and animals while linking the needs and outputs of each element of the system.
6.45	Appendix 2: Local economy – why no reference to the Regional Economic Strategy and analyses produced by CYC?	Add reference of strategy to Appendix 2. New text to read: “ A copy of the Regional Economic Strategy can be downloaded at www.yorkshire-forward.com/www/view.asp?content_id=385&parent_id=28 ”
	General Comments – Design	
6.46	The draft includes design d) and states that high quality is required with the aim of conserving and enhancing the local character, heritage and distinctiveness of the City, but there is no identification of how this relates to the normal design requirements implemented via PPS1 and PPG15 and the Council’s Design and Conservation section. The same can be said for g) on conservation and enhancement of natural areas and landscape features.	The requirements set out within GP4a are not subject to change as the Local Plan has now been approved for DC purposes. However it is agreed that there should be more reference made to national guidance and in particular PPS1 and PPG15. These have now been referenced within Appendix 2 under the title National Guidance.

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6.47	A4– Design under paragraph 4.9 (and B4 5.9) add bullet-point to read “How does the design have a special relationship between plans and buildings they benefit?”	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed.
6.48	6.6 (fourth bullet-point) add ‘geodiversity’, sentence to read: “What way will the design improve on <u>geodiversity</u> /biodiversity measures?...”	Agree that additional question should be added under point 5.7. New question to state: “ What way will the design improve on geodiversity (rocks, fossils, minerals etc) and biodiversity (living organisms) measures? ”
6.49	<p>Under issues of design, it would be helpful to explain how the bullet-points relate to one another and whether or not there are likely to be circumstances when one aspect might need to take precedent over the others. For example, if one is to work from the basis of preserving the character of the historic city, then it might be necessary to use window sizes which are appropriate for their context rather than those which achieve the best thermal gain return.</p> <p>Given the embodied energy within existing buildings coupled with the energy which would be used in the demolition of those building and the removal of the waste materials, it might be preferable to pose the question “How have existing buildings been reused and, if they have not, what reasons are there for not re-using them?”</p>	<p>Please note that for large scale commercial, these bullet points have now been removed, as the issues are now covered by BREEAM. A sentence within each section has now been added which re-states that each application will now be judged on its own merits. See point 5.8 of this schedule for more information.</p> <p>Agree, that demolition should be discouraged unless there is no other option. New sections (5 and 6) and additional paragraphs have been added to the IPS to cover the refurbishment, conversion and change of use of existing buildings.</p>
6.50	Design section makes reference to the orientation and size of windows. This is important when considering the impact of poor air quality on the building. Building height may also be an issue, since in very polluted areas, vehicular borne pollutants can be trapped within street "canyons". You should be asking that buildings are set back from the carriageway, preferably by at least 10 metres. Heating and air conditioning systems should be	We acknowledge the point of this comment that has been made, but it is too detailed for this document,. This is something that would be discussed and developed with the applicant during pre-application discussions, and also once the application has been submitted.

	designed to minimise the energy consumption. When installing gas-fired boilers, the discharge flues should be designed and located according to the requirements of either Building Regulations or the Clean Air Act 1993.	
6.51	A4 Design “Criteria d” should include the City “and its environs”. The BREEAM requirement “in terms of design” makes little sense. Large scale developments are expected to achieve “very good” BREEAM standards under the headings listed in Appendix 1 but in the text some elements are not required to have a BREEAM rating, and others are linked to headings elsewhere e.g. (4.9) where many items should come under other categories. The suggested criteria should be re-examined e.g. why emphasise thermal mass, and ignore lightweight construction with effective insulation? There is no mention of compact planning to reduce lengths of external wall. In a changing climate we wish to maximise solar gain?	With regard to criteria d of policy GP4a, we are unable to make changes at this stage as the Local Plan has been agreed for DC purposes. The items mentioned are there to help raise awareness as well as give examples, however this may be confusing people therefore it may be best to remove them. The point about the BREEAM standards for each heading shall be removed, as this too is causing confusion. I.e. “in terms of design”. Agree that the requirement in terms of BREEAM is very confusing, therefore an additional paragraph in the large scale section should be added. Details of this new paragraph can be found in 2.2 of this schedule.
	General Comments – Resources	
6.52	A5 – Resources under 4.10 add bullet-point to read “How does the proposal minimise the impact of geodiversity, soil compaction/erosion and demonstrate how you will improve biodiversity.	This is covered in the small scale commercial development section under landscape and wildlife.
6.53	A5.2 within the minimum standards box. Additional text at the end of the paragraphs should read “Use plants that grow in dry places and that reduce cooling of the atmosphere using recycled mulches when planting.”	This is a good example, however for the purpose of the IPS, we should keep the document short with not too much detail. Therefore do not need to include this reference.
6.54	5.9 please add “And use of plants that tolerate extreme conditions i.e. dry places and use mulches when planting see www.gohelios.co.uk Nation Plant Specifications www.plantspec.org.uk Top amenity plants for places.	Good points, however once again too detailed for this section. It is however important to steer people to places where more information is available, therefore the website references shall be added to Appendix 2.

