



## Notice of meeting of

### Planning Committee

- To:** Councillors R Watson (Chair), Crisp, D'Agorne, Firth, Funnell, Galvin, Horton, Hudson, Jamieson-Ball, Moore, Pierce, Potter, Reid, Simpson-Laing, Vassie, and Wiseman
- Date:** Tuesday, 24 June 2008
- Time:** 4.30 pm
- Venue:** The Guildhall, York

### AGENDA

**Site Visits for this meeting will commence at 12:30pm on Monday 23 June 2008 at Memorial Gardens.**

#### 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 5 - 10)

To approve and sign the minutes of the meeting of the Planning Committee held on 14 May 2008.

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

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

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

#### 4. Plans List

This item invites Members to determine the following planning applications:

**a) The Minster, St Peters Cathedral, Minster Yard, York, YO1 7HH (08/00849/FUL) (Pages 11 - 26)**

Remodelling of steps to South Transept to form disabled ramp and new steps, remodelling of carriageway to form paved area at the South Transept and Minster gates, external alterations to 7 and 9 Minster Gates to form shop and ticket office [Guildhall Ward] **[Site Visit]**.

**b) Kent Street Car Park, Kent Street, York (08/00871/FULM) (Pages 27 - 50)**

Erection of two and four storey hotel comprising 108 bedrooms, bar and restaurant facilities and associated landscaping (resubmission) [Fishergate Ward] **[Site Visit]**.

**c) Grain Stores, Water Lane, York YO30 6PF (08/00832/OUTM) (Pages 51 - 64)**

Outline application for mixed use development comprising B1c, C1,C2,C3 and D1 uses including parking and new access arrangements after demolition of existing warehousing units [Skelton, Rawcliffe and Clifton Without Ward] **[Site Visit]**.

**d) Grain Stores, Water Lane, York YO30 6PF (07/01992/OUTM) (Pages 65 - 70)**

Outline application to form class B1c, C1, C2, C3 and D1 including parking and new access arrangements after demolition of existing warehousing units [Skelton, Rawcliffe and Clifton Without Ward] **[Site Visit]**.

**e) Joseph Rowntree School, Haxby Road, York, YO32 4BZ (08/00773/FULM) (Pages 71 - 96)**

Erection of part two storey, part three storey building to form purpose built school (to replace existing school building) with associated car and cycle parking, landscaping and sports pitches; use of adjacent land to south for temporary car parking and access during construction phase. [Huntington/New Earswick Ward] **[Site Visit]**.

**5. Consultation Draft Village Design Statement for Skelton.**  
(Pages 97 - 120)

This report presents the Skelton consultation draft Village Design Statement. It sums up the process so far in producing the document and concludes that a consultation process should be undertaken, with a view to adopting the design statement as an Interim Planning Statement to the draft Local Plan (as amended).

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

Democracy Officer:

Name: Simon Copley

Contact Details:

- Telephone – (01904) 551078
- E-mail – [simon.copley@york.gov.uk](mailto:simon.copley@york.gov.uk)

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

- Registering to speak
- Business of the meeting
- Any special arrangements
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Contact details are set out above.

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**PLANNING COMMITTEE****SITE VISITS****MONDAY 23 JUNE 2008****The bus will depart from Memorial Gardens at 12:30pm**

<b>TIME</b> <b>(Approx)</b>	<b>SITE</b>	<b>ITEM</b>
12.45pm	Clifton Grain Stores, Water Lane, York	4 c) and d)
1.15pm	Joseph Rowntree School, Haxby Road, York	4e)
1.55pm	Kent Street Car Park, Kent Street, York	4b)
2.25pm	Minster Precinct, South Transept	4a)

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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

## **Scrutiny Committees**

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

Committee Minutes

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MEETING	PLANNING COMMITTEE
DATE	14 MAY 2008
PRESENT	COUNCILLORS R WATSON (CHAIR), SIMPSON-LAING (VICE-CHAIR), CREGAN, CRISP, D'AGORNE, SUE GALLOWAY, HORTON, HUDSON, KING, MOORE, REID, B WATSON, ORRELL (SUBSTITUTE) AND GILLIES (SUBSTITUTE)
APOLOGIES	COUNCILLORS FIRTH, GALVIN, JAMIESON-BALL AND WISEMAN
IN ATTENDANCE	COUNCILLORS BROOKS & JAMIESON - BALL

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**65. INSPECTION OF SITES**

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Proposed University Campus Lying Between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York.	Cllr. Richard Watson	As objections had been received and the recommendation was to approve.

**66. DECLARATIONS OF INTEREST**

Members were invited to declare any personal or prejudicial interests they might have in the business on the agenda. None were declared.

**67. 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 the Committee.

**68. 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.

**68a Proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York (08/00032/REMM)**

Members considered a Major Reserved Matters Application, submitted by the University of York, for the development of a 622 bed college including access, disabled parking, cycle parking and landscaping, following an outline application (04/01700/OUT) for the development of a university campus.

The case officer for the application reported that there were some revised conditions in relation to the application. These are detailed fully in the resolution below.

He also reported that, at the site visit, residents had expressed concerns regarding the scale and visual impact of the proposed buildings and staff parking.

Representations were received from the architect who said that this was a fantastic opportunity to create a successful university. The buildings were arranged to create a sense of community and the materials to be used would blend in with the surroundings.

Representations were also received from a representative of the university in relation to BREEAM (Building Research Establishment Environmental Assessment Method). He felt that a very good BREEAM rating could be achieved. He also said that the university was preparing a lower energy strategy for the whole campus (including the present campus).

Representations were received from the applicant's agent who suggested the following changes to the conditions:

- In relation to revised conditions 2 and 5 the agent suggested that this should be prior to building works arising out of the ground rather than prior to building work taking place.
- In relation to condition 12 the agent suggested changing this to prior to occupation rather than prior to development commencing and to change the wording to form two sentences.
- In relation to condition 14 the agent suggested changing this to read prior to occupation rather than prior to the commencement of development.

She also stated that the university was working to a very tight building timetable.

Representations were also received from the Ward Councillor for Heslington, Councillor Jamieson-Ball. He stated that this cluster of the development was the first on site and therefore would move the development from theory to reality. He did not feel that there was enough information regarding the design and suggested that the details of the materials to be used be delegated to the officer, Chair and Vice-Chair of the Committee for determination. He also raised concerns regarding transport and movement between the two campuses and felt that short cuts across fields could cause damage to a protected area. He stated that

the measures detailed in condition 10 relating to the Pedestrian Ribbon would be of considerable benefit to local residents as well.

Members discussed the revised conditions proposed by the case officer and the applicant's agent. Members agreed to the agent's amendments in relation to conditions 2 and 5 and stated that the final details in relation to these should be delegated to the Chair, Vice-Chair and opposition spokesperson. They agreed to the amendments in relation to condition 12 but said that condition 14 should remain as per the officer's revision.

RESOLVED: That the application be approved subject to the conditions outlined in the report and the following amended conditions:<sup>1</sup>

Amended Condition 1

The development hereby permitted shall be carried out only in accordance with the approved plans numbered (00)AP003/A, (00)AP100/A, (00)AP101/A, (00)AP102/A, (00)AP103/A, (00)AP104/A, (00)AP20R, (00)AS001/D, (00)AS002/D, (00)AS003/D (00)AE003/D, (00)AEN001/A, (00)APN001a/A, (00)APN00R/A, (9-)L002/A and (00)AS006 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.

Amended Condition 2

Notwithstanding the approved plans details and samples of external materials to be used shall be submitted to and approved in writing by the Local planning Authority before any building work arises above ground level. The development shall be carried out using the approved materials. (Details pursuant to this condition shall be approved by the Chair, Vice-Chair and opposition spokesperson of the Planning Committee)

Reason: So as to achieve a visually cohesive appearance.

Amended Condition 3

Within three months of the commencement of development a detailed landscaping scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include ground levels, boundary treatment, planting, swales, hard landscaping materials, lighting, litter/recycling bins and street furniture and which shall illustrate the number, species, height and position of trees and shrubs. This

scheme shall be implemented within a period of six months of the 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 overall appearance of the development and the variety, suitability and disposition of species within the site.

Amended Condition 4

Prior to first occupation of the college details of structural landscape works between the college and Field Lane shall be submitted, approved and implemented to the satisfaction of the local planning authority unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the visual appearance and the amenity of nearby residents.

Amended Condition 5

Notwithstanding the approved plans no building work shall be carried out above ground-floor slab level until large-scale plans and details of all eaves, windows, window openings, external doors, external door surrounds, balconies and exposed staircases have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the submitted details. (Details pursuant to this condition shall be approved by the Chair, Vice-Chair and opposition spokesperson of the Planning Committee).

Reason: In the interests of visual amenity.

Amended Condition 6

Within three months of commencement of development details of all plant supports on the external elevations of buildings on the site shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the submitted details.

Reason: In the interests of visual amenity.

Amended Condition 9

No later than three months prior to occupation of any building hereby approved details of measures to

prevent unauthorised vehicles from entering the development area known as Cluster One from the Field Lane roundabout shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the submitted details.

Reason: In the interests of highway safety and amenity.

Additional Condition 14

Prior to commencement of development full details of a renewable energy strategy shall be submitted and approved in writing by the local planning authority. The strategy shall include (i) the site's proposed renewable energy operation which shall be at least 10% of total energy generation (ii) measures to reduce energy demand for the college buildings (iii) measures to reduce CO2 emissions to a level lower than required under Building Regulations Part L.

Reason: To ensure that the proposal complies with the principles of sustainable development and the council's adopted interim Planning Statement in Sustainable Design and Construction.

REASON: That the proposal, subject to the conditions detailed in the report and those listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to provision of a campus at Heslington East, provision of student housing, sustainability, visual impact, flood risk, landscaping, bio-diversity and transport issues. The application therefore complies with Policies GP1, GP4a, T4, ED9, ED10, GP9, GP15a and NE7 of the City of York Local Plan Deposit Draft.

Action Required

1. To issue the decision notice and include on weekly planning decision list within agreed timescales JB

Councillor R Watson, Chair  
[The meeting started at 4.30 pm and finished at 5.45 pm].

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**COMMITTEE REPORT**

**Committee:** Planning Committee      **Ward:** Guildhall  
**Date:** 24 June 2008      **Parish:** Guildhall Planning Panel

**Reference:** 08/00849/FUL  
**Application at:** The Minster St Peters Cathedral Minster Yard York YO1 7HH  
**For:** Remodelling of steps to South Transept to form disabled ramp and new steps, remodelling of carriageway to form paved area at the South Transept and Minster gates, external alterations to 7 and 9 Minster Gates to form shop and ticket office  
**By:** Dean And Chapter Of York  
**Application Type:** Full Application  
**Target Date:** 25 June 2008

**1.0 PROPOSAL**

1.1 This application seeks planning permission for works at the South Transept entrance to the Minster. The works form part of a range of projects within the Minster and its precinct that seek to further share the Minster's immense religious and cultural heritage, and the other projects do not require planning permission. The works that are the subject of this application seek to provide improved and equal access into the South Transept with a new ramp and the creation of a better setting for the Minster by the formation of a piazza area around the ramp. There are parallel proposals for relocating the current ticketing system for entry into the Minster into the Minster-owned shops in Minster Gates. This would de-clutter the its principle entrance and would enable the awe-inspiring interior of the South Transept to be more directly experienced. A separate application for Listed Building consent for the associated works at Nos. 7/9 Minster Gates to accommodate the ticketing facilities was approved on 4 June 2008 ( Planning Ref. 08/00851/LBC ). The scheme is at the heart of the central historic core conservation area and all the buildings affected by proposals are listed.

1.2 The design proposals, issues and options have been fully considered at pre-application stage with Council Officers. Officers have also been included in the meetings with the Cathedral Fabric Commission for England, the body that considers and grants permission for the listed building issues that would affect York Minster building and its immediate setting. The Cathedral Fabric Commission granted permission for the works to the Listed Building on 30 May 2008 subject to a number of conditions. These include a condition that final details of the design and construction of the ramp and the piazza shall be approved by the Cathedrals Fabric Commission prior to work commencing.

1.3 As a result of the funding process, the proposed works would fall into two phases. Phase 1 works consist of all the works for access and for paving adjacent to the South Transept. This phase would mainly affect Minster Yard, including the majestic steps into the Minster, and the north end of Minster Gates. Phase 2 would extend the paving as far as the west end of the Minster.

1.4 Minster Yard was formerly an enclosed part of the Minster precinct entered by gateways, one of which stood in Minster Gates close to the junction with Petergate. A series of major demolition projects dating from the early C19th, culminating in the creation of the Deangate relief road in 1903, have considerably opened up the area around the Minster. This new road was closed to vehicles in 1991 and little has changed to realize the potential of this area as a major public space forming the setting for York's most important building. The whole area of Minster Yard where the paving works would take place lies within adopted highway, apart from the steps to the South Transept. The proposed scheme would replace the road with a paved Piazza with an integrated carriageway to new levels and it would directly confront the issue of access by redesigning the stepped approach.

1.5 A Traffic Regulation Order was introduced in 1991 to restrict vehicular traffic proceeding along Deangate to cyclists, horse drawn carriages, emergency vehicles and statutory undertakers vehicles. There is no intention to seek to amend this Order or the classes of vehicles permitted to proceed along this road. The scheme submitted would seek to channel this traffic along a defined route passing through the centre of the Piazza of sufficient width to allow carriages and cyclists to pass each other. A much greater part of the area could then be given over to the movement of pedestrian traffic.

1.6 The new paving in the Piazza area would be laid from Minster Gates at a constant slope of about 1:20. It would intercept with the existing steps at the middle landing level. The proposed carriageway through the Piazza would be level and would eliminate an existing camber in Minster Yard. The paving material would largely overlay the existing tarmac surfaces but a shallow amount of excavation would be needed at the eastern end of Minster Yard to allow for the renewal of existing services and the introduction of further drainage runs. The ramps would be constructed in a 'vesica' shape with seating formed around its outer edges. A new handrail, 900mm high would be installed along the higher section of the disabled ramp and concealed lighting introduced at the edges. The two existing gas street lamps located at the foot of the existing entrance steps would be re-sited in slightly different locations, adjoining the new entrance.

1.7 The paving outside Nos. 7-9 Minster Gates would be raised by some 300mm to allow level access into the buildings as part of the relocation of the current ticketing facilities from the South Transept to the properties at Nos. 7 and 9 Minster Gates. This area is not adopted by the Highway Authority.

1.8 This application site lies within the Area of Architectural Importance and partly within the area of Scheduled Ancient Monument National Monument Number 13280, York Minster Cathedral Precinct. The part of the application site that covers Nos. 7-9 Minster Gate and Minster Gate lies outside the scheduled area.

1.9 The agent has submitted revised drawings in response to comments by Council Officers that include additional details and the following amendments-

- The central carriageway ( Phase 1 and 2 ) paved in a small-scale sett design
- The edge channels of the central carriageway widened to an overall width of 250mm with slot drains along the southern channel

- Retention of the cast iron bollards in Minster Gates
- New refuse bins
- The extension of flagstone pavements adjoining existing buildings on the south side of the Piazza

The majority of these revisions were included in the agent's presentation to Members prior to the Planning and Transport Meeting on 29 May 2008.

## **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

Listed Buildings Grade 2; 2-4 Minster Gates York YO1 2HL 0793

Listed Buildings Grade 2; 6 Minster Gates York YO1 2HL 0794

Listed Buildings Grade 2; 8 Minster Gates York YO1 2HL 0795

Listed Buildings Grade 2\*; 10A Minster Gates York YO1 2HL 0796

Listed Buildings Grade 2; Minster School 10 Minster Yard York YO1 2HH 0797

Listed Buildings Grade 2; Minster School 9 Minster Yard York YO1 2HH 0798

Listed Buildings Grade 2; 3-5 Minster Gates York YO1 2HL 0841

Listed Buildings Grade 2; 5 Minster Gates YO1 2HL 0842

Listed Buildings Grade 2; 7 Minster Gates York YO1 2HL 0843

Listed Buildings Grade 2; 9 Minster Gates York YO1 2HL 0844

Listed Buildings Grade 2; 12 Minster Yard York YO1 2HJ 0845

Listed Buildings Grade 2; York City Art Gallery Exhibition Square York YO1 2 0847

Listed Buildings Grade 2; Deans Park Lodge Minster Yard York YO1 2HG 0908

Scheduled Ancient Monuments SMR 13280 York Minster Precinct Inc. Section Of City Walls

2.2 Policies:

CYHE2

Development in historic locations

CYHE4

Listed Buildings

CYT2A

Existing Pedestrian/Cycle Networks

CYHE10

Archaeology

CYGP11

Accessibility

### 3.0 CONSULTATIONS

#### INTERNAL

3.1 Environment, Design and Sustainable Development - DESIGN. No objections subject to conditions

3.2 Environment, Design and Sustainable Development- ARCHEAOLGY. No objections subject to conditions

3.3 Highway Development- No objection in principle but would recommend modifications to provide a better delineated cyclist/ carriage route in the interests of safety and to limit wear of the paving to a discreet area. Consider that the edge of the new carriageway should be pushed further from the buildings in Minster Gates to improve the safety of pedestrians as they enter the Piazza area. Conditions are recommended.

3.4 York Consultancy- DRAINAGE. No comments at the time of writing. Members will be updated at the meeting.

#### EXTERNAL

3.5 Guildhall Planning Panel- No response at the time of writing

3.6 Conservation Area Advisory Panel- No objection to the proposal but consider that there should be a delineated but unobtrusive cycle track.

3.7 English Heritage- Concerns include the form of double ramp, loss of historic original steps, material of steps, design of paving, loss of existing paving and bollards in Minster Gates, reconsideration of Phase II paving material. Three recommendations are made-

1. English Heritage accepts the decision of the Cathedral Fabric Commission for England to approve the application to build a vesica ramp at the entrance to the south transept on 30 May 2008. However, it is considered that the proposed double ramp would involve the significant loss of historic fabric and would urge that the construction retains the maximum amount of the historically important steps, incorporating the steps within the new construction in a reversible manner. The stone used for the new steps and the ramp should match the geology of the existing steps as closely as possible

2. It is also considered that the paving design and the materials should be reviewed. York stone should be retained on Minster Gates and on the buildings on south side of Minster Yard. The existing bollards at the entrance to Minster Gates should be retained. It is considered that the small scale paving proposed for the rest of the area would look bland and untraditional, and it is recommended that a traditional fantail sett finish would be genuinely multi-directional, overcoming the axial alignment of the space. Final details of the design and construction of the paving and delineation of the roadway ( including materials, finishes and alignment of the paving and delineation of the roadway ) would require to be submitted to the Council for approval prior to work commencing- this should include trials of paving and layouts.