6.55	Section A5.3 (Waste and Landfill) should point out that waste should be disposed of at an authorised waste management facility.	It is not the purpose of this document to state legal requirements in terms of waste disposal. It is also deemed obvious that waste should be disposed of at an authorised waste management facility.
6.56	Section B – There is no mention of waste. Even though small scale developments do not require assessment under BREEAM it may be permanent to include similar information as section A5.3 for small scale developments to avoid future waste management issues.	<p>Agree that waste should be mentioned and placed under the resources section for small scale developments. Remove text from large scale section as this is to simplify the large scale section, however text should be placed within the small scale commercial developments section.</p> <p>Paragraph 3.9 text to read: “Construction accounts for one-third of waste materials in the UK, including some 1.3 million tonnes of products that are delivered to site each year and not used. Analysis by leading firms in the construction industry shows that good practice in materials ordering and managing site waste can save up to 20% of materials on site. Together with financial savings from segregation and recycling wastes to avoid landfill, this can reduce build costs by 3%. Applicants are reminded that recovered materials can be used as components in new construction.”</p>
6.57	A5.1 Recycling of demolition waste already takes place – demolition contractors were the industries first recyclers, so why do you need me as an applicant to state the obvious? In addition surely waste management and its disposal is the domain of Yorwaste and the WEE (Waste Electrical and Electronic Equipment) regulations not The Town & Planning Act. (Also applies to small scale developments).	This is a good way for developers to demonstrate their existing good practice in the sustainability statements, however we know they have been doing it for years. Site Management (working time, dust, noise) has been coming under planning conditions for some time now.
6.58	Under the issue of resources, the assessment of the energy costs of the development should include consideration of energy costs which are embodied within the existing buildings.	This is addressed through the BREEAM assessment under large scale developments and addressed in the Code for Sustainable Homes.

6.59	Under A5 Resources, in what form do you expect to receive energy assessments? They should presumably be calculated and technically correct: will the Planning team be scoring these and what is the criteria for acceptance?	The planning department will work closely with Building Control on assessing these. Energy assessment will be received in different forms depending on the application. Advice should be sought from building control once an application has been submitted.
6.60	The Council should not seek an energy assessment for planning applications as it has no basis in any adopted development plan policy and would be a significant added burden on potential developers.	An energy assessment is sought to look at how the building performs, and is required in order to assist applicants. This methodology will prove that the building performs above the building regulations.
6.61	A5 – Resources, “criterion e” mentions ‘whole life’ costs of materials. 4.10 mentions ‘whole life’ costs of the development. This is confusing Clarify what is meant by these terms.	Agree that a definition is needed. Paragraph 4.10 will now be removed, A foot note has now been added and a fully definition provided in Appendix 2. Definition states: “Whole life costs of a material and building identify the total costs of making, running and maintaining it. For a material this information is contained in the BRE Green Guide for Specification and includes the environmental impacts, replacement cost, repair and maintenance costs of materials and gives them a rating in terms of their whole life performance – so a material that is more expensive to use in construction but needs less maintenance and will last longer, is actually cheaper (financially and environmentally) over its lifetime than an alternative that had a lower capital cost when first used. The same can be applied to buildings so that energy efficiency measures or renewable energy technologies may have a higher initial capital cost but over the lifetime of the building will save money by reduced running costs” .
6.62	Appendix 2: Resources – revise entry under greenstreet.org – confine entry to web address only.	Website referred to in Appendix 2 but there is little need for additional text.
	General Comments – Pollution and Site Management	
6.63	We would expect the requirements in f) would be covered by the Control of Pollution.	Yes but as it is part of policy GP4a, pollution still needs to be covered within the IPS. Control of pollution reg 3, there is still a lot of information

		which we are unable to include within the IPS, therefore IPS only touches upon this subject.
6.64	4.17 explains light but does not explain the importance of soils, compaction, erosion (SUDS) and to improve geodiversity and biodiversity.	Soils, compaction and erosion are covered under the BREEAM section on landscape and wildlife. Under section 3 the importance of soil, compaction and erosion could be mentioned. 3.13 now has a question stating: “Has the impact of the development on soil erosion and compaction been considered? If so, how can the effects be controlled/mitigated to have a positive impact on geodiversity and biodiversity?”
6.65	5.11 add bullet point to read “How will the proposal address (SUDS), soils, compaction, erosion and enhance geodiversity and biodiversity?”	A question regarding soil has now been added to 3.13 instead.
6.66	Section A6.1 (Pollution) – Paragraph 4.16 should ask the following additional question: ‘What measures have been incorporated to avoid pollution of the water environment’ as this aspect does not seem to be adequately covered.	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed.
6.67	Section A6 (Pollution and Site Management) – It may be useful to include guidance on brownfield sites within this section as follows: “Foundation design should be undertaken with regard to the sensitivity of the underlying geology. Information on piling on contaminated sites can be found on the environment agency website: www.environment-agency.gov.uk	This information has now been added to Appendix 2.
6.68	Construction should have regard for the environment gain via clean up of previously contaminated ground. The procedure via which this should be undertaken is outlined in PPS23. The framework to adhere to PPS23 is to carry out investigations in accordance with CLR11, model procedures for the Management of Contamination. The link for this document is: www.environment-	This information has now been added to Appendix 2.

	agency.gov.uk/subjects/landquality/113813/881475/?version=1&lang=e	
6.69	Under the Water Resources Act 1991 it is an offence to “knowingly permit” pollution of controlled waters. Knowingly permitted pollution of controlled waters may occur if incorrect foundations are used on contaminated sites, or if inadequate clean up is undertaken.	This is true, however is considered to be a detailed building control issue. If it had an impact on the sustainability measures that could be used on site , such as Ground Source Heat Pumps (GSHP) then this would be explained and justified in the sustainability statement. For example if a GSHP was identified as the most efficient renewable energy technology for the site but was inappropriate because of ground contamination then it is likely that this would be accepted by the LPA as a justifiable reason for not using that particular technology.
6.70	Section B6.1 (Pollution) – Paragraph 5.10 should ask the following additional questions: ‘What measures have been incorporated to avoid pollution of the water environment’ as this aspect does not seem to be adequately covered.	Agree, Question has been added under 3.10. New text to read: ‘What measures have been incorporated to avoid pollution of the water environment?’
6.71	Section A6 is a further repeat of the requirements and legislation that landowners, developers and contractors are already obliged to comply with and over which the Council and other Government Agencies hold enforcement powers. I fail to see any connection between sustainability and a contractor being a member of The Considerate Constructors or other similar scheme. It should be encouraged, but how can any applicant consent to this type of requirement at planning application stage, when it may be months or years from when construction actually takes place? (Also relate to small scale developments).	The Considerate Constructors Scheme helps to ensure the development is trying to reduce its impact in many areas including social and environmental. An applicant can make a commitment to it at the application stage and then include it as a requirement in all tender documents.
6.72	Once the development is completed, there is a large number of areas that impact on the environment that the developer should be aware of, particularly fugitive dust emissions, fumes from diesel plant and machinery and noise from non-silenced or poorly maintained or situated plant and machinery. There are a number	Considerate Constructors Scheme includes these aspects and this is a requirement small scale developments. The BREEAM assessment would also consider these aspects. Pollution control legislation and regulation will need to meet with all new development. How the site is managed is down to end users. Specific contamination issues such as