3. The proposed works to the properties in Minster Gates appear acceptable subject to Listed Building consent.

3.8 York Access Group- No response at the time of writing

3.9 Cyclist Touring Club- No response at the time of writing

3.10 York Civic Trust- No response at the time of writing

3.11 York Glaziers Trust- Consider that the proposal would be a huge and exciting proposal which we fully endorse, that would lift the existing entrance area out of the 1970s into the 21st century where it should be, and would enhance the approach to an iconic building providing visitors with an exciting and pleasing feature.

3.12 Other Representations- The application was advertised by site notice and in the press, and neighbours were informed by letter. The period for public consultation expired on 4 June 2008, and two representations from members of the public have been received that raise the following issues-

Representation 1-

As a regular cyclist user of Deangate/ Minster Yard, local member of the Cyclists Touring Club and national pedal cyclists organisations, I welcome 24 hour access through an area that is a major feature in the City's cycle network that bypasses the retail core during footstreet times.

Representation 2-

a) Steps-The presumption should be the retention of the existing steps in their historic mid-1600 form. They are an ideal platform for ceremonies; the curvaceous

"vesica " shape is alien to architecture of the south front; the curvaceous form would date as a " modern " feature fireplace.

-b) Ramp- The existing ramp is practicable and 1:20 gradients are not always achievable in historic situations; the foot of ramp would be close to proposed ticket office's new door; consider that the current ramp is not divisive to movement of people.

-c) Minster Gates- The raising of the level of the road surface for level access to the ticket office would result in loss of character to entrances; shop windows would become disproportionately low. The ornate lamp standards between Petergate and Minster Gates should remain; the historic bollards should be retained

d) Paved Area- This lacks definition and needs to be tighter. The proposed re-siting of the gate piers at east end of the paving scheme would not achieve the sense of a coherent space and the west end would have no definition at all. The proposal would result in the south side of the Minster being set in a sea of paving, linking to the arid paving at the West Front. The identity of St Michael le Belfrey should be retained and articulated as separate from the Minster

e) Materials- Note that the intention is that the proposed paving would match the tone of the Minster's magnesium limestone, in a directionless bond in order that the Piazza would be read as a single entity. This should be replaced with a contrasting darker surface to preserve the impact of the south side of the Minster. The proposed carriageway surface of honey-coloured resin bond chippings may be inappropriate ( English Heritage guidance is that tarmac often looks well with historic buildings )

f) Phasing- The same surface should be used in both phases

## **4.0 APPRAISAL**

### 4.1 Key Issues

- Impact on the setting of the Listed building and the conservation area
- Highway Safety
- Archaeology

### 4.2 Policy Context

Planning Policy Guidance Note No. 13: Transport- This document outlines government guidance on how transport should be integrated with land use planning. In paragraph 4.12 it advises local authorities to encourage better conditions for cyclists and pedestrians. In particular the impact of development on pedestrian movement should always be considered and the creation of safer areas for pedestrians and cyclists should be encouraged. This advice has been adopted in Policy T2a of the City of York Local Plan- Incorporating the Proposed 4th Set of Changes. This local plan policy seeks to protect existing pedestrian and cycle networks from any development that would unacceptably prevent their use or compromise the safety of its users.

Planning Policy Guidance Note No. 15: Planning and the Historic Environment- This document contains Central Government advice in relation to listed building control. This states that whilst the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "have special regard to the desirability of

preserving the building or its setting or any features of special architectural interest which it possesses".

Planning Policy Guidance Note No. 16: Archaeology and Planning- Archaeological remains are a finite, non-renewable resource, and national advice is that any ground disturbance within areas of known archaeological importance requires careful assessment and consideration. Local Plan Policy HE10 reiterates this advice.

Planning Policy Statement 1: Delivering Sustainable Development: Planning for Sustainable Development aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of design as an issue.

POLICY HE2 of the City of York Deposit Draft Local Plan (Fourth Set of Changes), approved for development control purposes on 13 April 2005 states that within or adjoining conservation areas, and in locations which affect the setting of listed buildings, development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials

Policy HE4 of the City of York Draft Local Plan relates specifically to listed buildings and states that consent for development in the immediate vicinity of listed buildings, inter alia, will only be granted where there is no adverse effect on the character, appearance or setting of the building.

Policy GP11 of the City of York Local Plan seeks to achieve suitable access provision for all users to provide a more accessible environment. Planning Policy Statement 1 also stresses the need to provide a more accessible environment through planning decisions, and advises that local authorities seek imaginative and flexible solutions to create higher levels of accessibility for people faced with mobility problems.

## APPRAISAL

4.3 STEPS AND RAMP- In the introduction to the recently published "Manual for Historic Streets" (English Historic Towns Forum, April 2008) the Urban Land Institute is quoted as follows:

"The Public Realm serves a critical function as a uniting feature for cities, and must be designed to foster an atmosphere of 'inclusivity', of 'classlessness' that gives all residents a sense of ownership and a shared stake in their cities".

The proposed scheme would replace the road with a paved Piazza built at new levels and it would directly confront the issue of access into the South Transept by redesigning the steps. Both elements of the scheme have raised issues of historic and architectural importance.

4.4 It is considered important to provide "equal access for all" at the South Transept. This would accord with Local Plan Policy GP11 and Central Government advice that seek to provide a more accessible environment for the less abled. The

area in front of the South Transept is a major informal gathering space adjacent to the Minster, and it is the place of religious ceremonial functions. The area is also the closest point of contact between the building and the city centre. The provision of full access at this central point would allow maximum flexibility of use of the building, as the South Transept is the fulcrum for access to all internal areas of the Minster (nave, choir, chantry, undercroft, tower etc). The existing ramp at the west end of the Minster does not provide convenient and direct access to these areas

4.5 The agent has demonstrated that it is not possible to provide an attachment to the existing steps without extending the steps forward of the South Transept. A ramp to either west or east of the steps would compromise the visual integrity of the South Transept and would obscure its plinth. It would be a significant visual intrusion into the area that would detract from the setting of the building and the appearance of the wider conservation area.

4.6 In order to achieve a reduction in the length of ramp it is proposed that ground levels of Minster Yard and the northern end of Minster Gates are raised. If this method was used with the existing steps it would result in an unacceptable diminution of the character of the steps. The stature of the steps in the area is largely created by their height, combined with a generous scale of materials and the deep intermediate landing. If the existing steps were to be retained, the proposal would result in the loss of their simple form. Altering the steps in this way would not be acceptable to the local planning authority.

4.7 There appears to be debate about the age of the existing steps. Though York Archaeological Trust's assessment suggests that the form of the steps has been similar since (at least) the mid C17th, evidence is presented within the document that suggests that the steps were rebuilt and altered more recently. In the current design, the "Welsh ogee" nosings appear to have been omitted and the steps themselves appear to have been "eased." The scaled plans of 1726 and 1736 show the steps set well within the frame of the central buttresses, then the 1819 and pre-1872 plans show the steps extending right up to the buttresses. It therefore appears that the steps are not totally original or unaltered, and that a further alteration should not be ruled out.

4.8 It is intended that the existing steps would be overlaid with the new ramps. This would result in considerable alteration of the south edge of the steps. It is intended that the existing material would be reused to create the extended landing area and the new profile of the front steps. Large scale details on a stone-by-stone basis would be required to demonstrate how the alterations would be achieved to minimise the degree of alteration to the original fabric.

4.9 The existing stone on the steps has been analysed by several different geologists and is believed to be a hybrid/ sandstone material. This differs from the magnesium limestone of the Minster and there would be a minor contrast in reflection and texture between the main piazza surface material and the existing steps and platform. The stone of the steps would be difficult to replicate as there are no known sources in the country. It is therefore intended that the new ramp surface and enclosing walls would be built of the same material as the general paving in the Piazza. The structure would be appropriately read as part of the Piazza rather than

the Minster. The intended stone from Molesden Quarry would have the general tone and appearance similar to the magnesium limestone of the Minster. The existing steps have a colour variation that would be compatible with the colour variation of the proposed material.

4.10 The new "vesica shaped" ramps would create a fluid symmetrical design with extended influence in the Piazza. This would compensate for the reduction in height caused by the new changes in ground levels. The new form would be physically detached from the South Transept, leaving the beautifully crafted plinth of the South elevation of the Minster free of any encumbrance. The proposals for integrating seating within the ramp would acknowledge the ad-hoc use of the existing steps whilst reducing the effect of the new plinth walls by tying the structure into its immediate environment. The design is necessarily symmetrical and would align with the South Transept. The south elevation of the Minster has been designed to disguise the lack of dimensional symmetry between the east and west side aisles. As the new structure occurs wholly within the depth of the plinth, this difference would not be noticed. Similarly the ramp and access should remain at right angles with the South Transept door as realignment with Minster Gates would diminish the relationship of the proposed access with the Minster. The axis is "slowed down" considerably by the linearity of the ramps and by their generous opening arms. It is concluded that the new ramp is considered to be an ingenious response to access whose form evokes the architecture of the South Transept.

## PAVING

4.11 The revised plans change the size of pavings, alter the proposed layout and introduce more variation in the pattern of paving to overcome the visual and practical problems associated with using larger pavings. Some larger pavings would be laid out formally and would be embraced by the new ramps, whilst smaller pavings would provide more visual "texture" to the wider area. The mixed pattern of intermediate scale outside the ramp and carriageway would allow multiple uses and freedom of use. It would be less formal in character and avoid unsightly diagonal cuts and wedge shaped joints of larger paving. It would be necessary to have trials of the intermediate paving in the general area of the Piazza to ensure an acceptable appearance in variation.

4.12 At present there is a wide pavement adjacent to the secular buildings in Minster Yard. The revised proposals would retain a similar paved margin to this side of the Piazza, emphasising the difference in importance between the secular and non-secular buildings. It is considered that the pavement anchor these buildings in the conventional way and would reinforce the role of the non-secular buildings as an urban "back cloth".

4.13 The proposal to raise levels at the north end of Minster Gates would retain the exposed stone plinth of No. 10 Minster Gates. This is an important architectural and historical feature of this building that should remain visible. A condition should be imposed on any permission that would require the existing grates to be replaced. The modern brick plinth of the two shops at Nos. 7 and 9 Minster Gates would be lost as a result of increasing the adjacent street level. This would benefit the appearance of the Listed Buildings and would allow level access to the shops. In

order to retain as much of the original character and appearance of Minster Gates as possible, it is considered that the existing pavings should be reused in Minster Gates as far as is possible.

4.14 The revised plans now retain three bollards at the end of Minster Gates. They are historically important and are required to prevent unwanted vehicles entering the space.

4.15 Drainage of the area adjacent to the Minster's plinth is a concern as the ground would fall towards the steps. Drainage measures would require careful design at the detailed stage, and these details should form part of the overall drainage details for the entire paved area and ramps.

4.16 The originally submitted proposals for the proposed carriageway were too subtle and lacked definition between the carriage/cycle route and the surrounding Piazza area. Minster Yard is the only direct through-route across the city and therefore it is much used by cyclists. It was considered to be fundamental to retain this provision in the Piazza area. The revised plans provide more visual definition of the carriageway without compromising the simplicity and strength of the paving scheme. In addition, the extension of the paving scheme in Minster Gates to the paved edge in Minster Yard with the retained bollards at the north end of Minster Gates as indicated in the revised scheme would give further protection to cyclists.

4.17 The proposal to re-site the existing "floating" gateway at the east end of Minster Yard to align with an existing boundary wall pier would be a visual enhancement of the area and would better demarcate the eastern limit of the proposed Piazza.

4.18 Overall the scheme would greatly improve the setting of the Minster and it would provide a much needed public space at the historic heart of the conservation area. It would result in an enhancement of the character and appearance of the area that would accord with Policies T2a, GP11, HE2 and HE4 of the Local Plan, and related national planning guidance contained in Planning Policy Guidance Note No. 15 " Planning and the Historic Environment " and Planning Policy Statement 1 " Delivering Sustainable Development. "

## HIGHWAYS

4.19 The existing South Transept steps have two landings, the upper landing being 1 metre higher than surrounding paved surfaces. Any new ramp from the existing road levels would have to travel at least 24 metres to cope with the 1:20 gradient and requisite intermediate landings. The agent has advised that the design of the proposed ramp aims to reduce travel distance up the ramps to a minimum by raising ground levels from Minster Gates towards the South Transept entrance at a constant slope of 1:20 or better ( excluding the carriageway ). The new paved surface would meet the South Transept steps at the level of the middle landing thus reducing the number of steps and resulting travel distance. The existing timber ramp is unsuitable as it is too steep and too narrow, and discriminates against disabled persons as ramp users are forced to deviate to the side of the steps to use the ramp. The flat areas around the ramp would be fitted with bronze discs that would be proud of the surface to deter skateboarders.

4.20 There are no highway objections to the principle of the development provided there are some modification to provide a better delineation of the route to be taken by cyclists and horse drawn carriages through the Piazza in the interests of the safety of all highway users and to limit future wear of the paving material to a discreet area. The revised plans propose a more substantial edging between footway and carriageway and the introduction of smaller element paving units within the carriageway. Any finally agreed materials should be capable of providing sufficient traction for carriage wheels and prove to be an acceptable surface for cyclists. It is therefore considered that a condition should be attached to any approval requiring the construction of a demonstration area of the various paving materials so that agreement can be reached on these matters prior to any works commencing. Subject to acceptable details, it is considered that the policy requirements of Local Plan Policy T2a and GP11, and Planning Policy Guidance Note No. 13 " Transport " would be met.

4.21 There is concern that adequate visibility is maintained of oncoming cyclists when pedestrians emerge into the Piazza from Minster Gates, particularly when their attention is likely to be distracted as views of the full extent of the Minster are opened up. Whilst the Highway Authority considers that the edge of the new carriageway should be pushed further away from the buildings at the south side of Minster Yard to remedy this concern, the loss of paving and visual intrusion would be unacceptable. It is considered that the revised plans now reduce the need for an enlarged carriageway. It is now intended to retain the existing bollards at the north end of Minster Gates and the larger pavement on this south side of the Piazza, the presence of these features would act as a signal to pedestrians entering the Piazza area.

4.22 With the exception of the steps to the South Transept, the whole area of Minster Yard where these paving works would take place, lies within the adopted public highway, apart from the steps to the south transept. It is the intention of the Minster Authorities to undertake the detailed design, prepare tender documents and let the formal contract for the paving works themselves, including being responsible for site supervision and maintenance. The Highway Authority would raise no objection to this course of action provided that a legal agreement is entered into between the two parties ( a Section 278 agreement) in order that the Highway Authority's interests are safeguarded and it is protected from any claims for compensation which might arise as a result of the works or further maintenance.

## ARCHAEOLOGY

4.23 The applicant has submitted a supporting document entitled "Archaeological Impact Assessment and Proposals for Mitigation. " This summarises current knowledge of those areas of the Minster that would be affected by the proposed programme of works. It sets out a series of archaeological mitigation measures that would be adopted in order to address the impact of the development on archaeological deposits. It is considered that these measures would ensure that any damage to archaeological deposits is minimised and, where damage may occur, that the deposits are recorded archaeologically. The measures would be acceptable subject to a condition that any works would be carried out in accordance with the

details of this report. On this basis it is considered that there would be no conflict with Local Plan Policy HE10 and Planning Policy Guidance Note 16 " Planning and Archaeology. "

## 5.0 CONCLUSION

5.1 The proposed vesica ramp is a clearly defined geometric solution to improve access for all to the Minster. It is sympathetic to the architectural character of the south transept, with a contemporary but timeless design that appears to draw people to the entrance. The success of the scheme would rely on the quality of the detailing, materials and future maintenance. The existing steps would be largely retained and the existing tarmac surface of Deangate would be visually improved. A poor ramp that obscures important historic fabric of the Minster would be removed. The proposals would result in a more defined cycle route in better materials. A previous carriageway would be transformed so that it can be used as a new public open space of high quality and better visual amenity. At the heart of the space there would be a new structure with integral seating which would allow further enjoyment of the public open space.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

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

Drawing No. 832/29/100 P1 E Revision A, Received 13.6.2008  
Drawing No. 832/29/100 P1 M Revision A, Received 13.6.2008  
Drawing No. 832/29/100 P1 W Revision A, Received 13.6.2008  
Drawing No. 832/29/100 P1 E Revision A, Received 13.6.2008  
Drawing No. 832/29/100 P1 M Revision A, Received 13.6.2008  
Drawing No. 832/29/100 P1 W Revision A, Received 13.6.2008

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

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

3 All archaeological mitigation measures must be carried out in accordance with the document Archaeological Impact Assessment and Proposals for Mitigation prepared by Dr R A Hall, Cathedral Archaeologist, date stamped Planning Design 02 APR 2008, and submitted in support of the application.

Reason: The site lies in the Area of Archaeological Interest and partially within the area of Scheduled Ancient Monument No. 13280 and measures must be taken to record and protect archaeological deposits on the site.

4 Notwithstanding the submitted information and the terms of Condition 2 above, large scale details/ additional information 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 and retained in accordance with the approved details.

- a) Constructional design and siting of cast iron bollards at the junction of Minster Gates with Minster Yard, using existing bollards
- b) Siting of existing and proposed street furniture
- c) Details of surface water drainage including general layout, and specific details at each of the outlet locations.
- d) Street lighting details including the re-siting of gas lighting columns and the provision of new lighting and services to the ramps and steps
- e) Large scale details of the entire stepped and ramped area showing the relationship of the new material to the existing fabric, on a stone- by- stone basis
- f) Samples of new materials to be used in the formation of the steps, ramp and all paved areas
- g) Pavement layout of Phase 1 and Phase 2 in Minster Yard, following agreement of sample areas set out on site
- h) Final level positions of new surfaces
- i) The alignment of the carriageway
- j) Location and details of access covers in the paved area
- k) Large scale details of any modifications .if required to the piers and railings defining the east end of the Piazza

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

- l) Large scale details of any new handrails

Reason: To ensure that the Local Planning Authority is satisfied with the details in the interests of amenity , acceptable drainage and highway safety

5 Prior to the commencement of the development hereby approved, full highway engineering details shall be submitted to the Local Planning Authority for the written approval of the Local Planning Authority, and thereafter implemented and retained in accordance with the approved details, or arrangements entered into which ensure the same.

Reason: In the interests of the safe and free passage of highway users

6 The existing gratings at 10 Minster Gates shall be reset.

Reason: In the interests of retaining historic fabric

7 Existing pavings within Minster Gates shall be reused within Minster Gates

Reason: In the interests of retaining historic fabric

8 Prior to the commencement of any works on site, a detailed method of works statement shall be submitted to and agreed in writing by the Local Planning Authority. This statement shall include the precautions to be taken to ensure that the safety of the general public, the method of securing the site, access to the site and

the route to be taken by vehicles transporting the demolition and construction material, and the hours during which demolition, construction and deliveries to and from the site which will be permitted.