	<p>of measures contractors can employ to minimise these impacts during the construction stage, and these should be implemented.</p> <p>For large commercial operations it is possible that the building's lifetime could result in contamination. Emissions from certain industrial processes may also require regulation under other legislation enforced by this unit however, the overall impact of development should be considered in details during the planning stage.</p>	these will be dealt with at the application stage by contamination specialists.
6.73	The SPG should not seek adherence to either the Institute of Civil Engineers Demolition Protocol or the Considerate Constructors Scheme. Both matters have little relevance to the planning of most sites.	This is a sustainable design and construction IPS, and both the Civil Engineers Demolition Protocol and the Considerate Constructors Scheme are both relevant in terms of steering and moulding planning initiatives. How we build is equally as important as where we build.
	General Comments – Landscape and Wildlife	
6.74	How do you take into account “the unavoidable climate change anticipated in the locality over the lifetime of the development?” (Page 18 Para 4.20)	This is referring to offsetting emissions, i.e. tree planting. The IPS is not the most appropriate document to deal with this issue, therefore the reference will be removed. Reference should however be made to climate change, therefore the ‘climate change – adaptation by design’ document will now be referenced within Appendix 3.
6.75	A7 – Landscape and Wildlife – What is a natural area? There are no natural areas within greater York, all are man made and managed to a greater or lesser degree.	Agree that a definition of a Natural Area should be provided. This is included in Appendix 2 “Natural Areas” are categorisations of the English landscape based on areas which are similar in character associated with wildlife, landforms, geology and land use and human impact. For more information, please visit http://www.english-nature.org.uk/Science/natural/role.htm “
6.76	“Trees to be allowed to reach full growth”... This seems overly restrictive. Trees will often need to be managed in order to provide the appropriate number, scale and safety requirements.	The main concern is with having the right tree for the right location, requiring the minimum amount of work throughout the tree's life to ensure it is kept safe and compatible with the location. Tree species

		should be considered carefully before decisions are made.
6.77	Why is there a picture and associated misinformation about the marbled white butterfly? It has been around for many years within 20 miles of York (mainly on the Wolds). Please see the attached copy of the field guide, published in 1984 which makes specific reference to York.	All pictures have now been revised, see graphics in document.
6.78	<p>4.19 – second bullet-point (& 5.13 third bullet-point) to read “How does the existing or proposed landscaping treatment contribute to the comfort and amenity of a development by excluding cold winds and creating sun traps or <u>cooling in</u> gardens and open space?”</p> <p>5.13 (second bullet point) add ‘biodiversity’ and ‘or cooling’ for sentence to read: “How has the existing or proposed landscaping treatment been assessed for how it can contribute to the <u>biodiversity</u>, comfort and amenity of a development by excluding winds <u>or cooling</u> and creating sun traps in gardens and open space?”</p>	This is a combination of enhancing biodiversity at the same time as the natural thermoregulation of buildings without the need of energy (E.g. electricity). Agree that question should be added to the small scale section only. Question in 3.13 to now read: “How has the existing or proposed landscaping treatment been assessed in terms of how it can contribute to the <u>biodiversity</u>, comfort and amenity of a development by excluding winds <u>or cooling</u> and creating sun traps in gardens and open space?”
6.79	4.19 – 4 th bullet-point (& 5.13 fourth bullet-point) should have additional text “including hedges and verges” for sentence to read “Does the proposal include retaining (or provision of) natural areas including hedgerows and verges and if so to what extent?”	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed. Agree, sentence under 3.13 to now read: “Does the proposal include the retention or provision of natural areas including hedgerows and verges and riverbanks, if so to what extent?”
6.80	After 4.19 (& 5.13 eighth bullet-point)in the additional text section reference should be made to English Nature booklet – Living	We are keen to keep the content of the document to a minimum however the information may be useful to developers. Add this

	roofs.	additional information to Appendix 2.
6.81	4.20 – add the word geodiversity before biodiversity in the second sentence. Sentence to read “The ecological appraisal should provide recommendations on protection, mitigation, enhancement and management of <u>geodiversity and biodiversity</u> in the site...”	This sentence has now been removed as ecological issues are covered under BREEAM. However this is a good point and shall be incorporated into the small scale non-residential development section under paragraph 3.13.
6.82	The SPG should recognise that an ecological assessment is only appropriate on sites where there is suspected to be some nature conservation interest. It should not be a requirement for all sites.	Possibly, but if there is no ecological interest to start with, a development should seek to improve this. We need emphasise the potential of enhancing sites, not just preserving them. We should also be creating new ones. Therefore it is important that the reference within the IPS remains.
6.83	The SPG should set out clearly in what circumstance a landscape management plan will be required. There can be no basis for a general requirement for its provision on all types of development.	Each case will need to be assessed on its own merits, to assess whether a landscape management plan is needed or not. Therefore discussions will need to take place with the development control officer who will be able to gather archaeological advice.
6.84	Welcome point 4.22 that insists upon a landscape management plan and an ecological appraisal for any new large-scale developments. Section C7: Domestic Extensions; Landscape and Wildlife, wish to see any impacts of domestic extensions be assessed to ensure the protection of habitats within existing buildings and nearby trees. Before extensions to existing dwellings are agreed a bat survey should be undertaken.	Local surveys are currently requested by the Council for work on roof spaces, however it would be unrealistic to require all domestic extensions to specifically undertake a bat survey. Therefore the wording within the IPS as it stands is seen as sufficient.
6.85	A7 – Landscape and wildlife – we suggest that YNEP submissions should form the basis of the guidelines.	Having observed the YNEP submissions it may not be realistic to use these as guidelines. Although the requirements stated are valid, they are very difficult to implement at this level. Therefore it is not deemed suitable to use the guidelines within the IPS.
6.86	5.13 a bio-diversity management plan should be required as in 4.20	It is thought that undertaking a biodiversity management plan for developments of this size was not deemed necessary.