Reason: To ensure that the works are carried out in a safe manner and with minimum disruption to users of the public highway and adjacent 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-

- the visual amenity and character of the host building, adjacent listed buildings, and the wider conservation area
- archaeological remains
- flood risk
- highway and pedestrian safety

As such, the proposal complies with Policies HE2, HE4, HE10, T2a and GP11 of the City of York Draft Local Plan- Incorporating the Proposed 4th Set of Changes; and national planning guidance contained in Planning Policy Statement 1 " Delivering Sustainable Development, " Planning Policy Guidance Note 13 " Transport ", Planning Policy Guidance Note No. 15 " Planning and the Historic Environment, " Planning Policy Guidance Note 16 " Archaeology and Planning "

2. WORKS IN THE HIGHWAY INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below).

For further information please contact the officer named:

Works in the highway - Section 278 - Howard Watson Tel. No. 551332

3. The applicant should note that the proposed digital screen mentioned in the Design and Access Statement submitted on 2 April 2008 may require to be the subject of a separate application for planning permission and/or Listed Building consent.

**Contact details:**

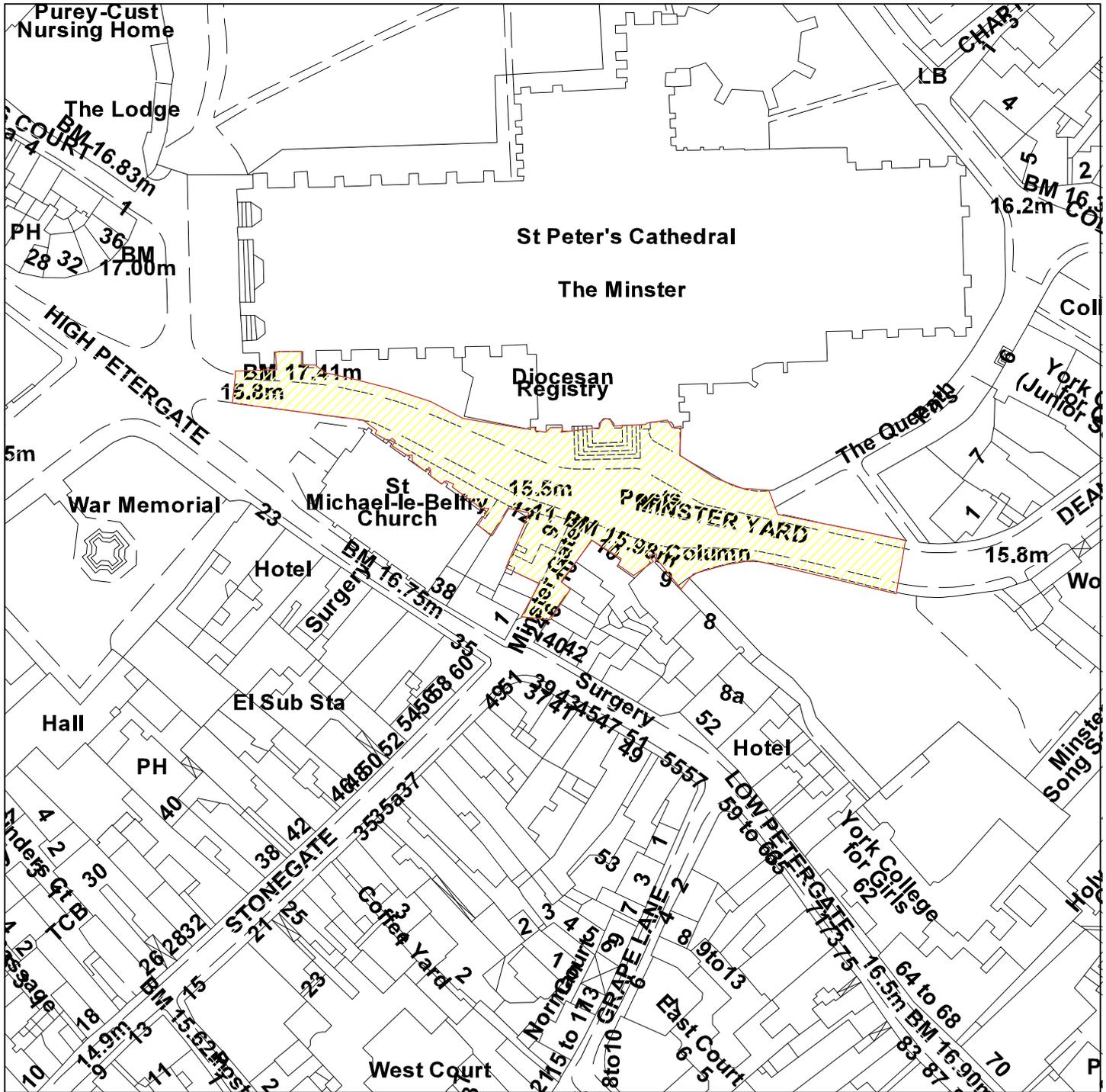
**Author:** Fiona Mackay Development Control Officer (Tues - Fri)  
**Tel No:** 01904 552407

# The Minster, St Peters Cathedral, York

08/00849/FUL



GIS by ESRI (UK)



Scale : 1:1250

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<b>Organisation</b>	City of York Council
<b>Department</b>	City Strategy
<b>Comments</b>	Application site
<b>Date</b>	13 June 2008
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Committee:** Planning Committee      **Ward:** Fishergate  
**Date:** 24 June 2008      **Parish:** Fishergate Planning Panel

**Reference:** 08/00871/FULM  
**Application at:** Kent Street Car Park Kent Street York  
**For:** Erection of two and four storey hotel comprising 108 bedrooms, bar and restaurant facilities and associated landscaping (resubmission)  
**By:** Indomito Properties LLP  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 4 July 2008

**1.0 PROPOSAL**

## THE SITE

1.1 The L-Shaped application site is bounded by Kent Street to the north and the existing decked car park to the east. There are 3 storey flats at Barbican Court to the western boundary, with a large warehouse and the rear of properties along Escrick Street to the south. A footpath from Kent Street providing access to Fishergate school sits to side the decked car park.

## SITE HISTORY

1.2 Outline Planning Permission was granted for the redevelopment of the site to provide a community swimming pool in September 2004. Since the Council had ownership and so control over the site, it was not felt necessary to impose an obligation on the applicant that the coach park be retained until alternative coach parking was available elsewhere. Instead, the section 106 Agreement included a developers' financial contribution towards the provision of coach parking as to be identified elsewhere in the City. Alternative locations were at that time actively being considered by the Authority.

1.3 The proposed swimming pool was a requirement of an obligation to redevelop the Barbican leisure centre site, granted in 2004. However in 2006 this obligation was removed and replaced by a contribution towards the upgrading of existing and provision of new swimming facilities elsewhere in the City.

## PROPOSAL

1.4 The application involves the erection of an L-shaped freestanding hotel of up to 4 storeys in height parallel to Kent Street, with a rear wing of 4 storey dropping to 2 storey towards the rear site boundary. The main face of the building would be set back some 16 metres from the footpath along Kent Street and the 4 storey side facing the flats at Barbican Court would be 14.5 metres from that adjacent property. To the rear, the 2 storey element would be 4.5 metres from the site boundary and 17 metres from the rear elevation of properties at Escrick Mews. The 4 storey element would be set at 27.5 metres from those properties.

1.5 To the east side the path to Fishergate School would be retained and resurfaced in pavements with planted areas to the side.

1.6 To the front the existing car and coach park entrance would be reconfigured to maintain entry/exit for the car park but to include access to a coach drop off point and car turning circle to the front of the hotel. Cars would exit from this access point back onto Kent Street, but coaches would exit from a point further west along Kent Street. Delivery vehicles using the service yard at the west side of the building would follow the same access and egress points as coaches. Footpaths along Kent Street would follow the kerb radii at the vehicular entrance on both sides by 8 metres. The bus stop on Kent Street would be relocated to outside the hotel, and a new shelter facing onto the footpath but within the site would be provided.

1.7 New landscaped areas would be created along the Kent Street frontage and to the front of the hotel. To the rear, existing boundary trees would be retained and lawned areas containing new tree planting and shrubbery along the boundary would be included.

1.8 Secure, covered cycle storage for staff would be provided to the west side of the site, adjacent to the staff entrance in a single storey part of the building. Other than disabled spaces there would be no car parking on site.

1.9 The building would be of contemporary design, with traditional locally sourced brickwork used to contain the central largely glazed central section of the front elevation. Lighter cladding panels at the upper storey are intended to reduce the apparent height and mass of the building. A shallow hipped and pitched roof would cover the hotel, with a service space running along the ridge of the roof. The brickwork would return part way along the sides, and would be used for the lower storey section of the rear wing and the single storey element to the west side.

1.10 The supporting documentation states that the applicant company is owned by a successful local hotelier, and that the hotel would operate under the Days Hotel franchise, classified as 3 Star plus accommodation, of which a shortfall has been identified. The hotel would act as an overspill for the Golden Tulip proposed hotel at Paragon Street (for which an application was withdrawn, and will be resubmitted pending design amendments as required by Committee).

1.11 The applicant has control of the decked car park adjacent, and surplus spaces within it would be used by the hotel. Approximately 45 staff would be trained and employed at the site.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Floodzone 2 Flood Zone 2 CONF

Schools Fishergate Primary 0197

Schools St. George's RC Primary 0225

## 2.2 Policies:

CYGP1

Design

CYGP3

Planning against crime

CYGP4A

Sustainability

CYGP11

Accessibility

CYT4

Cycle parking standards

CYT14

Public car parking maintained

CYT20

Planning agreements

CYV1

Criteria for visitor related devt

CYGP9

Landscaping

CYT12

Coach and Lorry parking

CYV3

Criteria for hotels and guest houses

CYHE10

Archaeology

## 3.0 CONSULTATIONS

### INTERNAL

3.1 HIGHWAY NETWORK MANAGEMENT - States the proposed site is part of the Barbican redevelopment scheme and has consent under the outline planning

consent for a pool/leisure use under this consent. The Barbican development scheme was included within the Foss Basin Masterplan which considered the highway and traffic implications of redevelopment taking place in the area.

3.2 The proposed application substitutes the original pool/leisure facility for an 108 bedroom hotel with car parking available at the adjacent Kent Street multi storey car park. Traffic generation figures for the proposed hotel have been provided following interrogation of the nationally recognised TRICS database. The figures demonstrate that the proposed hotel will generate less traffic than the pool/leisure use previously considered on the site and as such the overall traffic generation for the Barbican development will be less than that previously considered in the Foss Basin Masterplan.

3.3 Car parking surveys of the Kent Street car park were undertaken as part of the original Barbican application. These surveys identified that there was spare capacity within the car park. When considering the authorities maximum parking standards for a hotel of this size the number of spaces that could be provided are similar to the level of car parking that was to be provided for the pool/leisure use. As such it is not considered that the proposal will have a material impact on the availability of parking in Kent Street car park.

3.4 Access to the site is to be taken from the existing car park entrance on Kent Street which will be modified slightly to ensure priority remains for car park traffic. The applicants propose to operate a one-way system with vehicles leaving the site restricted to a left turn out only. The right turn will be prohibited and enforced through the alteration to an existing traffic island.

3.5 The site is considered to be in a sustainable location as it is well served by public transport and good pedestrian/cycle facilities exist in the vicinity. The city centre is within a reasonable walking distance for guests. A number of standards and non-standard conditions are recommended (see below).

3.6 ENVIRONMENTAL PROTECTION UNIT - Raises no objections subject to standard conditions relating to the hours of delivery and collection, white noise reversing sounders on delivery vehicles, details of plant and machinery and fume extraction equipment. It also states the development would generate less traffic than the previously approved pool and associated facilities for which the air quality implications were assessed and considered acceptable

3.7 ENVIRONMENT, CONSERVATION AND SUSTAINABLE DEVELOPMENT (archaeologist) - states the site lies in the Area of Archaeological Importance and in an area where significant archaeological deposits have been found. There is evidence for Roman activity in this area. The site lies close to the important Anglian site on Fishergate and may include the church and cemetery of the medieval church of All Saints Fishergate. The area was an extra-mural suburb of the City and included the important Gilbertine Priory on Fishergate. There have been five pieces of archaeological work undertaken within the vicinity of this site since 1977.

3.8 An archaeological excavation has taken place in 2007-08 on the site of the former Barbican staff car-park at the corner of Kent Street and Fawcett Street. This

revealed the remains of the church of All-Saints Fishergate and its associated graveyard. Romano-British features and burials were also excavated.

3.9 The application site has been evaluated as part of the wider Barbican redevelopment scheme. This demonstrated that archaeological deposits are covered by a substantial depth of 18th and 19th century garden soils. All archaeological deposits which remain above the formation level for the foundations for the new hotel must be excavated archaeologically.

3 conditions are recommended (as below).

3.10 STRUCTURES AND DRAINAGE - Initially objected to the application as insufficient information had been provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems.

Drainage calculations are required for the surface water system. Existing and proposed surfacing showing the extent of existing drainage was required, as run off rates from the proposed roof may have exceeded that of an existing level car park. It stated that a reduction in existing surface water discharge rates of 30% would be expected over the proposed area together with a climate change allowance of 20% increase in rainfall, to comply with the spirit of PPS 25.

3.11 Additional information has been supplied by the developer to address the above concerns. In summary:-

a) Surface water drainage: Existing surface water is routed through adjoining multi-storey car park- It is intended that this will be maintained, as the car park is under the client's ownership. The outflow will be attenuated, with the 30% reduction requested, by the provision of stormcell holding tanks, on site/ below ground.

b) Foul Drainage: There is an existing 100mm sewer pipe from the adjoining public conveniences, which connects to the main sewer evident in Fawcett Street. The intention is to replace this with a 150mm sewer routed to and connected to sewer in Fawcett St.

3.12 Further update will be given from the Structure and Drainage Engineers at the meeting.

3.13 CITY DEVELOPMENT - States the site was previously approved as a location for a replacement swimming pool as part of the Barbican Centre redevelopment, although this element had now been removed. This is considered relevant in that in terms of the loss of the current use (surface coach park) which and already been assessed in accepted. The original report stated alternative proposals for coach parking had been identified by the Council. Policy V3 relates to hotels and guest houses, and requires an assessment of the compatibility of such hotels with the surrounding area in terms of size, scale and design, and any impact of residential character of an area if any, as well as the accessibility to the City Centre.

3.14 The Section states the site is within walking distance of the City Centre and main attractions, and in terms of compatibility the building is set back from Kent Street and respects the frontage of the adjacent flats to ensure daylight and sunlight to the flats is maintained.

3.15 In terms of traffic and parking, there are 8 bus stops within 400 m of the site which indicates it is well served by public transport. The 390 space car park adjacent would not be affected by the development. The path to the side of the car park from Kent Street to Fishergate School will be maintained with the hotel presence ensuring the path is 'self policed'.

3.16 The previous archaeological information for the swimming pool application suggested the site is covered by 18th and 19th century garden soils, the archaeologist may wish to make revised comments.

3.17 In conclusion the development of the budget hotel is acceptable in terms of it being in a central accessible location. Details of scale, design and appearance will need to be assessed along with the impact of traffic and parking.

## EXTERNAL

3.18 FISHERGATE PLANNING PANEL - No comments received to date.

3.19 POLICE ARCHITECTURAL LIAISON OFFICER - States the developers should be aware of the 'Secured by Design' recommendations for hotels which are available of the website. From a counter terrorism perspective, it is stated that this appears a good development. 3 minor points and a comment are raised:.

a)At present the street wall would permit a vehicle to turn and drive the 'wrong way' around the roundabout and accelerate directly at the main entrance. A wall extension, bollard protection of the entrance, or other measure to prevent this are suggested, with bollard protection possibly already being considered as a proportionate measure.

b) Double glazing must meet the blast resistance test for mass occupancy buildings, a specification for which is given. This standard should be used for the whole frontage, not just the bedroom windows.

c) There is a provision for commercial vehicle parking at the west end of the development. The provision of a barrier positively operated and monitored by Hotel staff to enable access to this area is suggested.

d) (Comment)There seems to be a comprehensive internal CCTV system in place and it would be desirable if it could be extended to cover those permissible external areas on adjacent streets.

3.20 ENVIRONMENT AGENCY - Raises no objections to the application subject to 4 conditions relating to the development being carried out in accordance with the submitted flood risk assessment and to investigation and remedial works in respect of any contamination found to be present at the site.

3.21 YORKSHIRE WATER - No comments received in respect of this application, but commented on the previous application that conditions relating to foul and surface water discharge, and that a new water main would be required form Fawcett Street.

3.22 YORK CIVIC TRUST - No comments received to date in respect of this application, but in relation to the withdrawn application 07/02326/FULM, considered the design to be uninspired and having no recognition of its surroundings, as well as being an overdevelopment of the site. It stated concerns that the decked car park would not have capacity for this hotel, the one proposed at Paragon Street and the refurbished Barbican. A better-designed scheme which makes a positive contribution and with a smaller building is encouraged.

3.23 VISIT YORK - Welcomes any investment in new hotel accommodation to help meet its target to increase visitor spending by 5% per year. It comments however that the accommodation does not offer the top quality range of facilities it is looking for, with greatest interest being in the four / five star market. Also whilst coach visitors are not as an attractive target as the hotel staying visitor the loss of coach parking should be compensated for by alternative provision or additional drop off points closer to the City Centre.

3.24 - ADJACENT AND NEARBY RESIDENTS - No comments received to date (Consultation period ended 12th May 2008)

#### **4.0 APPRAISAL**

##### 4.1 Key Issues:-

- Impact of development upon amenity of nearby residents and occupants.
- Visual Impact within local Area and Design Considerations
- Highway, traffic and parking implications.
- Implications for air quality and noise related issues.
- Impact on archaeology at the site.
- Security and designing out crime considerations.
- Sustainability issues and energy efficiency of new building.
- Drainage and flood risk considerations.

#### **POLICY CONTEXT**

##### 4.2 National Policy

The following PPGs/PPSs are considered of most relevance to this application:-

PPS1 (Delivering Sustainable Development) - promotes sustainable development as well as mixed use development, offers guidance on the operation of the plan laid on the system, as well as offering guidance as to the considerations to be taken into account in determining planning applications.

PPG13 (Transport) - the note seeks to promote more sustainable transport choices for people, and to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and seeks to reduce the need to travel especially by car in new developments. It offers guidance on the location of housing in town and city centres to promote more sustainable patterns of development and to make better use of previously developed land. Additional guidance is offered in relation to mix of uses on sites, design and safety.

PPG16 (Archaeology and Planning) - Confirms that the desirability to preserve archaeological deposits is a material planning consideration, and offers guidance on the handling of remains and the weight to be attached to them in planning decisions.

PPS25 (Development and Flood Risk) - aims to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk.

#### 4.3 Statutory Development Plan (1956 York Town Map).

The 1956 Plan is out of date and is considered to carry little weight in planning terms. The Plan designates the site primarily for Business use and shows the rest as a cattle market. The application for a commercial/business operation on one part of the site is not considered to be a departure from the Plan.

#### 4.4 City of York Draft Local Plan

GP1 - requires a standard of design that respects the local environment.

GP3 - encourages crime prevention measures in new developments, including natural surveillance of paths and spaces, secure locations for car and cycle parking and satisfactory lighting.

GP4a - states the principles and criteria for ensuring development proposals meet sustainable development requirements.

GP9 - requires landscaping to be planned as part of a proposal and to incorporate indigenous species

GP11 - requires new developments and their open space areas to provide for access and facilities for people with mobility problems as well as carers with children, including parking facilities.

HE10 - requires development which involves the disturbance of existing ground levels within the area of archaeological importance to be subject to a field evaluation to assess the extent and importance of any remains and requires applicants to demonstrate that less than 5% of any deposits would be disturbed or destroyed. Also where physical preservation in situ is not possible, provision must be made for a professional excavation and recording of the archaeology in accordance with an agreed scheme.

T4 - requires cycle parking to be provided in all new developments in accordance with local plan standards.

T12 - states permission will not be granted for development, which would result in the loss of existing off street coach and lorry parking without the provision of suitable alternative sites.

T13 - requires developments to provide car parking in accordance with the local plan requirements.

T14 - states the level of off street public car parking in the city centre will reflect and respond to the Transport and Economic development strategies of the Council.

T20 - states where traffic, pedestrians and cyclists could be accommodated by special facilities or appropriate improvements to the highway network affected, applicants will be expected to enter into a section 106 Agreement and a highways agreement to make an appropriate contribution to such improvements.

V1 - seeks to encourage visitor related development and seeks account to be taken of adequate service arrangements, accessibility to public transport routes, increased traffic, parking cycles and pedestrian movement, any improvement in prosperity of tourism industry and the economy, any adverse impact on the reasonable use and enjoyment of adjacent buildings and land, and any adverse impact on the countryside setting of the city.

V3 - requires an assessment of the compatibility of guest houses and hotels with the surrounding area in terms of size, scale and design, and any impact of residential character of an area if any, as well as the accessibility to the City Centre.

## IMPACT OF DEVELOPMENT UPON AMENITY OF NEARBY RESIDENTS AND OCCUPANTS

4.5 The residents most affected by the development are those at Barbican Court to the west and at Escrick Street to the south (rear). The 4-storey side elevation facing Barbican Court would be set 14.6 metres away from the existing flats. The only habitable room windows in Barbican Court facing this way are towards the rear and front of the existing elevation, such that the new hotel building would not lead to a significant loss of light from windows here (which are largely utility windows because of noise consideration from the existing coach park. Windows in the new hotel have been designed so as not to result in overlooking of facing habitable room windows. The service yard for the hotel is proposed at this side, however the controls as suggested by the Environmental Protection Unit in terms of hours of use of this area and the fitting of white noise sounders to vehicles reversing would mitigate against any potential noise disturbance. The removal of the coach parking would also potentially lead to some improvement in the overall levels experienced.

4.6 The rear wing of the hotel falls to 2 storeys in height nearest the rear boundary, with a minimum distance of 17 metres between this and the rear elevation of 2 storey properties at Escrick Street. The scheme had been amended to reduce the scale here at pre-application stage, resulting in a reduction in the number of bedrooms

from 120 to 108 as now proposed. There would be no windows overlooking the rear of the terrace at this point. The 4 storey element would be set back at 27.5 metres from the rear elevation. Given the step down in height to respect the scale of the nearest properties here and the northerly orientation of the hotel to the Escrick Street properties, it is not considered that the development would lead to a notable loss of light or appear unacceptably dominant when viewed by those residents. Trees on the boundary would be retained at this point. The remainder of the hotel's 4 storey rear elevation would sit behind the warehouse building so as to be between 38 and 42 metres away from the Escrick Street properties.

4.7 In summary, whilst the hotel would present a significant change from the surface coach park on the site for residents, particularly in terms of the height of the building, the distances from those properties and the consideration given to the placement of windows would on balance be acceptable in planning terms.

#### VISUAL IMPACT WITHIN LOCAL AREA AND DESIGN CONSIDERATIONS

4.8 The existing surface car park leaves a significant gap along this inner urban street within an otherwise built up area, and contributes to an unsatisfactory service road character to Kent Street. The principle of redeveloping the site, to 'repair' the street, as established by the outline application for the swimming pool, is therefore accepted. The building as propose would be set back 16 metres from Kent Street to respect the building line of the adjacent flats at Barbican Court. Its 4 storey height would not therefore result an overbearing structure along the street. The scale would be a reduction from that of the Barbican and other proposed buildings to the north of the street, helping to provide a transition to the lower buildings further to the south. The raising of the height from the 3 storey flats at Barbican Court and 2 storey decked car park to the other side is not felt to be excessive for the site.

4.9 Whilst the Civic Trust previously raised concerns over the design of the hotel and asserted that it could be anywhere, the applicant has sought to demonstrate that materials have been chosen to both reflect those used on nearby and adjacent building (drag wire red brick) but also to provide a livelier and more contemporary development with a glazed central feature. The cladding at the upper storeys would be used to lessen the impact at these heights and to provide additional interest to the elevations. The building does not lie within a conservation area nor is it adjacent to any listed buildings. The design and materials are considered to be acceptable for the building and its location.

4.10 The external spaces are shown where possible as soft landscaped and planted areas, with all but one of the existing trees (adjacent to the retained toilet block where a new footpath is shown) retained. The development provides scope introduce additional planting and tree cover on Kent street, where an otherwise stark tarmac expanse exists at present.

#### HIGHWAY, TRAFFIC AND PARKING IMPLICATIONS

4.11 The loss of the coach parking has been raised by Visit York as a concern. It is understood from Property Services that it was always envisaged that an alternative facility would have been provided by the time a redevelopment proposal had been

brought forward, agreed and commenced on site. As such although the swimming pool planning permission required a payment towards coach parking re-provision but did not stipulate re-provision prior to redevelopment of the Kent Street site, (given that it was in Council ownership/control), no clause was included in the contract of sale to prevent a commencement on site either. Since no alternative facility has yet been established (although work is again progressing by the Authority) it may therefore be appropriate to attach a 'Grampian' style condition to any permission that prevents the redevelopment of the site for the hotel until satisfactory alternative arrangements are in place for visitor coach parking/drop off. A condition of this type could be used in a similar manner to conditions requiring highway works, since the Council will be facilitating the coach parking re-provision itself.

4.12 The Highway Network Management Section notes at 3.1 that the hotel would generate less traffic than the pool/leisure use previously approved and as such the overall traffic generation for the Barbican development will be less than that envisaged in the Foss Basin Masterplan. Also despite the Civic Trust's concerns, the Kent Street car park would have capacity to service the needs of this hotel and the other approved development across the street. Given the Section's conclusion regarding the acceptability of the scheme in highway and traffic terms it would be difficult to justify seeking any amendments or resist the proposals on those grounds.

4.13 The scheme includes the provision of internal storage areas for staff bicycles which is considered to be acceptable and would encourage the use of this mode of transport which is well placed in relation to the local cycle network. A condition requiring a staff travel plan would be imposed on any permission, as recommended by the Section.

#### IMPLICATIONS FOR AIR QUALITY AND NOISE RELATED ISSUES

4.14 The effect of the development on air quality has been assessed following receipt of the traffic generation levels calculated for the site. It is clear that a reduced number of vehicle movements would be experienced in comparison to the approved swimming pool proposal, and that consequently air quality would be less likely to be affected than previously anticipated (when it was also found to be within acceptable levels).

4.15 The noise implications for residents of Barbican Court have been assessed at 4.5. The design includes for enclosed plant and machinery spaces as part of the roofscape, and full details of any extract equipment proposed could be required to be approved prior to installation, via appropriate conditions. Together With the controls over hours of operation of the service yard, it is not expected that the development would unduly affect noise levels within the local area with particular regard to the potential for disturbance to the nearest residents.

#### IMPACT ON ARCHAEOLOGY AT THE SITE

4.16 As reported by the Archaeologist, there have been a number of on site archaeological investigations and reports in relation to this site and the surrounding area in recent years. The site itself was part of the wider evaluation for the Barbican redevelopment scheme, when a substantial 18th and 19th century garden soils were

found. Conditions requiring a watching brief and a mitigation strategy for any deposits are suggested, compliance with which would ensure any deposits are appropriately handled. The development would, it is felt, accord with the provisions of Local Plan Policy HE10 and PPG16.

#### SECURITY AND DESIGNING OUT CRIME CONSIDERATIONS

4.17 The Police Architectural Liaison officer has not raised any specific concerns about the scheme and has suggested that Secured by Design recommendations be observed. He has however referred the application to the National Counter Terrorism Security officer, and comments are as reported above. The design suggestions will be included as a condition in the case of bollards and would otherwise be passed on to the developer for incorporation of the details into the design and materials specification of the building.

4.18 The footpath link for Kent Street to the primary school to the south would be maintained and if anything would enjoy improved natural surveillance via the windows in facing the side elevation of the hotel. The requirements of policy GP3 would it is considered be met through the design and layout together with appropriate conditions requiring bollards adjacent to the hotel entrance and CCTV.

#### SUSTAINABILITY ISSUES AND ENERGY EFFICIENCY OF NEW BUILDING

4.19 The Sustainability Statement submitted with the application seeks to address each of the criteria listed in Local plan policy GP4a in turn. In summary it states:-

i) Accessibility - The statement goes into detail about the proximity to the City Centre for walking and cycling, the location adjacent to bus routes and an arterial route into the city centre (A19). The proposed improvements to the security of the footpath to the side of the car park with new CCTV are mentioned, as is the relocation of the crossing island on Kent street by 5 metres to the west to accommodate the new vehicular exit but linking with the pedestrian and cycle route to the side of the barbican. The site lies within the City Centre Inset and so is the preferred location for such developments.

ii) In terms of community considerations it is stated the facilities will be available to local people, and that approximately 45 jobs would be created. Links with the Pavilion Hotel at Fulford and the proposed Golden Tulip hotel would be established. Local contractors would be sourced for the construction phase.

iii) The building would be constructed to meet and or exceed current thermal values standards. The advantages of pre-cast wall panel and floor construction in providing air tight conditions and preventing heat loss compared other construction methods are highlighted.

iv) The opportunity for recycling of construction materials on site is given the current nature of the use. Commitment is offered in respect of the management of the site to minimise for example water use during construction.

v) For pollution and site management, issues including light pollution are considered with proposed low energy lighting for the footpath to the side and dusk to dawn sensor lighting around the building.

vi) Indigenous planting would be incorporated in the scheme presenting opportunities to encourage wildlife back onto the site.

vii) Equipment and control systems that can minimise energy waste would be incorporated into the development. A detailed building services engineering statement has been submitted with the application which specifies the use of energy efficient systems, processes and equipment.

viii) The applicant would intend to train staff in appropriate recycling and the bin storage area is large enough to allow for all recycling requirements such as for green waste and glass.

4.20 The submitted statement and supporting documents illustrate that the applicant is seeking to incorporate appropriate measures to ensure an energy efficient and waste minimising operation takes place at the site. The imposition of a condition requiring a very good or excellent BREEAM (or equivalent rating) will further encourage such a commitment.

## DRAINAGE AND FLOOD RISK CONSIDERATIONS

4.21 In response to the Structure and Drainage Section's comments, detailed drawings have been submitted to illustrate the applicant's design solution to the issues raised. These are currently being assessed by the Section and Members will be updated at the meeting. The applicant is confident that any outstanding concerns will have been addressed by the additional information.

4.22 The previous application was withdrawn largely because the Environment Agency objection, as one corner of the site fell within Flood Zone 2 and a sequential test for the development was required. A detailed flood risk assessment has been submitted with the application which sets out that there is no record of previous flooding events on the site but that in the vicinity a level of 9.95 AOD was recorded. The hotel ground level would be 14.5 AOD. The impermeability of the site's surface at present would be reduced by the introduction of soft landscaped area and vegetation. The Agency has raised no objections to this resubmission and instead suggest conditions regarding minimisation of any remaining flood potential and relating to measures to address any contamination found on site.

## 5.0 CONCLUSION

5.1 The principle of the redevelopment of the site is already established by the outline consent for the previous swimming pool proposals. The development would require the reprovision of coach parking/dropping off elsewhere, and this is reflected in the suggested condition below. The development of the site as a hotel does not conflict with its City Centre location, any local plan allocation or adjacent uses.

5.2 In terms of its local impact, the scheme has been developed to have regard to the amenity of residents adjacent to the site and to the local area in terms of its design. Other impacts such as noise and air quality would remain within acceptable levels or less than previously accepted here. There is also an opportunity to ensure that the sustainable, optimum use of this central location is made with its good walking and cycle links.

5.3 Subject to the issues regarding surface water drainage being resolved to the satisfaction of the relevant section, and subject to the conditions as set out below, the application is recommended for approval.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

1 The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

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

Drawings 004\_101; 201 Rev B; 301 Rev A; 302 Rev A; 303 Rev A; 403 Rev A; 502 Rev A; 502; 503; 504; 505;

Planning Support Statement by ID Planning

Design and Access Statement by One Architecture Ltd

Transport Assessment by Faber Maunsell

Flood Risk Assessment by Farihurst and Ptrs

Archaeology Report by On Site Archaeology Ltd

Site Investigation report by Solmek

as received 4th April 2008 or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

3 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 construction work on any of the buildings that form part of this phase of the development and the works shall be carried out in accordance with the approved

details.

External lighting, signage, doors, windows, balconies, eaves, glazing.

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

4 A sample panel of the brickwork to be used on this building shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of any works to any of the buildings that form part of this development. This panel 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.

5 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on any of the buildings that form part of this phase of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

6 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (an archaeological excavation and subsequent programme of analysis and publication by an approved archaeological unit) in accordance with the specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded prior to destruction.

7 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded during the construction programme.

8 No development shall take place until the applicant has submitted a detailed

mitigation strategy (covering excavation, watching brief, analysis, publication, archive deposition, and public involvement) and this has been agreed in writing by the Assistant Director (Planning and Sustainable Development).

Reason. This development will have an effect on important archaeological deposits which are preserved within the site

9 No construction work 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.

10 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.

11 LAND2 Retention of trees shown on plans

12 LAND3 Protection of existing planting

13 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

14 HWAY31 No mud on highway during construction

15 HWAY40 Dilapidation survey

16 No construction work on any of the buildings approved by this permission should be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.

Reason: The site is contaminated/potentially contaminated and piling could lead to the contamination of groundwater in the underlying aquifer.

17 All construction works, including ancillary operations such as deliveries to and dispatch from the site, that are audible at the site boundary or other position as defined by the local planning authority, shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays	

Reason: To protect the amenity of local residents.

18 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible at the hotel accommodation, shall be submitted to the local planning authority for written approval. These details shall include maximum (L<sub>Amax</sub>(f)) and average sound levels (L<sub>Aeq</sub>), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of local residents.

19 VISQ10 Details of External services to be app

20 ACC1 Precise details of access for disabled

21 Prior to the commencement of any works on site, a detailed method of works statement shall be submitted to and agreed in writing by the Local Planning Authority. This statement shall include the precautions to be taken to ensure that the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the demolition and construction material.

Reason: to ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent public highway and adjacent occupants.

22 HWAY10 Vehicular areas surfaced, details reqd

23 HWAY29 IN No gate etc to open in highway

24 HWAY35 Servicing within the site

25 The development shall not be brought into use; until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating the kerb to match adjacent levels.

Reason. In the interests of good management of the highway and road safety.

26 Prior to occupation of the development details of CCTV coverage for the site shall be submitted to and agreed in writing by the Local Planning Authority. The surveillance system shall thereafter be installed in accordance with the agreed details.

Reason: In the interests of crime reduction and the appearance of the development within the locality

27 The developer shall incorporate measures as described in the sustainability statement within the development that will commit them to aim to achieve the equivalent of a BREEAM "very good" or "excellent" assessment standard for the development. The developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and which standard this relates to. Where this does not meet at least a 'very good' standard then the developer must demonstrate what changes will be made to the development to achieve at least 'very good';

Reason: To provide a sustainable form of development

28 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 15.0 metres as measured from existing ground level (or 28.9m AOD). Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

29 HWAY31 No mud on highway during construction

30 HWAY39 IN Off site highway works, details reqd - Works indicatively shown on drwg 004\_201 rev B

31 The site shall not be occupied until a Full Travel Plan has been submitted and approved in writing by the LPA. The travel plan should be developed and implemented in line with local and national guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

Within 12 months of occupation of the site a first year travel survey shall have been submitted to and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

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

32 No development shall commence until alternative coach parking facilities and or dropping off facilities have been provided within or adjacent to the City Centre to the satisfaction of the Local Planning Authority.

Reason: To minimise congestion from on street parking of coaches, in compliance with policy T12 of the Council's Draft Local Plan.

33 Deliveries and collections at eh service yard area shall be restricted to 0800 to 1800 Mondays to Saturdays. There shall be no deliveries or collections on Sundays and Bank Holidays.

Reason: To protect the amenity of local residents

34 The development hereby approved shall be carried out fully in accordance with the Flood Risk assessment as prepared by Fairhurst and Partners dated 29th November 2007 (ref 72061).

Reason: To reduce the risk of flooding to the proposed development and future occupants.

35 Prior to commencement of the development the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local planning Authority:

i) A preliminary risk assessment which has identified all previous uses, potential contaminants within those uses, a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) are complete and identifying an requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require he express consent of the Local Planning Authority.

Reason: For the protection of controlled waters

36 Prior to completion of the development a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan ( a 'long term monitoring and maintenance plan') for longer term monitoring of pollutant leakages, maintenance and arrangements for contingency action, as identified in the verification plan, and for reporting of this to the Local Authority.

Reason: To ensure any remedial measures undertaken have been successful.

37 Prior to first occupation of the development, bollards or other measures to prevent vehicle encroachment as may be approved in writing by the Local Planning Authority shall be installed to the front of the hotel entrance.

Reason: In the interests of the prevention of crime.

## **7.0 INFORMATIVES: Notes to Applicant**

1. 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 residential amenity, effect on highway and pedestrian safety and convenience, setting of the adjacent City Walls and Conservation Area and archaeology on the site. As such the proposal complies with Policies GP1, GP3, GP4a, GP11, T4, T12, T13, T14, T20, V1 and V3 of the City of York Local Plan Deposit Draft.

2. You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

3. The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval:

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

b) All plant and machinery to be operated, sited and maintained in order

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

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

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

e) There shall be no bonfires on the site.