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6.87	Not enough emphasis put upon creating garden areas and cultivation wherever possible however small, around both domestic and commercial buildings to counteract carbon emissions. Hard standing should always be kept to a minimum. This will also provide food (insects and seeds etc) for birds and other wildlife as well as looking attractive and providing a scene of wellbeing.	This is a good point. Add paragraph 3.12 stating: “It is important that cultivation of green areas is considered wherever possible to counteract carbon emissions. Hard standing should always be kept to a minimum to ensure that there is sufficient food for the local wildlife and to generally provide a sense of wellbeing.”
General Comments – Renewable Energy		
6.88	Construction of new extensions to existing properties may provide good opportunities to install renewables.	Agreed.
6.89	A8 Renewable Energy indicates that 10% of energy demand is to be achieved through renewable generation. Should this (rather modest) requirement show an incremental increase in future years? Does use of green tariff meet this requirement? Should this requirement be measured in CO2 rather than energy demand, which is the way that legislation is starting to be framed?	In terms of BREEAM assessments the use of a green tariff doesn't get you points under the Design & Procurement Assessment but it does in the Post Construction Assessment. We need to qualify the requirement to state 'on site renewables' to ensure the installation of these technologies. We should retain the use of energy demand as it makes a clear connection with energy efficiency and renewables – the more efficient the building the lower the energy demand and therefore the smaller amount of renewables required to meet the 10%. Therefore when reference is made to renewable energy, the document should be clear that it is on-site renewables which is being referred to.
6.90	One of the main plan objectives of the draft Regional Spatial Strategy(RSS) (2004) is to encourage the 'use of renewable energy'. This policy clearly reflects policy ENV 5 iii) in draft RSS (2005) which requires at least 10 per cent of the energy to be used in sizeable new development to come from on-site renewable energy resources.	Noted.
6.91	Minimum renewable energy targets within the SPG for large-scale and small-scale developments welcomed. However, the evidence base used to support the renewable energy threshold in	The renewable energy requirements expected are 10% for large scale development and 5% for small scale (5% for residential, 10% for reuse of 5+ dwelling units, 5% for reuse of 4 or less dwelling units) These

	the SPG is unclear and appears to deviate from the recommendations of the Renewable Energy Study for North Yorkshire, prepared by the Land Use Consultants.	percentages of energy use in a development to be generated on site reflects those used by other councils around the country that have been tested at appeal. This document is an Interim Planning Statement and as such is an awareness raising tool as well. York has some renewable energy installations but the city has distinct characteristics that means some installations are quite difficult to achieve i.e. historic built environment. For these reasons the established percentage has been used however, it is expected that will be revised in line with national and regional changes as part of the LDF process.
6.92	A8 Energy requirements of all parts of the development must be indicated at this stage, in order to check the viability of the sustainability appraisal. The manufacture of photovoltaic cells and their eventual disposal involves excessive energy and pollution costs. Should they be promoted?	The whole life costs of PV cells is one of the highest for all renewables however this needs to be considered over the lifetime of the installation and the increase in energy cost over that time. In some location the use of PVs is the only renewable energy possible.
6.93	Appendix 2: Energy – omit comment at end of entry on carbon buildings programme. Omit this entry completely (see above).	See above comments (6.92).
	General Comments – Recycling	
6.94	4.25 no mention is made of internal provision for recycling sorting within dwellings, as continental practice.	Agree that this should be mentioned. Provision for recycling facilities is covered in details within Appendix 5 and as minimum standards in section 4.
	General Comments – Additional information to go in Appendix 2 (which is know known as appendix 3)	
6.95	<ul style="list-style-type: none"> English Nature Booklets: Living Roofs, wildlife on allotments, email: enquiries@englishh-nature.org.uk Tel: 01733 455100 www.turf.co.uk Instant green roofs or roof gardens by special wildlife mixers grown on recycles textiles biodegradable mats – link Sheffield living roofs above. www.gohelios.co.uk National Plant Specifications. 	<p>Agree to add this reference and contact details to appendix 2.</p> <p>Add to appendix 2.</p> <p>This has already been added to appendix 2.</p>