**Contact details:**

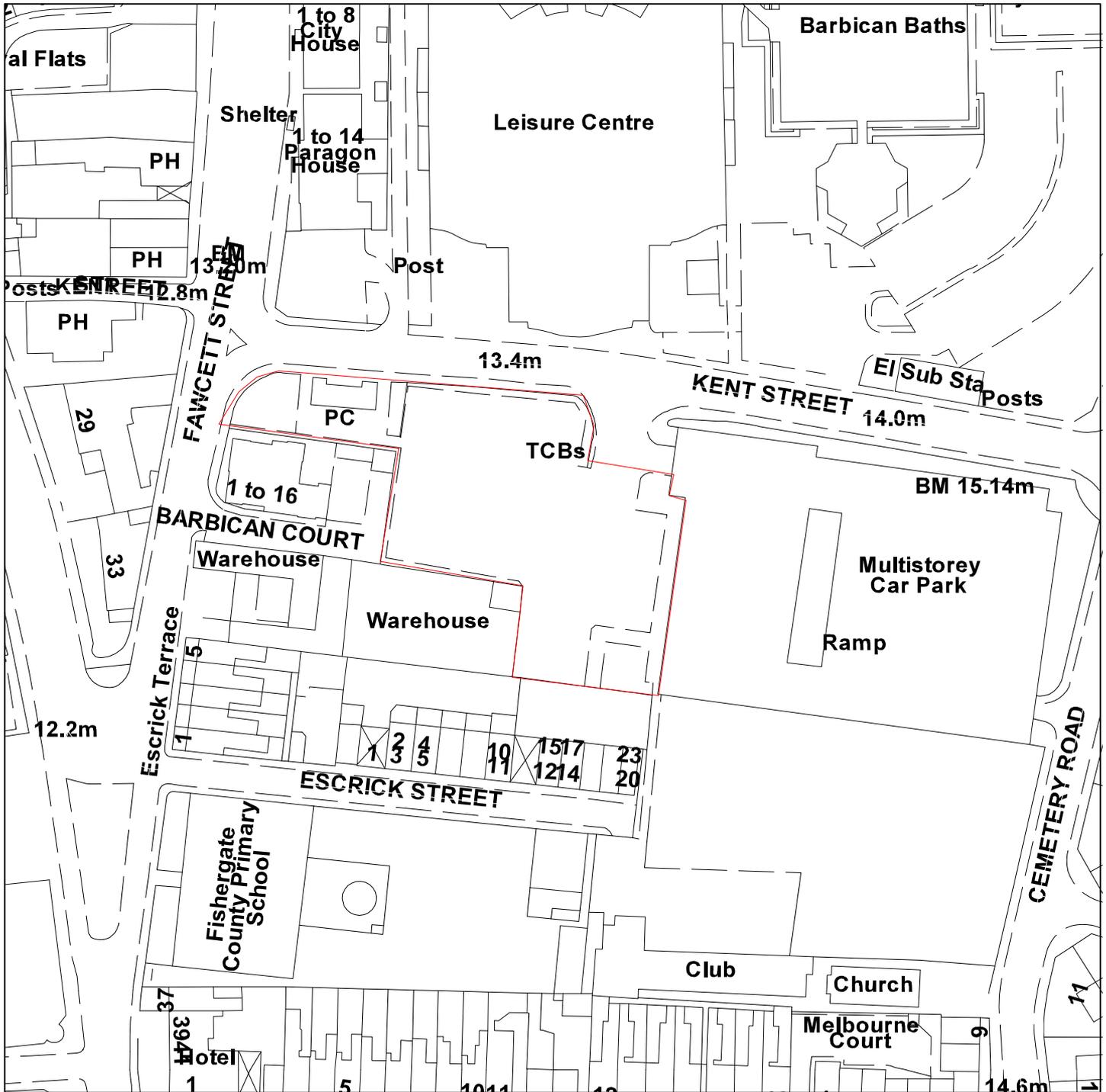
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# Proposed Hotel Kent Street

08/00871/FULM



Scale : 1:1250

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<b>Organisation</b>	City of York Council
<b>Department</b>	Development Control
<b>Comments</b>	Full Application
<b>Date</b>	16 June 2008
<b>SLA Number</b>	

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**COMMITTEE REPORT**

**Committee:** Planning Committee      **Ward:** Skelton, Rawcliffe, Clifton Without

**Date:** 24 June 2008      **Parish:** Clifton Without Parish Council

**Reference:** 08/00832/OUTM

**Application at:** Grain Stores Water Lane York YO30 6PF

**For:** Outline application for mixed use development comprising B1c, C1, C2, C3 and D1 uses including parking and new access arrangements after demolition of existing warehousing units

**By:** Water Lane Ltd

**Application Type:** Major Outline Application (13 weeks)

**Target Date:** 2 July 2008

**1.0 PROPOSAL**

1.1 This application seeks outline approval for a mixed use development on this large site off Water Lane, Clifton. The elements comprise uses within the B1c (Light Industry), C1 (Hotels), C2 (Residential Institutions) C3 (Dwelling houses) and D1 (Non-residential Institutions) uses classes of the Town and Country Planning (Use Classes) Order 2006. The application is in outline form with only the approval of means of access being sort here.

1.2 The application site is allocated in the City of York Draft Local Plan as an employment site for uses B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution). An indicative masterplan and supporting statement submitted with the application indicates that approx. 1.6 ha will be used for employment generating uses (B1c, C1, C2 and D1) in the north east section of the site with 4.8ha set aside for residential development.

1.3 The site forms part of the nearby former RAF airfield at Clifton Moor and was used to repair and maintain aircraft. It is currently covered by large aircraft hanger style buildings with associated concrete aprons, ancillary buildings and grassland. The site is 7.73ha in size and is located between Water Lane and Green Lane and they form the eastern and western boundaries respectively. There is a permanent travellers emcampment close to the northern boundary with other residential development close to the site around the other boundaries. The southern flank of the existing Clifton Moor Business Park is close to the northern extremities of the site. An area of public open space known as Clifton Backies fronts the Water Lane boundary.

1.4 This is a duplicate application of a previously submitted planning application 07/01992/OUTM and is identical to that. That application has been appealed against on the grounds of non-determination and this will be heard at a public inquiry on a date to be agreed.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Contaminated Land

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYE3B

Existing and Proposed Employment Sites

CYH4A

Housing Windfalls

CYH5A

Residential Density

CYH2A

Affordable Housing

CYSP7A

The sequential approach to development

CYL1C

Provision of New Open Space in Development

CYED4

Developer contributions towards Educational facilities

CYGP4A

Sustainability

### **3.0 CONSULTATIONS**

#### **3.1 INTERNAL**

#### **3.2 Highway Network Management.**

The application is supported by a Transport Assessment and Travel Plan. Whilst the planning application is a duplicate of 07/01922/OUT, the transport documents have been updated as a result of ongoing dialogue and negotiation between the applicant's consultants and officers. In fact this discussion still continues and it is intended that an update will be made at the planning committee to highlight the situation at that date.

The development site has an extant planning use and it is therefore necessary to establish the traffic implications that could arise under the scenario of such uses being brought into use. This is referred to as the 'fall back' position, and is the well established method of allowing the 'net' implications of a proposal to be understood.

This work has been undertaken and officers are satisfied that the result of the application would be a net increase of approximately 200 vehicle movements (total, in & out), in the AM and PM peak hours, these being 0800-0900 and 1700-1800. With the PM hour seeing a marginally less figure.

The implications of this additional traffic have been assessed and demonstrate a need to improve the Water Lane - Green Lane junction. This is currently a mini-roundabout, and the analysis shows that its capacity would be exceeded with such additional loading. It is considered by officers in agreement with the consultant that the junction would operate efficiently if modified to a signal controlled junction. It would be the intention to secure such works through a Grampian condition, requiring its completion prior to site occupation.

Further mitigation has been sought and the applicant has agreed to provide:

- a) The provision of a shared use footway/cycleway along the Green Lane frontage at a minimum width of 2.5 metres,
- b) The improvement of the footway along the Water Lane frontage to a width of 2 metres (insofar as this is within the control of the applicant),
- c) The Improvement to 6 bus stops on Green Lane including shelters, real time displays and access kerbing,
- d) The Provision of a shared footway/cycleway link through the site from Water Lane to Green Lane,
- e) Car Club funding to be secured by Section 106 obligation.

a) to d) would be secured through Grampian conditions or appropriate funding within a planning obligation.

The above items are consistent with the council's transport policy which seeks to maximise the potential for people to travel in a sustainable manner. In addition a Framework Travel plan has been submitted, which sets out objectives, targets, measures and how these would be monitored and reviewed over time. An annual Action Plan will be prepared and managed by appointed TP co-ordinators, who will review progress in conjunction with the LPA. This document is considered to be acceptable and as above it should be secured via condition or obligation.

In addition, discussion is ongoing in relation to potential upgrading of bus services passing the site and an update will be made at the meeting.

Access to the site has been proposed in the form of 3 priority junctions. Two are proposed to Water Lane, one serving the residential scheme, incorporating a right turn ghost island, the second, a 2 acre plot containing employment uses (this being an upgrading of an existing access). The third access from Green Lane, being new and serving two, 1 acre plots of employment use. Provisional plans have been submitted for all 3 and are considered acceptable in terms of safety issues and operation. In addition, a pedestrian and cycle path is shown on the indicative master plan providing a beneficial route between Green and Water Lanes. All access points would be covered by conditions requiring the provision of appropriate engineering details prior to commencement of works.

As mentioned above further analysis of traffic flows is in progress and this may highlight a justification for further mitigation or perhaps consideration of a strengthened approach to sustainable travel. As the total assessment has not been completed at the time of writing it could be deemed that an objection should be raised, on the grounds of inadequate information.

However, as the applicant presently shows a willingness to continue with this assessment and discuss the outcomes, an objection is not raised at this point - the final officer position on this will be provided at the meeting.

### 3.3 City Development.

The key planning policy issues that need to be considered are the loss of employment land, following on from this the suitability of the other proposed uses on the site, specifically housing and a hotel.

#### Loss of Employment Land

The Grainstores site is allocated within the 4th Set of Changes to the Local Plan as a Standard Employment Site - E3a.13, which stipulates that B1, B2 and B8 uses are appropriate. The mixed use scheme proposes 1.6 ha for a potential mix of Class B1c (Light Industry), C1 (Hotel), C2 (Residential Institutions) and D1 (Non-Residential Institutions) on the north-east section of the site.

Whilst the B1c employment aspect of the scheme appears in principle to be acceptable, the other elements are contrary to policy, and must be considered in light of Policy E3b.

#### Employment Policies

Policy E3b (Existing and Proposed Employment Sites): requires that sites either currently or previously in employment use, will be retained within their current use class, unless there is sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms. It is for the applicant to demonstrate that the requirements of this policy can be met. To do this they have submitted a range of information to support the application. This highlights that the Grainstores site has been marketed for sale by Lambert Smith Hampton, since 2004 for a range of employment uses. Information is also provided in relation to rental rates and tenure offered.

The Council undertook Stage 1 of an Employment Land Review (ELR) in the Summer which assessed future employment growth in York. This ranked the Grain Stores site as joint sixth, out of thirty six sites in terms of its sustainability for development for employment generating uses. In addition it should be noted that Stage 2 of the Employment Land Review is now due for completion in Autumn of this year. It is considered that given the size of the proposed development site and its relatively recent allocation in the Local Plan and the ongoing work in this area through the LDF, the ELR and the RSS the case for the loss of a significant element of its employment use to other uses must be robust.

In addition The Government Office for Yorkshire and the Humber (GOYH) published a 'proposed changes' document in relation to the then emerging RSS, for consultation in September 2007. This document included revised employment

growth figures for York and indicated that the potential annual job growth in the City could be up to 2,130. The document indicated that particular account needs to be taken of ongoing restructuring and modernisation of the manufacturing sector. More specifically for York the document indicates a potential net change in land in industrial and storage distribution uses between 2006 and 2021 of 90 hectares.

These figures do not accord with the findings of the Council's stage 1 ELR which identifies potential for 1060 additional jobs per annum and a negative requirement over the longer term for standard quality B1 (c)/ B2/B8 uses in the period to 2021. The ELR report does identify an overall demand for industrial space of 10,000sq.metres and states that there is pent up demand because of limited supply, particularly for small industrial units, for which no suitable sites are coming forward. It concludes that in the short term there is an acute shortage of sites and industrial space.

Given this context it is clearly important that the Council consider the need for the Grainstores as an employment site before other uses are considered. As a result of the above, a second stage of the ELR is currently being undertaken and this is due for publication in the autumn of this year. The Council should therefore have a clearer picture of local need once this is completed.

The adopted RSS identifies a significantly greater need for industrial and storage / distribution land in York than the York ELR does, and the Council may want to query this through the proposed changes consultation. Given this it would seem premature to be releasing employment land which could fulfil this need for industrial uses.

Given the size of the proposed development site and its relatively recent allocation in the Local Plan and the ongoing work in this area through the LDF, the ELR and the RSS the case for the loss of a significant element of its employment use to other uses must be robust. Additionally it must be clear that it is not considered important in the medium long term for B1, B2 and B8 uses. It must also be ensured that the Council's Economic Development Unit (EDU) do not consider it necessary to maintain the site in employment use. EDU also need to verify the marketing information submitted is appropriate.

If the in principle issues relating to the loss of employment land can be addressed it is important full consideration is given in turn to each alternative proposed uses.

#### Housing

The proposal includes 4.8 ha of residential uses (Class C3). The main issues in relation to housing are set out below.

The City of York Council are confident that a five year supply of deliverable housing sites can be demonstrated as required in Planning Policy Statement 3 and therefore this site is not required towards meeting the Council's housing targets.

#### Brownfield Land

The Grainstores site is located in York's main urban area on previously developed land, in a highly sustainable location. The site is in line requirements set out on PPS3: Housing and H4a: Housing Windfalls. This does not however override its

potentially important employment role. This will be determined in the stage 2 Employment Land Review.

#### Residential Density

In relation to residential density, Policy H5a and PPS3 state that 40 dwellings per hectare or more would be appropriate in this location. It should be noted that at this outline stage the number of housing units has not been decided therefore the housing density on site cannot be calculated at this stage. The mix of housing should be in line with the Councils Housing Market Assessment which indicates that greatest demand across York is for 2-bed and 3-bed homes, across all sectors (market, social rented and intermediate i.e. discount sale at a meaningful affordable level). The Strategic Housing Market Assessment 2007 (SHMA) also concludes that demand is greatest for houses rather than flats. Affordable Housing should be provided in accordance with the Council policy H2a of 50%.

#### Hotel

A 150 bed 3\* (or above) hotel has been proposed as part of the Grainstores application. PPS6 states that hotels are considered to be a main town centre use, to which the sequential test applies. Applicants proposing hotels are required to demonstrate:

- a) the need for development;
- b) that the development is of appropriate scale;
- c) that there are no more central sites for the development (adopting the sequential approach to site selection);
- d) that there are no unacceptable impacts on existing centres;
- e) that the locations are accessible.

As hotels are deemed to be a town centre use the sequential approach applies. The applicants have carried out a sequential test and have assessed need. In order to determine if this research for the need of a hotel is robust discussions must be carried with the Economic Development Unit in order to establish their full support, and establish that the proposal fits with the Councils Tourism Strategy. Only following the consideration of other available sites, and dismissing them through examining the availability, suitability and viability should the Grainstores site be considered for a hotel site.

#### 3.4 Economic Development Unit.

The applicant seems to have only tested the market for employment use based on the existing buildings and layout. There may be potential for the full site to be marketed for redevelopment as employment use, but the evidence submitted does not suggest that this has been tested.

It is important to ensure that there is no loss of employment land in the city. The current employment on the site is minimal and the proposal has the potential to increase this number, however it will not maximise the employment potential by using the whole site for employment purposes. The planning process, if minded to approve the application, must be confident that there is sufficient supply of employment land to meet the city's immediate and long-term land requirements in both quantitative terms and qualitative terms.

### 3.5 Archaeology.

The site lies to the north of the historic core of the City of York. The site lies outside the Area of Archaeological Importance. The site consists of an area of land covering approximately 7.5ha. The site is bounded by Water Lane and Green Lane and is centred at SE59365442. The site consists of hard standing and former aircraft hangers associated with Clifton Airfield. The site is almost completely flat apart from some perimeter bunds. Ground level is at around 14m AOD.

About 500m to the north-east of this site lie the scheduled remains of two Roman practice camps (mon no 30152, SE 59655484; and mon no 30127, SE59885488). This type of monument is often found in clusters of up to ten or more camps. As yet archaeological work on the development sites along Water Lane has failed to produce evidence for more of these camps in this locality, although two have been discovered and investigated at Monks Cross.

Given this archaeological background, the applicant has been asked to submit a Desk-Based Assessment and to carry out an archaeological evaluation of the site. The evaluation has been carried out by the York Archaeological Trust. It started on the 8th October 2007 and was completed on 26th October 2007. I visited the site on 24th October and inspected the trenches. I do not expect a report on the results of the archaeological evaluation to be ready before the suggested Committee date of 22nd November. However, I am able to offer the following comments based on my site visit and on the discussions I held with the YAT site supervisor.

A total of 15 trenches has been excavated. These trenches revealed limited areas where archaeological deposits might survive. A large percentage of the site has been subject of extensive surface reconstruction to a depth of up to 1m. This has truncated the surface of natural to such an extent that it is unlikely that any archaeological deposits will survive within these areas of the site.

The aircraft hangers which stand on the site are date from the period when the airfield was developed during World War II. These, and their associated buildings on the site are of great interest and merit recording prior to any demolition works

Recommends approval subject to the imposition of a watching brief condition and an agreed programme of archaeological work.

### 3.6 Education Officer.

Confirm that the Council are likely to require an S106 contribution for both Primary and Secondary sectors and may also require a Foundation level S106 requirement as well. However, as we don't have figures for the number of 2 or more bedroom houses, I'm unable to give an accurate calculation. When the full detailed planning application comes in with a breakdown of accommodation types, we'll be able to provide a breakdown of S106 requirements.

### 3.7 Air Quality Officer.

Need to establish the likely air quality implications of this proposal. In order to assess this, the Council need to know if any road links with existing AADT flows of  $\geq 10,000$  vehicles per day will experience changes in flow of more than 5% (increase). We are particularly interested in the likely additional traffic movements

around Clifton Green / Bootham. Currently unable to derive this information from the current traffic assessment. I have copied this to Howard in the hope that he can offer some advice on likely magnitude of any changes in these areas. Noted that further SATURN modelling work is planned, and it would be useful if the areas highlighted above could be included in this work.

### 3.8 Ecology Officer.

There is little ecological interest on this site. The only interest in an ecological aspect would be the linking in of any open space for the site to Clifton Backies and ensuring that due regard is given to biodiversity enhancement.