<ul style="list-style-type: none"> • www.compost.org.uk BSI (PAS 100) standards for recycling conserving and improving soils. • www.bstopsoil.co.uk Quality top soil with technical support see video. • http://ec.europa.eu/environment/soil/ The importance of soils for biodiversity. • Details of good street design can be found in the recently published (March 2007) manual for streets (www.dft.gov.uk/pgr/sustainable/manforstreets/) which gives detailed design considerations. • Further information on good cycle design from Transport for London: www.tfl.gov.uk/cycles Also Lancaster Council have good design guidelines: www.lancashire.gov.uk/environment/cycling/policy.asp • Planning Policies for Sustainable Building – Guidance for Local Development Frameworks. For a PDF version of this document please see link below: www.lga.gov.uk/download.asp?path=/Documents/Publication/planning%20policies%20complete.pdf • Regional research report on Green Infrastructure for further guidance, which can be downloaded from the following link: www.leedsmet.ac.uk/as/cudem/projects/country/CIAT_final.pdf • More information on green infrastructure and Natural England’s Countryside In And Around Towns Vision is available from our website at the following link: www.countryside.gov.uk/LAR/Regions/yorkshireAndHumber/activities/Landscape/Countryside_towns/index.asp 	<p>Add to appendix 2.</p> <p>Unnecessary to have more than one reference to soil / composting.</p> <p>Unnecessary to have more than one reference to soil / composting.</p> <p>Add to appendix 2.</p> <p>Add to appendix 2.</p> <p>This reference may not benefit applicants however will be of use to the City of York Forward Planning Team. Noted.</p> <p>Add to appendix 2.</p> <p>Add to appendix 2.</p>
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	<ul style="list-style-type: none">• Landscape and Wildlife – the references should be considerably expanded and made more relevant. Appendix 2: Landscape and wildlife – add reference to suitable trees and plants.	<p>This has now been done.</p> <p>Reference: www.gohelios.co.uk has now been added which covers planting specifications at a national level.</p>
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Annex C: Worked Examples

Proposed development	IPS section	As a MINIMUM the Sustainability Statement should contain:
<p>Demolition of existing farm building and construction of a 3,000 square metre retail unit with associated parking and external lighting.</p>	<p>Section 2 Large Scale Commercial Development</p>	<p>Details of and commitment to BREEAM standard (Retail) ‘very good’ at design and procurement assessment stage and post construction. This will mean applicants appointing a BREEAM assessor for the design process, undertaking an early assessment and submitting the design and procurement assessment results with the planning application.</p> <p>Commitment to implementation of the Demolition Protocol. This could be done via contract content between the applicant and their construction company and a demonstrate of how the proposal will reuse materials from the demolition.</p> <p>Commitment to implementation of a Site Waste Management Plan to be carried out during the construction process and for any construction company employed to commit to achieving a standard under Considerate Constructors scheme. This could be done via contract details between the applicant and construction company.</p> <p>Demonstrate the avoidance of materials that have used CFC and HCFCs, the use of only FSC timber these are elements that will also provide additional points in the BREEAM assessment.</p> <p>Any external lighting needs to be assessed and designed in accordance with the Institute of Lighting Engineers guidance GNO1 2005.</p> <p>Commitment and details of how 10% of the developments energy requirement will be provided by onsite renewables. Applicants will need to demonstrate the expected energy load for the development (and how this estimate has been arrived at) and then an assessment of the renewables considered, rejected and those which are to be included. A calculation of how their expected output will meet the 10% is also required.</p> <p>The applicant will need to demonstrate the design strategy in terms of sustainability issues but this could be included in the Sustainability Statement or as part of the Design and Access Statement.</p> <p>Some site locations, contamination or other issues may mean that some of the minimum standards</p>