### 3.9 Landscape Architect.

(Comments as taken from the concurrent application which has gone to appeal)

Although it is accepted that the masterplan is indicative, it must at this stage illustrate the correct quantity of public open space (POS) that would be expected of the proposed housing allocation. To this end the masterplan is unsatisfactory. A scheme of this size would warrant an imaginative, site-specific, local equipped area of play (LEAP). A location within the blue residential zone (on the layout plan) between Victoria Farm Estate and the employment zone may be appropriate in that the employment amenity space and the residential amenity space could be combined to provide a substantial all-encompassing POS. The design and access statement concurs with this, but the two plans do not illustrate this principal.

As well as a LEAP there would also be a requirement for a LAP(s) immediately within the housing areas combined with 'home zone' principles (to be agreed with Highways).

There is no equipped play area on the stray. The nearest is at Brailsford Crescent and Landalewood Road; these serve dense areas of housing and one would need to cross busy roads to access them. There is a green amenity space at the end of Handley Close/Whitley Close; this is not equipped and there is no direct pedestrian connection.

Clifton Backies/Bootham stray has a presence and an entry point along Water Lane at the junction with Woodland Chase. The majority of this section lies opposite Victoria Farm Estate. Nonetheless I feel it would be important to make an open space connection between the stray and the site at this point.

The properties on Harrow Glade that back onto the site have short rear gardens. Although these currently back onto an industrial site, there is a green earth mound between them and a substantial distance to the existing store. In order to protect the amenity of these residents there should be a reasonable easement between the boundary and new buildings. The suggested 15m length (10m garden plus 5m depth planting) on the layout would be a suitable minimum; this may be more depending on proximity of existing properties. However the masterplan does not appear to reflect these dimensions. The scheme proposes planting around the boundary of the site which would be within individual private ownership. The retention of such planting should not be conditioned, and is difficult to enforce, as has been proved at the Tenneco site (ref: 02/2308). Therefore it is better to rely on suitable garden lengths to provide mitigating distances, rather than belts of planting in private ownership. Nonetheless introducing trees and shrubs should be encouraged by initial implementation through an approved landscape scheme.

3.10 Environmental Protection Officer.  
Comments awaited.

#### EXTERNAL

3.11 Clifton Without Parish Council.  
Object. The site does not meet the land allocation criteria.

3.12 Environment Agency  
No objections. Commitments have been received to drain the existing system without additional flow or volume. However the applicant is advised to consider a further reduction eg: 5-10% to allow for residents introducing hard landscaped areas, without the requirement for Planning permission. The Agency would also welcome the use of SUDS techniques to assist in this. 2 conditions recommended.

3.13 Yorkshire Water.  
Comments awaited.

3.14 Neighbours and Third Parties.  
Nearby residents were consulted by letter and site notices placed close to the site. 7 letters of objection have been received making the following observations.

- i) Object to the hotel. Would adversely affect neighbouring residential areas with increased noise and disturbance particularly at weekends, evenings and unsocial times.
- ii) Existing area is predominantly residential and light industrial, the latter predominantly opening daytime only.
- iii) Hotel would increase volume of traffic and will not benefit local residents and would be better sited close to the City centre.
- iv) Concerned about noise from the hardstanding.
- v) Area already has a traffic problem so to build lots of houses would be madness.
- vi) There are offices in the area which have been empty for years.
- vii) Rawcliffe has had its fair share of development over the last 20 years.
- viii) Site should be returned green fields.
- ix) Very concerned about traffic generation in the area as already gridlocked around the Green Lane / Water Lane / Clifton Moorgate junctions as well as at the Water Lane / Clifton Green and Rawcliffe Lane junctions. There should no more building in the Clifton area until this is improved.
- x) Water Lane has a weight restriction imposed on it. The extra traffic passing on this road may effect the foundations of dwellings in the area.

## 4.0 APPRAISAL

### 4.1 KEY ISSUES.

- Allocation of the site in the local plan.
- Local Highway issues.

4.2 The application site stands within the urban area of York and is allocated in the 4th set of changes to the local plan as a standard employment site. Key national

guidance to be considered is contained within PPG3 (Housing) and PPS6 (Planning for Town Centre). At a regional level the Regional Spatial Strategy guidance on employment need is material. At local level, initial consideration has to be given to Policy E3b (Existing and Proposed Employment Sites) and the Employment Land Reviews which have taken place as part of the Local Development Framework process. The key issues that need to be considered here are the loss of employment land and following on from this the suitability of the other proposed uses on the site, specifically housing and a hotel. Policy E3b (Existing and Proposed Employment Sites) requires that sites either currently or previously in employment use, will be retained within their current use class, unless there is sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms.

4.3 The basic analysis of the case is that the site is allocated for employment use, in particular those uses within the B1, B2 and B8 use classes. This application seeks a predominantly residential use with some employment use shown towards the eastern corner of the site. However this employment use is restricted to a mixture of B1(c) Light Industry, a hotel (C1) where a possible 150 bed hotel is mentioned, non residential institutions (C2) where no end use is identified but which could include a hospital, a Nursing Home, a residential school or a training centre and Class D1 which includes medical centres, creches, public libraries and places of worship. A possible new church is mentioned in the supporting statement accompanying the application. The supporting statement on this says that 'such a facility would be aimed at providing a space accessible to all members of the community. A church would offer no facilities for community initiatives to serve both new residents generated from the proposed residential development and existing residents in the surrounding Clifton Moor area'. There is no indication however as to how this would constitute a significant employment generator. In any event, uses within Classes C1, C2 and D1 are not standard employment generators and are contrary to the uses specified in the site allocation and must be considered in light of Policy E3b.

4.4 Officers consider that this policy context is the overriding consideration here and the detailed response and considerations of the Council's Policy officers are at para. 3.3 above. It is not the intention of the case officer to repeat these in detail here but these comments are a material consideration in this case and members are referred to them. Presently, the second stage of the Employment Land Review is being undertaken and is due for publication in the Autumn and this will give a more up to date assessment as to the employment need and potential of the land following on from the conclusions in the RSS. Given the relatively short timescales involved and the importance of such a document in assessing the strategic importance of this site, it is considered inappropriate to consider the release of this land to support other uses, the vast majority of which are outside any recognised employment use. To this end, the application submitted here is considered by officers to be premature.

4.5 The applicants have marketed the site since January 2006 and according to the supporting statement accompanying the application this involved the circulation of a brochure, the erection of a banner, two advertisement boards at the entrance and corner of Water Lane, mailshots to suitable companies and industrial property agents and press releases on the Estates Gazette Property Link and the Lambert Smith Hampton. This, they report, resulted in very limited enquiries, most of which were for

short term use at unviable rental levels and well below market rates. This evidence therefore helps to support their view that the site, despite its allocation, is not suitable for employment use anyway. However, the applicant seems to have only tested the market for employment use based on the existing buildings and layout and not on the sites potential for redevelopment in line with the allocation. The applicants own supporting statement describes the buildings on site as 'inflexible and incapable of meeting the modern requirements of potential occupiers'. Clearly the existing buildings are very large and do offer limited use potential and therefore it is not necessarily a surprise that little interest in the site was shown. Officers do not consider that marketing it in this way gives an accurate reflection of the sites overall market potential for a wider employment redevelopment involving smaller and more diverse units. The Council, in allocating the site, does not make reference to, or expect that, the existing buildings would be reused. There is the potential for the full site to be marketed for redevelopment as an employment use, but the evidence submitted does not suggest that this has been tested.

4.6 The applicants also state that the surrounding uses (residential), existing access arrangements, restrictions for HGV's and the local infrastructure further limit the potential for major industrial development at the site and that this would probably limit the use across the whole site to only B1c (light industry), which would be inappropriate. However, such uses can and do sit together in a perfectly acceptable way providing it is carefully planned and controlled.

4.7 On the alternative uses proposed, the majority of the site (4.8ha) is set aside for housing and officers would concede that in Development Control terms, the site is suitable for residential development, subject to the standard development control criteria and appropriate contributions. However, this aside, part of the applicants case is that the City of York Council do not have sufficient housing land to meet a deliverable 5 year supply as required in PPS3. However, officers disagree with this assertion and consider that there is a five year supply of deliverable housing sites within the York area and as such this site is not actually required for housing. This adds further weight to the case that full and proper consideration be given to its use as a employment site as allocated in the draft local plan before any different use is considered.

4.8 It is intimated that the proposed hotel (Class C1) would be a minimum 3 star, approx 150 room hotel although no specific details to this end have been submitted. The applicants state that this could create up to 100 jobs. They have undertaken a sequential test as required in PPS6 and the approach taken in relation to this looks suitable. As previously intimated however, such a use falls outside of the B1, B2 and B8 allocation of the site and is not generally a recognised employment use when considering employment based land uses. This is again considered premature and contrary to Council Policy. The further comments of the Council's Tourism Manager are awaited on this.

Highways.

4.9 Council's highway officers are in continued detailed consultation with the applicant's transport consultant with regard to the submission of further information and this will be updated at the meeting as required. For the detailed comments on

this, members are referred to para. 3.2 above and also to para. 3.7 and the comments of the Council's Air Quality officer which are also relevant on this issue due to air quality concerns at the nearby Clifton Green junction. Again, updates will be provided on this if necessary at the meeting.

## **5.0 CONCLUSION**

5.1 The site is allocated for employment use in the City of York Draft Local Plan and the Council are currently going through various stages as part of the LDF programme to ascertain employment need throughout the city. This site has been identified in the Employment Land Review Part 1 as an important site and at this stage there is no evidence to contradict this. Work is on-going on this through the Employment Land Review Stage 2 and this expected to be completed around September 08. The application for this mixed use development, mainly consisting of residential and other non-conforming employment uses is therefore considered premature and officers consider that this should be resisted accordingly.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Refuse

1 The land subject to this application is allocated within the 4th Set of Changes to the City of York Draft Local Plan as a Standard Employment Site. Other than the stipulated B1c use, the proposed uses are contrary to this allocation and specifically Policy E3b of the City of York Draft Local Plan. The Council consider that there is no clear evidence at this time that the site is not required for the specified employment uses and therefore the application is considered to be premature and therefore should be resisted.

### **7.0 INFORMATIVES:**

#### **Contact details:**

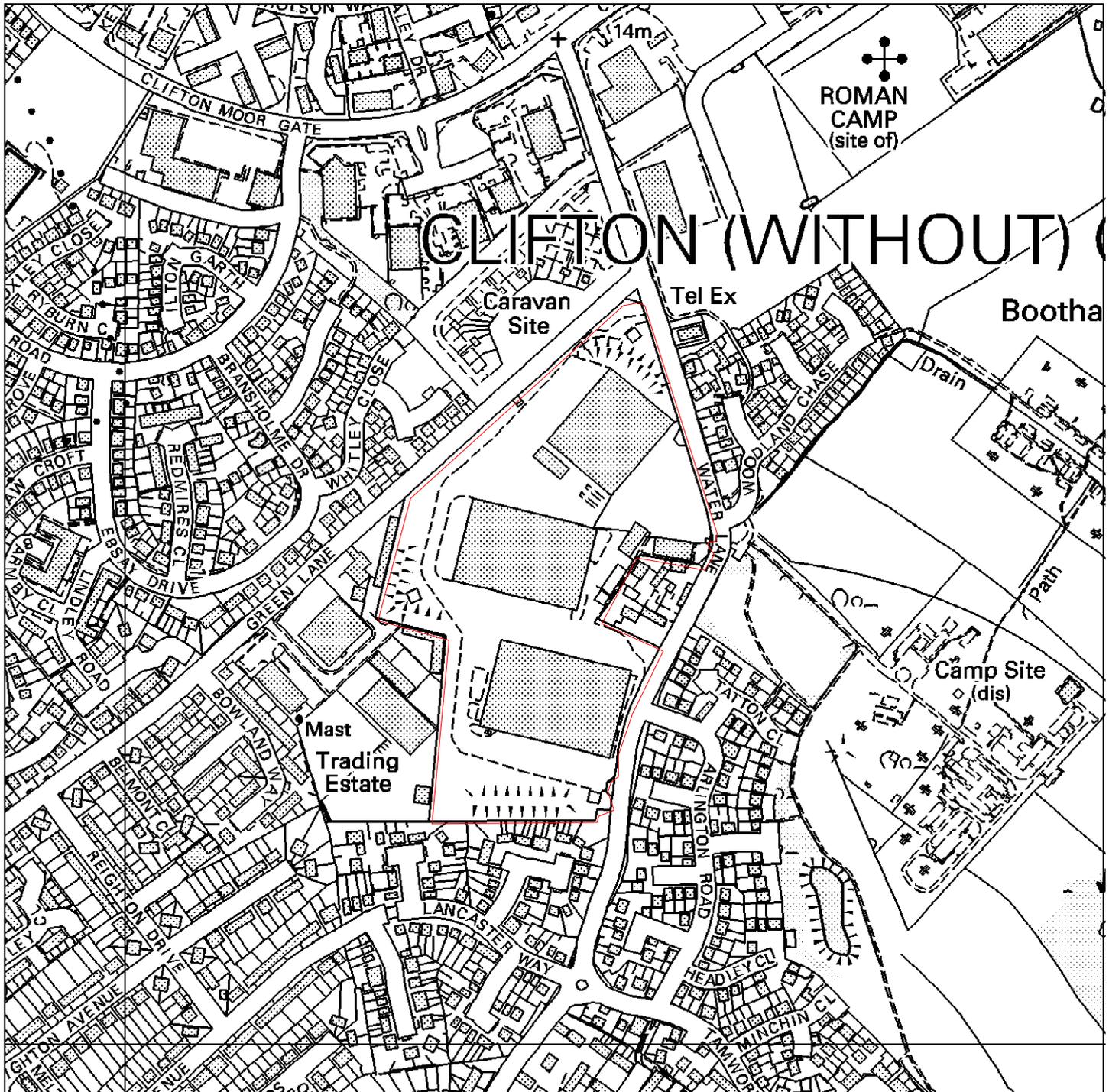
**Author:** Matthew Parkinson Development Control Officer  
**Tel No:** 01904 552405

# Cliftn Grain Stores

08/00832/OUTM



GIS by ESRI (UK)



Scale : 1:5000

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<b>Organisation</b>	City of York Council
<b>Department</b>	Development Control
<b>Comments</b>	Outline Application
<b>Date</b>	16 June 2008
<b>SLA Number</b>	

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**COMMITTEE REPORT**

**Committee:** Planning Committee      **Ward:** Skelton, Rawcliffe, Clifton Without  
**Date:** 24 June 2008      **Parish:** Clifton Without Parish Council

**Reference:** 07/01992/OUTM  
**Application at:** Grain Stores Water Lane York YO30 6PF  
**For:** Outline application to form class B1c, C1, C2, C3 and D1 including parking and new access arrangements after demolition of existing warehousing units  
**By:** Water Lane Ltd  
**Application Type:** Major Outline Application (13 weeks)  
**Target Date:** 29 November 2007

**1.0 PROPOSAL**

1.1 This application is a duplicate of the previous agenda item for the Clifton Grain Stores (08/00832/FULM) and is now the subject of an appeal against non-determination. This is to heard at a Public Inquiry in August 2008. The description and accompanying plans are identical to that that members are being asked to consider under 08/00832/FULM. The issues are therefore also identical.

1.2 This proposal has a long planning history and is now subject of an appeal against non-determination by the Council. In such circumstances it is no longer possible for the Council to determine the application. The purpose of this report is to establish the formal attitude of the Committee to the proposal, for use in the forthcoming Public Inquiry.

1.3 It is not the intention to repeat all the representations and issues here as these will be considered by members in the previous agenda item.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYE3B

Existing and Proposed Employment sites

CYH4A

Housing windfalls

CYH5A

Residential density

CYH2A  
Affordable Housing

CYSP7A  
The sequential approach to development

CYL1C  
Provision of new open space in development

CYED4  
Developer contributions towards Educational facilities

CYGP4A  
Sustainability

### **3.0 CONSULTATIONS**

3.1 Members are referred to the previous agenda item for the representations made by officers, statutory consultees and third parties on this case.

### **4.0 APPRAISAL**

4.1 Members are referred to the previous agenda item for the representations made by officers, statutory consultees and third parties on this case.

### **5.0 CONCLUSION.**

5.1 The conclusion is the same as in the previous agenda item for the duplicate application. This is that the site is allocated for employment use in the City of York Draft Local Plan and the Council are currently going through various stages as part of the LDF programme to ascertain employment need throughout the city. This site has been identified in the Employment Land Review Part 1 as an important site and at this stage there is no evidence to contradict this. Work is on-going on this through the Employment Land Review Stage 2 and this is expected to be completed around September 2008. The application for this mixed use development, mainly consisting of residential and other non-conforming employment uses is therefore considered premature and officers consider that this should be resisted accordingly.

5.2 As such, only the formal attitude of the Committee to the proposals can be considered here, this being that the application be opposed for the same reasons as those outlined in application 08/00832/FULM.

### **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:**

That the application be opposed for the same reasons as those outlined in application 08/00832/FULM.

The land subject to this application is allocated within the 4th Set of Changes to the City of York Draft Local Plan as a Standard Employment Site. Other than the stipulated B1c use, the proposed uses are contrary to this allocation and specifically Policy E3b of the City of York Draft Local Plan. The Council consider that there is no clear evidence at this time that the site is not required for the specified employment uses and therefore the application is considered to be premature and therefore should be resisted.

## **7.0 INFORMATIVES:**

### **Contact details:**

**Author:** Matthew Parkinson Development Control Officer  
**Tel No:** 01904 552405

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# Cliftn Grain Stores

07/01992/OUTM



GIS by ESRI (UK)



Scale : 1:5000

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<b>Organisation</b>	City of York Council
<b>Department</b>	Development Control
<b>Comments</b>	Outline Application
<b>Date</b>	16 June 2008
<b>SLA Number</b>	

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**COMMITTEE REPORT**

**Committee:** Planning Committee      **Ward:**      Huntington/New Earswick  
**Date:**      24 June 2008      **Parish:**      New Earswick Parish Council

**Reference:**      08/00773/FULM  
**Application at:**      Joseph Rowntree School Haxby Road York YO32 4BZ  
**For:**      Erection of part two storey, part three storey building to form purpose built school (to replace existing school building) with associated car and cycle parking, landscaping and sports pitches; use of adjacent land to south for temporary car parking and access during construction phase  
**By:**      Learning Culture And Children's Services  
**Application Type:**      Major Full Application (13 weeks)  
**Target Date:**      27 June 2008

**1.0 PROPOSAL**

1.1 This is a full planning application for the erection of a new school and the subsequent demolition of the existing school buildings at Joseph Rowntree School.

1.2 In 2006 the DFES announced that City of York Council was to be a One School pathfinder for the building schools for the future programme. This application for a new school at the Joseph Rowntree Secondary School site in New Earswick has been submitted as a result of the school being identified as the most appropriate candidate for the project.

1.3 Joseph Rowntree School is located on the north side of New Earswick. The original school building was constructed between 1939 and 1942 to provide secondary education for the children of New Earswick and the surrounding villages. The Joseph Rowntree Village Trust funded it. In the late 1950's and the 1960's the school was expanded westwards, extending the frontage range towards the main road. In the latter part of the twentieth century more buildings were added to the north of the site as the school became a comprehensive with a sixth form. The school now caters for approximately 1300 pupils. The main pedestrian and vehicular accesses to the site are from Haxby Road.

1.4 The school site is set outside the main part of the village of New Earswick beyond the Conservation Area boundary. Significant trees, some of which are covered by Tree Preservation Orders, border the south of the site. A public footpath and open space separates the site from the conservation area. To the north are the school playing fields, bordered by further public footpath, minor sporadic development and an open field which runs up to the York by-pass. To the east is open land over which can be viewed Huntington Church and the Huntington Conservation Area and to the west across the Haxby Road is existing residential development.

1.5 The proposal is to redevelop the existing school site to provide new school facilities. The development is to be carried out in three phases. The first phase is to construct the new school by forming a temporary haul road from the Hartrigg Oaks

roundabout into the school site via the open space to the south, providing car parking and spoil heap storage on the open space, and then constructing the new school behind the existing school buildings. The second phase is to demolish the existing school buildings and landscape the front of the site and thirdly to reinstate the open space by removal of the haul road and car park.

1.6 The new school building is to be part two, part three storey construction. It is to be sited between 135 metres and 185 metres back from the Haxby Road frontage and incorporates a sports hall that will be open for community use. The building is predominantly brick constructed with cedar wood cladding and rendered inserts. The structure is a flat roof construction with a three storey height of 11.8 metres and a two storey height of 8.5 metres. The access arrangements remain on the Haxby Road frontage, with the main cycle routes from the north and south being retained in their existing positions and vehicular access being very similar to existing. The parking arrangements are located to the front of the building and have been amended since the first submission of the application. The proposal is now for 83 staff car parking spaces, 10 visitor spaces and 7 car share spaces, cycle parking for 390 students, separate cycle parking for 30 staff and community use cycle racks for 20 cycles as well as motorcycle parking, parking for 2 minibuses and bus drop off space for four buses. The proposal incorporates new/rearranged outdoor sporting facilities including full and mini hockey pitches, a further mini pitch, netball courts, training grids, basketball area, these are in addition to the facilities that exist on the playing fields to the north of the application site. The remainder of the exterior of the site is to be landscaped to enhance the setting of the building whilst providing functional amenity spaces for school activities.

1.7 The application is supported by the following documentation:-

- Design and access statement
- Transport statement
- Sustainability statement
- Contaminated land desk top study
- Flood Risk Assessment
- Archaeological evaluation
- Travel plan
- Draft community use agreement
- Arboricultural report
- Biodiversity plan

1.8 An Environmental Impact Assessment screening opinion was sought for the proposal in December 2007. The decision on that submission was that an Environmental Impact Statement was not required for the development because;

1. The site is not within a "sensitive area" as defined by Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) 1999;
2. Although a major development, the development would not result in unusually complex or potentially hazardous environmental effects.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

Schools Joseph Rowntree 0248

## 2.2 Policies:

CYED1

Primary and Secondary Education

CYED11

Protection of Playing Fields

CYGP1

Design

CYGP4A

Sustainability

CYGP7

Open Space

CYGP9

Landscaping

## 3.0 CONSULTATIONS

### INTERNAL

#### Highways Network Management

3.1 Highways Network management whilst not objecting to the principle of the development require a number of issues related to the details of the scheme to be resolved prior to the application being determined. In summary there concerns about the details cover the following areas:-

#### - Design/layout

To establish how the level of car parking has been calculated a break down of staff and pupil numbers including numbers of sixth formers is required. The layout of the car park should complement the content and aims of the travel plan. The access to the north should be widened to at least 3 metres. The pedestrian/cycle route adjacent to Park Lodge is only 2 metres wide where it meets the PROW. This should be widened to three metres for its full length.

#### - Travel Plan

the content of the travel plan does not have any measures aimed at the staff/community use of the building

#### - PROW - New Earswick no.5

#### Diversion of the foot

path can only be for 6 months and possibly a further 6 months with the secretary of states approval giving only 12 Months in total. Highways Network Management consider that the better way forward would be to keep the footpath open and look at

design features to minimise any potential risk to users. A detailed drawing is requested.

- Vehicle Swept Paths

A number of the vehicle swept paths on the drawings appear to be tight. These need to be looked at again.

- Temporary Access/Haul Road

3.2 A road safety audit on the temporary access road should be carried out. A pedestrian refuge point is requested on the haul road or an alternative access design should be considered. The swept paths of vehicles leaving the haul road require the removal of a refuge island on the roundabout, details of the measures proposed to ensure the junction continues to operate safely should be supplied. Consideration of signage on the roundabout is needed.

Comments following amended car parking layout being submitted and the various issues raised by highways being discussed :-

3.3 Improvement works to the surrounding highway have not been sought given that there is no expected increase in school role, as such there is no justification to seek improvements. The development will not result in a material change in traffic on the adjacent highway.

3.4 Vehicular access to the school is to be via the existing access points on Haxby Road. The accesses will have some minor improvements carried out to the kerbing and footways which link round into the site. The car park will provide 108 spaces, which is in accordance with CYC Annex E maximum standards. The level of parking provision has also been assessed against the expected modal split targets and as such will complement the Travel Plan for the school. A draft Travel Plan has been submitted and the school is working with officers to put together an effective Travel Plan document. A condition is suggested to secure the full Travel Plan document.

3.5 As part of the new build process the pedestrian and cycle routes into the school have been improved and new increased levels of cycle parking have been proposed. The cycle parking is covered and secure and is broken down into pupil provision, staff, and visitor.

3.6 The greatest impact from traffic on the adjacent highway will be during the construction phase, however it must be remembered that this phase is temporary and inevitably there may be some limited disruption. Through negotiation and the use of appropriate conditions the authority will seek to work with the contractors and local residents to ensure any disruption is kept to a minimum.

3.7 Due to the required phasing of construction due to the school continuing to operate throughout the build process it is necessary to construct a temporary haul road from the Hartrigg Oaks/Haxby Road mini roundabout. The access will result in the creation of a fourth arm to the roundabout and associated highway modification works to facilitate the proposed access. In order to protect highway users, particularly pedestrians a refuge island is being provided on the new arm of the roundabout to ensure safe crossing facilities.

3.8 Such works will be carried out at the applicants expense under an Agreement of Section 62 of the 1980 Highways Act. Following completion of the development the highway will be reinstated to it's current layout to the authorities standard specifications.

3.9 As part of the haul road a diverted route for the Public Right of Way known as New Earswick Number 5, which currently runs along the schools Southern boundary from Park Lodge, is being created. It is considered that the temporary diversion of the PROW during the construction phase is the safest way of reducing the potential for conflict between PROW users and construction traffic. As part of the scheme the surfacing of the existing PROW from Park Lodge will be improved. Twelve conditions are proposed by highways to ensure the proper implementation of the scheme

## City Development

3.10 No objections are raised to the scheme subject to development control being satisfied about the design of the scheme in relation to policy GP1 and that the reduction in grass playing fields being compensated for by new facilities is acceptable to Life Long Learning and Leisure.

## York Consultancy

3.11 Following consultation with the Environment Agency and the Foss Internal Drainage Board engineering consultancy agrees in principle with the proposed surface water drainage scheme for the development. However although the maximum discharge levels are known the attenuation measures to achieve the discharge levels are not. Conditions are proposed to ensure attenuation measures are submitted, to require surface water storage capacity details and to limit the run off from the haul road.

## Landscape Architect

3.12 The proposed school brings the buildings closer to the green belt thereby placing greater importance on the screening and amenity function of the eastern hedgerow. The area between the new building and the eastern boundary is occupied by two open, grassed pitches that are free from additional structures thereby maximising the effective open distance between the school building and the greenbelt. This effect is jeopardised by the proposed security fence along the eastern boundary this should either be removed or brought to the inside of the new planting on the eastern boundary.

3.13 At the other side of the site onto Haxby Road, the incorporation of the existing and new trees into a grassed 'parkland' setting with sweeping paths running through it, will make a positive contribution to the street scene.

3.14 The master plan shows kitchen gardens and food production areas, these features are missed out on the site layout plan. It is very much hoped that these features will be incorporated into the scheme.

3.15 The landscape Architect raises a number of concerns about existing trees and the way in which these are to be protected during the development of the site. It has

been requested that the issues raised are dealt with by the applicant and that a tree protection method statement is attached to any permission granted.

3.16 The planting schedule given on the drawings is fine but not conclusive. Therefore the standard landscape condition is requested. The planting plan should also include management proposals for the eastern hedge.

3.17 In summary the landscape Architect is not objecting to the application but says that the detailed site layout should address the discrepancies between the master plan in favour of the latter. the fencing along the eastern boundary needs to be resolved so as not to be detrimental to the character of the green belt. There will need to be minor revisions to the layout in order to satisfy tree protection requirements. A method statement should be submitted that address various concerns about tree protection throughout and also in specific areas. Planting details can be agreed under condition.

#### Archaeology

3.18 The site lies outside the area of archaeological importance in an area which has seen relatively little recent archaeological work. There is a Roman Settlement located some 1500m south of the school site. This was partially excavated in 1926 - 1929. This consists of two sides containing 2nd - 4th century pottery, tiles and querns and traces of walling. The finds were interpreted as indicating the possible site of a villa. There is some poorly preserved ridge and furrow in the field to the south of the school and there are also the very faintest of traces visible in the northernmost playing field. Ridge and furrow has been recorded at SE60605590. Undated cropmarks showing field boundaries and trackways have been observed at SE631565 and SE645570.

3.19 These finds and cropmarks indicate the presence of a well developed late prehistoric, Romano-British and medieval landscape around the site of the Joseph Rowntree School. On-Site Archaeology was appointed to carry out a desk-based assessment, a geophysical survey, and an archaeological field evaluation of the proposed site.

The archaeological evaluation was carried out by On Site Archaeology at Joseph Rowntree School, New Earswick in July 2007 on behalf of the City of York Council. A total of thirteen trenches were excavated, eight within the current school playing fields and five in the field to the south of the school.

3.20 Archaeological features were revealed in trenches 9 and 10. The features were interpreted as a boundary ditch with a right angled corner and was dated by finds to the late first or early second centuries AD. It is possible that this was the remains of a Roman marching camp analogous to four further examples known from within a 1km radius of this site. However, not enough of the ditch was revealed either by the current evaluation or by geophysics to be certain of its function. No other archaeological features were found on the site. However, further Roman activity from a later period was attested by finds of Roman pottery and CBM in the topsoil and subsoil of two more trenches. Stray finds of a medieval date were recovered from the topsoil and fills of land drains elsewhere and were probably the results of agriculture.

3.21 A further phase of archaeological excavation was carried out consisting of a large trench 20mx50m located over the finds of Roman pottery which lay within the proposed footprint of the school. No further archaeological features were identified.

3.22 On the basis of the results of the archaeological work carried out in advance of submitting a planning application and of the reports submitted by the applicant, the archaeologist is satisfied with the details in the application subject to standard archaeological conditions.

#### Environmental Protection Unit

3.23 No objections in principle however conditions are requested to protect residents during the construction phase and following the completion of the development. Proposed conditions include a lighting impact assessment, a construction environmental management plan, noise level condition in relation to plant and machinery, piling operations condition, treatment of cooking odours. Informatives are also suggested in relation to hours of work and contamination.

#### Countryside Officer

3.24 The Countryside Officer is very disappointed with the information submitted about biodiversity. The document is very much written on the basis of what could be done not what will be done. Some of the things suggested could not actually be achieved with the proposed design. There is nothing within the design and access statement about biodiversity in particular there is no information about where bat and swift boxes will be provided. More information is needed.

#### EXTERNAL

#### New Earswick Parish Council

3.25 No objections.

#### Police Architectural Liaison Officer

3.26 No objections to the plans on the basis of having been involved and consulted from an early stage by both the developers and clients. The Police Architectural Liaison Officer is satisfied that subject to reaching the standards agreed the achievement of a secure by design accreditation will be forthcoming.

#### Ramblers Association

3.27 The proposals affect the setting of two definitive PROW and suggests a need to divert one of them for up to 18 months.

From a public amenity point of view soft landscaping should be on the path side of any fencing rather than walking along a security fence or equivalent. Due to the hard landscape of the mini hockey it is suggested that planting alongside the public footpath from the existing hedge to the tree planting by the basketball area. Similarly on the northern boundary a hedge would be preferable to a fence adjacent to the habitat area.

#### Sport England

3.28 Sport England has considered the application in the light of its playing fields policy. The aim of the policy is to ensure that there is an adequate supply of quality

pitches to satisfy the current and estimated future demand for pitch sports within the area. The proposal entails the redevelopment of the existing school site with associated landscaping and sports pitches. Whilst it is noted that the development will result in the marginal loss of playing field land the overall area of playing pitches and hard courts will remain the same. As the development will result in improved playing pitches, hard courts, new sports hall and changing facilities, Sport England are satisfied that the development meets exception E5 of their policy and therefore do not wish to object to the application. Two conditions are requested requiring the approval of a community use agreement and a detailed specification for the MUGA's to be approved.

#### Foss Internal Drainage Board

3.29 The board has no objections to the principle of the development however there are concerns as to the arrangements for surface water Run-off. In view of these concerns the board objects to the application until surface water issues are resolved.

#### Environment Agency

3.30 The environment agency has no objections to the proposed development subject to conditions which require the mitigation measures in the flood risk assessment to be incorporated into the development, a scheme for the limitation of surface water run off being submitted, restriction of the maximum rate of discharge from the site, piling foundations being restricted to prevent risk to ground water, a contamination condition.

3.31 There have been three letter of objection covering the following points:-

- Objections are raised if the development would impinge on the field to the south of the school, if this area is only to be used during the building phase public access should be maintained and the land should be reinstated to a green area afterwards.
- Rigorous mitigation measures should be included in any planning permission for the new school including property assessment prior to commencement to benchmark against damaged caused by construction traffic/pile driving, protection of mains water pipes in the road, noise and work restrictions on time and days of construction to exclude work on weekends and bank holidays
- Concern about the hedge boundary and the footpath ( referred to as a bridleway) to the north of the site. concern that there is not enough room along the path, that when the hedge is cut clippings are not removed and this is dangerous to users, particularly those with horses
- It is hoped that the pond management plan is carried out and that this will help to prevent the footpath from becoming waterlogged
- Saddened to read that the hedge along the Haxby Road frontage is to be removed to be replaced by a fence. The hedge is much more attractive and is nesting areas for many birds
- If there have been meeting with local residents this resident has not been informed

#### Publicity

3.32 The application was advertised by means of site notices posted on the 8th April 2008, a newspaper advertisement published on the 16th April and by neighbour notification letters dated the 7th April 2008.

## 4.0 APPRAISAL

### 4.1 Key Issues

- Policy background
- Design and landscape considerations
- Traffic, highways and access issues
- Playing field provision
- Drainage
- Sustainability
- Crime prevention
- Temporary use of open Space
- Impact on Residential amenity
- Biodiversity

### Policy Background

4.2 The application relates to the erection of a new school within an existing school site. The site is identified as an educational establishment in the Draft Local Plan. The area on which it is proposed to construct a temporary car park, topsoil heap and haul road to facilitate the construction of the school is located on land identified as being open space in the Draft Local Plan. The school playing fields to the north of the school buildings are located within Green Belt. The playing fields do not form part of the application site as they are unaffected by the development.

4.3 The regional spatial strategy adopted May 2008 says little about education, however policy E1 makes reference to the need to support higher and further education to ensure a knowledge driven economy. Paragraph 11.3 says that there needs to be an ongoing focus on education skills, training and training entrepreneurs. The superseded Regional Spatial Strategy, which was still extant at the time of the submission of this application is a little more expansive about education. It says that continual improvements to educational achievement at all levels will help to achieve economic growth and social inclusion, and this will require development of the educational infrastructure. Policy SOC2 of the strategy says that development plans should recognise the importance of the educational infrastructure in the region to promoting both social inclusion and economic growth and regeneration. The policy also says that development plans should encourage the retention and development of education and learning facilities in locations that are accessible by good public transport and in accordance with the locational criteria of the Regional Spatial Strategy ( Policies P1 and T2).

4.4 The draft local plan sets out educational objectives, one of which is to foster a culture of education, life-long learning and to widen access to education. Policy ED1 in relation to Primary and secondary education says that new secondary education facilities will be granted provided that it would meet a recognised need, the development is of a scale and design appropriate to the character and appearance of the locality and an area of open space and playing fields, sufficient to meet the needs of pupils is incorporated in the development and where a development is capable of a joint or dual use for community benefit, this has been incorporated into the design. Policy ED11 says the loss of playing fields associated with educational establishments will not be permitted unless exceptional circumstances are proven to exist.

4.5 Other relevant local plan policies include GP1 (Design), which states that development proposals will be expected (inter alia) to respect or enhance the local environment, be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials, and avoiding the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment. Policy GP4a requires new development to have regard to the principles of sustainable development as set out in the policy and expanded upon within the Interim Planning Statement on sustainable design and construction.

4.6 Policy GP7 says that the development of land designated as open space will only be permitted where there will be no detrimental effect on local amenity or nature conservation and compensatory provision of an equivalent size and standard is provided. Policy GP9 states that where appropriate, development proposals will be required to incorporate a suitable landscaping scheme, which must be planned as an integral part of the proposals, include an appropriate range of indigenous species, reflect the character of the locality and surrounding development and form a long term edge to developments adjoining or in open countryside. Policy NE7 says that important natural habitats should be retained and enhanced and within new developments measures to encourage the establishment of new habitats should be included as part of the overall scheme.

#### Design and Landscape Considerations

4.7 The design and access statement says that the design approach has been established through consultation with the school and by assessing recent precedents. The principal feature of the building is a large street and heartspace that is multi-purpose in nature, linking internal and external teaching, learning and social facilities. The development is broken down into a number of smaller linked buildings and teaching and learning clusters which are organised into clear learning zones based on curriculum areas.

4.8 The building is part 3 and part 2 storey with a maximum external height of 11.8 metres at three storeys and of 8.5 metres at two storeys. The maximum height to the top of vents on the roof is 13.5 metres. The building has a frontage to Haxby Road of approximately 125 metres; this is not a solid frontage but is designed as a series of blocks on differing building lines. The southern elevation of the building is 66 metres deep, part 3 and part 2 storeys, the north elevation is 84 metres deep standing 2 storeys high. Both the north and south elevations are again not solid blocks but present varying building lines. The whole structure is set between 135 and 180 metres back from the Haxby Road frontage, the building is located a minimum of 35 metres from the southern boundary, a minimum of 60 metres from the northern boundary and 70 metres from the eastern boundary. The building is to be flat roofed construction and the materials are predominantly brick with cedar wood and render inserts. The scheme includes both internal and external sporting facilities for school and community use. The idea of the design is to pick up on key features of the site and surroundings whilst incorporating contemporary aspirations.