Annex C: Worked Examples

Proposed development	IPS section	As a MINIMUM the Sustainability Statement should contain:
		are not possible for the applicant to meet. In these cases it will be the responsibility of the applicant to demonstrate why this is the case.
3,000 square metre refurbishment of a retail unit	Section 2. Large Scale Commercial Development	<p>Details of and commitment to BREEAM standard (Bespoke) 'very good' at design and procurement assessment stage and post construction. This will mean applicants appointing a BREEAM assessor for the design process, undertaking an early assessment and submitting the design and procurement assessment results with the planning application.</p> <p>Commitment to implementation of a Site Waste Management Plan to be carried out during the construction process and for any construction company employed to commit to achieving a standard under Considerate Constructors scheme. This could be done via contract details between the applicant and construction company.</p> <p>Demonstrate the avoidance of materials that have used CFC and HCFCs, the use of only FSC timber these are elements that will also provide additional points in the BREEAM assessment.</p> <p>Any external lighting needs to be assessed and designed in accordance with the Institute of Lighting Engineers guidance GNO1 2005.</p> <p>Commitment and details of how 10% of the developments energy requirement will be provided by onsite renewables. Applicants will need to demonstrate the expected energy load for the development (and how this estimate has been arrived at) and then an assessment of the renewables considered, rejected and those which are to be included. A calculation of how their expected output will meet the 10% is also required.</p> <p>The applicant will need to demonstrate the design strategy in terms of sustainability issues but this could be included in the Sustainability Statement or as part of the Design and Access Statement.</p> <p>Some site locations, contamination or other issues may mean that some of the minimum standards are not possible for the applicant to meet. In these cases it will be the responsibility of the applicant to demonstrate why this is the case.</p>

Annex C: Worked Examples

Proposed development	IPS section	As a MINIMUM the Sustainability Statement should contain:
300 square metre new build office	Section 3. Small Scale Commercial Development	<p>The applicant will need to demonstrate the design strategy for the proposal in terms of sustainability issues but this could be included in the Sustainability Statement or as part of the Design and Access Statement.</p> <p>The Sustainability Statement should include an Energy Assessment to demonstrate the reduced CO2 emissions of the proposal. The assessment should be based on the following order of priority;</p> <ol style="list-style-type: none"> 1. how does the development reduce the demand for energy e.g. use of design to reduce the need for heating and cooling? 2. what energy efficiency measures does the development include e.g. enhanced levels of insulation, efficient appliances? 3. what are the on site renewables being considered? <p>The Sustainability Statement must demonstrate that the water efficiency measures listed in the IPS are specified in the development.</p> <p>Demonstrate the avoidance of materials that have used CFC and HCFCs, the use of only FSC timber.</p> <p>Provide details of and a commitment to achieving a standard under Considerate Constructors scheme. This could be done via contract details between the applicant and construction company.</p> <p>Commitment and details of how 5% of the developments energy requirement will be provided by onsite renewables. Applicants will need to demonstrate the expected energy load for the development (and how this estimate has been arrived at) and then an assessment of the renewables considered, rejected and those which are to be included. A calculation of how their expected output will meet the 5% is also required.</p> <p>Some site locations, contamination or other issues may mean that some of the minimum standards are not possible for the applicant to meet. In these cases it will be the responsibility of the applicant to demonstrate why this is the case.</p>

Annex C: Worked Examples

Proposed development	IPS section	As a MINIMUM the Sustainability Statement should contain:
20 residential properties, new build,	Section 4 Residential Development, new build.	<p>Details of and commitment to achieving a Code for Sustainable Homes Code level 2* for the proposal. This will require the applicant to recruit an assessor at the earliest stage of the design process and in order to achieve level 2* this level will need to be achieved in the sections on water and energy and an entry level 1* for other areas of the assessment. In order to gain a certificate for the proposal as assessment is undertaken at the design and procurement and post construction stages. The sustainability statement will need to demonstrate the progress and timetable for achieving this assessment standard.</p> <p>The statement should also include an assessment of the use of rainwater harvesting systems and a commitment to install water butts to all properties with a garden. Space must also be provided for the storage of waste material for collection and recycling.</p> <p>Commitment and details of how 10% of the developments energy requirement will be provided by onsite renewables. Applicants will need to demonstrate the expected energy load for the development (and how this estimate has been arrived at) and then an assessment of the renewables considered, rejected and those which are to be included. A calculation of how their expected output will meet the 10% is also required.</p> <p>Some site locations, contamination or other issues may mean that some of the minimum standards are not possible for the applicant to meet. In these cases it will be the responsibility of the applicant to demonstrate why this is the case.</p>
Conversion of one house into 8 no. 1 bed flats.	Section 5 Development of existing residential units (of 5 dwellings or more).	<p>Details of and commitment to BREEAM Standard (EcoHomes) 'very good' at design and procurement assessment stage and post construction (the EcoHome standard has been superseded for new build residential properties it is still in place for refurbishments and conversions). This will mean applicants appointing a BREEAM assessor for the design process, undertaking an early assessment and submitting the design and procurement assessment results with the planning application.</p> <p>Commitment to implementation of a Site Waste Management Plan to be carried out during the construction process and for any construction company employed to commit to achieving a standard under Considerate Constructors scheme. This could be done via contract details between the</p>

Annex C: Worked Examples

Proposed development	IPS section	As a MINIMUM the Sustainability Statement should contain:
		<p>applicant and construction company.</p> <p>Demonstrate the avoidance of materials that have used CFC and HCFCs, the use of only FSC timber these are elements that will also provide additional points in the BREEAM assessment.</p> <p>Any external lighting needs to be assessed and designed in accordance with the Institute of Lighting Engineers guidance GNO1 2005.</p> <p>Commitment and details of how 10% of the developments energy requirement will be provided by onsite renewables. Applicants will need to demonstrate the expected energy load for the development (and how this estimate has been arrived at) and then an assessment of the renewables considered, rejected and those which are to be included. A calculation of how their expected output will meet the 10% is also required.</p> <p>The statement should also include an assessment of the use of rainwater harvesting systems and a commitment to install water butts to all properties with a garden. Space must also be provided for the storage of waste material for collection and recycling.</p> <p>The applicant will need to demonstrate the design strategy in terms of sustainability issues but this could be included in the Sustainability Statement or as part of the Design and Access Statement.</p> <p>Some site locations, contamination or other issues may mean that some of the minimum standards are not possible for the applicant to meet. In these cases it will be the responsibility of the applicant to demonstrate why this is the case.</p>
Refurbishment of 2 no. 2 bed flats into 3 no. 1 bed flats.	Section 6 Development of existing dwelling units (of 4 dwelling and below)	<p>The applicant will need to demonstrate the design strategy for the proposal in terms of sustainability issues but this could be included in the Sustainability Statement or as part of the Design and Access Statement.</p> <p>The Sustainability Statement should include an Energy Assessment to demonstrate the reduced CO2 emissions of the proposal. The assessment should be based on the following order of priority;</p> <ol style="list-style-type: none"> 4. how does the development reduce the demand for energy e.g. use of design to reduce the need for heating and cooling?

Annex C: Worked Examples

Proposed development	IPS section	As a MINIMUM the Sustainability Statement should contain:
		<p>5. what energy efficiency measures does the development include e.g. enhanced levels of insulation, efficient appliances? 6. what are the on site renewables being considered?</p> <p>The Sustainability Statement must demonstrate that the water efficiency measures listed in the IPS are specified in the development. The statement should also include an assessment of the use of rainwater harvesting systems and a commitment to install water butts to all properties with a garden. Space must also be provided for the storage of waste material for collection and recycling.</p> <p>Demonstrate the avoidance of materials that have used CFC and HCFCs, the use of only FSC timber.</p> <p>Provide details of and a commitment to achieving a standard under Considerate Constructors scheme. This could be done via contract details between the applicant and construction company.</p> <p>Commitment and details of how 5% of the developments energy requirement will be provided by onsite renewables. Applicants will need to demonstrate the expected energy load for the development (and how this estimate has been arrived at) and then an assessment of the renewables considered, rejected and those which are to be included. A calculation of how their expected output will meet the 5% is also required.</p> <p>Some site locations, contamination or other issues may mean that some of the minimum standards are not possible for the applicant to meet. In these cases it will be the responsibility of the applicant to demonstrate why this is the case.</p>
Single storey rear extension with conservatory and new vehicular access.	Section 7. Domestic extensions	There are no minimum standards for this type of development but the sustainability statement will need to demonstrate where the proposal has considered sustainability issues. At it simplest this could mean the use of high specification insulation that offers a percentage improvement on current building regulation, the installation of a water butt, the use of permeable surfacing for the driveway and patio areas, installation of bat boxes and specific space for the storage of waste and recycling bins and boxes.