4.9 The open space to the south of the existing school separates the school land from New Earswick conservation area. To the east of the site is agricultural land beyond which is Huntington Church and Huntington Conservation Area. Whilst the site is outside the conservation area development of it will have an influence on the setting of both conservation areas and it is therefore important that the development has regard to the defining features of these conservation areas and ensures that these have been considered in the context of the development of the site.

4.10 The New Earswick Conservation area statement says that one of the village's main elements is its consistent use of materials and landscaping contributing to the garden village character. Within the text of the statement it says ' natural features are utilised... with generous tree planting and the unifying elements of hedgerows as front garden boundaries, and grass verges. With gardens front and rear, the village has matured and the houses are set in leafy surroundings.'

4.11 The Huntington conservation area statement makes specific reference to the Huntington Church saying that one of the main elements of the character and appearance of the area is the finely sited and historic atmosphere of All Saint's Church and West Huntington Hall and associated trees, like an oasis in the wider more open landscape; and the quiet lane leading to them.

4.12 The site displays characteristics from the conservation areas. It has extensive landscaping both within the site and to boundaries and the modest original school building uses similar materials and design to the New Earswick village. The site is relatively open and rural to the rear. The proposed scheme is sited further back into the site than the existing school. It has a larger scale and massing than the existing structures and will be more visible, thus the retention and enhancement of the landscaping setting of the development becomes of critical importance to the visual success of the development. On the southern boundary all the mature trees ( some of which are covered by TPO's ) are to be retained and hedging is to remain intact (except where access is to be gained from the adjacent open space). The three storey element of the building will be visible from the New Earswick conservation area but with the quality of the intervening trees and the distance of the building from the boundary it is considered that the building will not be overbearing or visually detrimental to the qualities of the conservation area.

4.13 On the western side of the site much of the hedged boundary will need to be removed not to facilitate the development but because it consists of a substantial amount of dead elm. The submitted scheme proposes replacement planting on this boundary and a condition is proposed to ensure appropriate details and implementation of this planting scheme. A new security fence is also proposed along the western boundary, a necessary requirement for secure by design. The fence, after discussions, has been located on the school side of the proposed planting to minimise its visual impact. Even with the replanting the proposed school being of a different scale and massing to the existing structures and being nearer to the rear boundary will be more visible than the existing school buildings when viewed from the Huntington Road conservation area, however officers consider that when the landscaping proposed has had time to mature the development will assimilate into its surroundings.

4.14 The Landscape Architect is generally happy with the scheme subject to conditions, however, there are some outstanding issues relating to the position of elements of the development in relation to mature trees. Members will be updated on the outstanding matters at committee.

4.15 The proposed building is to be set between 135 metres and 185 metres back into the site. This will change the frontage of the site to Haxby Road and the relationship of the new building with this road frontage will be important both to maintain the presence of the building and as a visual element of the entrance to New Earswick. In officers view it is important that the front of the site remains enclosed by a hedge to replicate adjoining boundary treatment and that identified as important within the New Earswick Conservation Area. The application shows the existing hedge retained and enhanced as part of the development however a condition is proposed to ensure the appropriate landscaping of the front boundary. The application is also proposing significant new planting and the retention of existing trees within the development site in a way that makes the space both usable to students and an attractive enhancement to the street scene.

4.16 The design and siting of the building are unique, the building will be more visible than that which exists although the new building will be much more unified and better orientated than the existing mixture of buildings. In officers opinion with the landscaping proposed and with conditions to ensure the quality of materials both for the building and hard landscaping the proposed building will contribute positively to the social and visual qualities of New Earswick and therefore accords with the requirements of ED1 and GP1 in so far as they relate to the design of development.

#### Traffic, Highways and Access Arrangements

4.17 The proposed new school is about providing an improved learning experience for existing students not about fundamentally increasing the capacity of the site to take additional numbers of students. The existing school has a capacity of approximately 1320 students although there is below this number in the school at the moment. Figures submitted in the application indicate that on average about 1265 students are expected to be in the school. There are some subtle changes in numbers of movements to and from the site which will have a minor impact on the numbers of vehicle movements. These additional movements will come with the addition of an autism unit (20 pupils max) and the more formal use of the site by the community through the provision of better sporting facilities.

4.18 The access arrangements for the proposed scheme are not dissimilar to the existing arrangement. At the moment there are cycle / pedestrian entrances at the north and south of the site with two Vehicle access points to the Haxby Road frontage providing an in/out arrangement for cars and school buses. The proposed scheme retains the two cycle/pedestrian entrances at the north and south, the vehicular access points also remain in the same location although these are altered to segregate pedestrian entrance movements and their exact lines are modified to suit the new internal layout of the site. A further existing entrance on the Haxby Road will be used to provide the main direct pedestrian entrance to the buildings reception area.

4.19 The parking layout has been amended since the application was first submitted and the proposal is now for 83 staff car parking spaces, 10 visitor spaces and 7 car share spaces, cycle parking for 390 students, separate cycle parking for 30 staff and community use cycle racks for 20 cycles as well as motorcycle parking, parking for 2 minibuses and bus drop off space for four buses.

4.20 The development is considered to be acceptable from a highway perspective because traffic generation will be little altered by the proposed scheme which relates to the same number of pupils as existing with minor adjustments to allow for community use and the provision of an Autism unit. Access to the site is very similar to the existing arrangements and access within the site will be more legible to its users. The parking arrangements provide for an adequate number of vehicles whilst providing a good basis for a travel plan which can seek to restrict vehicle use and promote sustainable modes of transport.

4.21 Highways Network Management are supportive of the application subject to appropriate conditions covering the implementation of the scheme, safety audit for the haul road and submission of a travel plan.

(See paragraph 4.29 below for consideration of the access for the construction phase of the development)

#### Drainage

4.22 The site is located within flood zone 1. The application is supported by a flood risk assessment because the site exceeds 1 Hectare. The Environment Agency are generally satisfied that the development can be supported without detriment to the drainage systems in the area provided that surface water run-off does not exceed existing levels and that the measures described in the flood risk assessment are implemented. These requirements are proposed as condition along with conditions to safeguard the existing ground water from contamination. Our own structures and drainage section take a similar view to the Environment Agency and their conditions have been incorporated into those of the Environment Agency. Foss Internal Drainage Board has an outstanding objection to the proposal but are aware of the Environment Agencies comments and those of our Structures and Drainage section. Any further comments from the board will be reported to committee.

#### Playing Field Provision

4.23 Sport England have considered this application in the context of their policy which opposes any grant of planning permission for any development which would lead to the loss of or prejudice the use of any part of a playing field. As part of the planning submission the applicant has submitted a document to compare the existing and proposed provision for playing fields on the site. The submitted document concludes that whilst there is a reduction in playing fields of 0.38 Ha this is more than compensated for by the new facilities, the improvement of existing facilities, the informal play/work areas proposed, the school/club links and the community access and usage of the facilities.

4.24 Sport England have noted that whilst the development will result in the marginal loss of playing field land the overall area of playing pitches and hard courts will

remain the same. As the development will result in improved playing pitches, hard courts, new sports hall and changing facilities, Sport England are satisfied that the provision of the new facilities would be of sufficient benefit to the development of sport to outweigh the detriment caused by the loss of playing field.

4.25 Given the comments of Sport England the application is considered to accord with policy ED11 of the Draft Local Plan

#### Sustainability

4.26 The application is supported by a sustainability statement. The statement describes how the proposal fits with the criteria listed in Policy GP4a with reference to the guidance provided in the Interim planning statement on sustainable design and construction. The design and access statement also confirms that the sustainability objectives of the scheme have been structured to reflect both DfES national framework for sustainable schools and the work of regional planning bodies in the development of sustainable development frameworks and checklists. The following sustainability measures have been included within the building :-

- Natural ventilation techniques
- Maximum natural daylight penetration
- An improved building envelope beyond the requirements of Part L in terms of insulation performance and air permeability of facade
- Solar control, in terms of building form and orientation, high performance glazing and brise soleil
- Passive cooling using exposed building fabric
- low energy lighting
- careful zoning of lighting and heating systems that can be controlled independently
- A biomass boiler to provide heating and domestic hot water supplies
- Low flow water fittings
- Rainwater harvesting
- A-rated materials used where possible
- Central recycling facilities
- Low insulant GWP's throughout
- Low NOx gas boiler
- Sustainable urban drainage systems
- oil/petrol interceptors in high risk areas

4.27 A BREEAM assessor has been appointed to the project to undertake the assessment as well as oversee the design process. The applicant says that the scheme as designed will comfortably achieve a BREEAM 'very good'. A condition is proposed to ensure that the sustainability measures proposed are achieved within the development.

#### Crime Prevention

4.28 The Police Liaison Officer was consulted on the design of the scheme prior to the application being submitted. The major part of his comments related to the design of the building and how these needed to be altered to achieve secure by design. The architects have been able to incorporate most of the requirements of the Police Liaison Officer into the design. The main conflict between the security of the

site and the sites visual quality related to the requirement for a high security fence along the frontage of the site adjacent to Haxby Road. This has been resolved by having a lower 1.2 metre high fence along the frontage with high levels of security being achieved along the line of the front of the building rather than the front of the site. The Crime Prevention Officer is satisfied with the solutions proposed.

#### Temporary use of open Space

4.29 The temporary construction access ( Haul Road), car parking and soil heap are to be sited on the area of open space to the south of the site. Whilst there are policies in the draft Local Plan to prevent the permanent loss of open space ( Policy GP7) ,Officers consider that the temporary use of part of the open space does not undermine these policies and there are no policy objections to the sites use. Highways are satisfied that the new haul road can be accommodated at the Hartrigg Oaks roundabout. The details of the road construction will be dealt with under highways legislation. Stage 1 of a safety audit for the road is to be submitted by the applicant prior to the application being determined and a condition is proposed to require stage 2 and 3 of the safety audit. This is particularly important as the access is on the route of one of the main pedestrian ways to the school.

4.30 It has been possible to locate the haul road between the mature trees that are between the open space and the school site. It is however important to ensure that the surrounding trees are protected during the construction phase of the development. A condition is proposed that will require the method for the protection of the trees to be submitted prior to the commencement of development. It is also proposed to condition that levels of the land are submitted and agreed prior to the commencement of the development to ensure that the land is returned to its existing level on the completion of the development. The removal of the haul road and temporary car park will be required by condition within 3 months of the completion of the development.

#### Residential Amenity

4.31 Bordering the site on the south-western boundary are a row of three bungalows, to the north is a farm and on the opposite side of Haxby Road mainly semi-detached houses face the site.

4.32 As discussed in paragraph 4.17 above; as the numbers of pupils at the school will on the whole remain the same and the routes of entry to the site are to remain at their existing positions the impact of the use of the school will be little different to the existing for those properties around the site. The siting of the building being set back in the site takes the bulk of the structures away from the closest properties and will,once the development is complete, provide a more open view particularly for the bungalows than they currently enjoy. Therefore in terms of the siting and use of the proposed development the impact on surrounding properties will be negligible.

4.33 The main concern of the letters of objection received is the impact of the development during the construction phase of the project. In particular there are concerns about hours of work, construction traffic movements and the use of piling at the site. Conditions are proposed which it is considered will minimise disturbance to

neighbours although it is acknowledged that the conditions are unlikely to eradicate disturbance on such a large building project.

4.34 Concerns about damage to property caused by pile driving and the movement of construction traffic are not planning matters. It is a matter that the contractors and affected properties will need to resolve between themselves if such a problem occurs.

#### Biodiversity

4.35 A biodiversity report was submitted with the application. This report was carried out at the feasibility stage of the bidding process for the development. The Countryside Officer is concerned that the document only sets out what could be achieved at the site not what will be done and does not relate to the details of the development submitted. The applicants have undertaken to submit further biodiversity information prior to planning committee. An update on biodiversity will be provided at committee together with any additional conditions proposed.

### 5.0 CONCLUSION

5.1 This is a full planning application for the erection of a new school and the subsequent demolition of the existing school buildings at Joseph Rowntree School.

5.2 The principle of the development is considered to comply with policies in the local plan in particular policy ED1.

5.3 The design and siting of the building are unique, the building will be more visible than that which exists although the new building will be much more unified and better orientated than the existing mixture of buildings. In officers opinion with the landscaping proposed and with conditions to ensure the quality of materials both for the building and hard landscaping the proposed building will contribute positively to the social and visual qualities of New Earswick.

5.4 The further comment of the Landscape Architect and the Countryside Officer will be reported direct to committee following the receipt of additional information from the applicant.

### COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 PLANS2 Apprvd plans and other submitted details

3 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs . This scheme shall be implemented within a period of six months of the 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.

4 Before the sports facilities hereby approved are brought into use the details of the community use agreement submitted with the application shall be finalised and the details agreed in writing with the Local Planning Authority . The proposed use shall be operated in accordance with the Community Use Agreement and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the facilities are available for public use

5 Prior to the commencement of the development or within such longer period as shall be agreed in writing with the Local Planning Authority prior to commencement of the development a detailed specification of the Multi Use Games Areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented to the satisfaction of the Local Planning Authority before the new school is brought into use.

Reason: To ensure the adequate provision of sporting facilities within the site

6 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development or within such longer period that shall be agreed in writing with the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

7 VISQ7 Sample panel ext materials to be approv

8 Prior to any works commencing on site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the site preparation, groundwork, construction and demolition phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the amenities of adjacent residents during construction and demolition

9 All piling operations shall be carried out using the method likely to produce the least vibration and disturbance. Full details of the dates, times and duration of operations shall be submitted to, and agreed in writing by, the local planning authority before any piling operations are begun.

REASON: To protect the amenities of adjacent residents during construction and demolition

10 A full Lighting Impact Assessment for all proposals involving floodlighting, undertaken by an independent assessor (not the applicant or the lighting provider), shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority prior to commencement. The Lighting Impact Assessment shall include the following:

- A description of the proposed lighting: number of lighting columns and their height, and proposed lighting units.
- Drawings showing the luminance levels (separate drawings for each item listed):
- A plan showing horizontal luminance levels(Eh), showing all buildings within 100 metres of the site boundary
- A plan showing vertical luminance levels (Ev), showing all buildings within 100 metres of the site boundary.
- A specification of the Environmental Zone of the application site, as defined in The Institution of Lighting Engineers' Guidance Notes for the Reduction of Light Pollution.
- A statement of the need for floodlighting.

The scheme shall be carried in accordance with the approved details

REASON: To protect the amenities of adjacent residents upon completion

11 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (L<sub>Max</sub>(f)) and average sound levels (L<sub>Aeq</sub>), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

REASON: To protect the amenities of adjacent residents upon completion

12 There shall be adequate facilities for the treatment and extraction of cooking odours from kitchens in the school. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.

REASON: To protect the amenities of adjacent residents upon completion

13 The development shall proceed in accordance with the approved Flood Risk Assessment Revision B dated 16/4/08 incorporating the accepted mitigation measures into the construction of the development.

REASON: To minimise the impacts of flooding.

14 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

15 The maximum rate of discharge from the proposed development must be no greater than 75.6 l/s.

REASON To prevent the increased risk of flooding.

16 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To protect groundwater

17 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

all previous uses

potential contaminants associated with those uses

a conceptual model of the site indicating sources, pathways and receptors

potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To protect controlled waters.

18 ARCH1 Archaeological programme required

19 ARCH2 Watching brief required

20 Notwithstanding the requirements of condition 3 details of new and replacement planting to the eastern boundary of the site shall be submitted to and approved in writing prior to the commencement of development. This scheme shall be implemented in the first planting season following the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority. 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: To protect the visual quality of the green belt and Huntington Conservation Area

21 Notwithstanding the requirements of condition 3 details of supplementary hedge planting to the front, western boundary of the site shall be submitted to and approved in writing prior to the commencement of development or within such longer period as may be agreed in writing prior to commencement. This scheme shall be implemented in the first planting season following the completion of the development or within such longer period as may be agreed in writing with the Local Planning Authority. 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: To protect the visual quality of the entrance to New Earswick Conservation Area

22 Prior to the commencement of the development details of levels to the area of the site to be occupied by the haul road, temporary car park and the spoil heap area shall be submitted to and agreed in writing with the Local Planning Authority. Within 3 months of the removal of the haul road, car parking and spoil heap the land shall be reinstated to the levels agreed in the submitted drawing.

Reason: To ensure that the land is reinstated to its former condition.

23 Before the commencement of development including the construction of the haul road and temporary car park or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained and those on neighbouring land shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing to be shown on a plan; phasing of works; site access

during demolition/construction; type of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading); parking arrangements for site vehicles and storage of materials; location of site cabin.

The protective fencing line shall be adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles. There shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new service runs et al.

The method statement shall also include preparation and construction details and/or methodology where a change in surface material is proposed within the canopy spread or root protection area of a tree(s).

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area and/or development.

24 Prior to the commencement of the development details of the drainage for the temporary car park and haul road shall be submitted and approved in writing by the Local planning Authority. Drainage shall be limited to 1.4 l/s per ha . The details approved shall be implemented in accordance with the approved details before the road and car park are brought into use.

Reason: To ensure the satisfactory drainage of the site.

25 HWAY10 Vehicular areas surfaced, details reqd

26 HWAY18 Cycle parking details to be agreed

27 HWAY19 Car and cycle parking laid out

28 HWAY21 Internal turning areas to be provided

29 HWAY31 No mud on highway during construction

30 HWAY40 Dilapidation survey

31 HWAY41 Safety Audit

32 Vehicular access for construction traffic to the proposed development shall be taken from the temporary haul road on Haxby Road only.

Reason - To confine access to the permitted points in the interests of good management of the highway, the free flow of traffic and the safety of highway users.

33 Prior to the commencement of the development hereby approved details of the proposed haul road access where it meets Haxby Road shall be submitted to and approved in writing by the LPA and thereafter implemented in accordance with the approved scheme. Within 3 months of the new school car park hereby approved

being brought into use the junction of the haul road access and Haxby Road shall be reinstated to the satisfaction of the LPA in accordance with details that have previously been submitted to and approved in writing by the LPA.

Reason - In the interests of highway safety and amenity of local residents

34 Prior to the commencement of the development hereby approved the highway works required to form the proposed haul road and junction where it meets Haxby Road as indicatively shown on drwg ref C200 shall have been constructed in accordance with details submitted to and approved in writing by the LPA.

Reason - In the interests of highway safety and amenity of local residents

35 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of construction works shall be submitted to and approved in writing by the LPA. The statement shall include at least the following information:-

- the routing for construction traffic that will be promoted
- a scheme for signing the promoted construction traffic routing

Reason - In the interests of highway safety and amenity of local residents

36 Within 6 months of occupation of the site a full travel plan shall have been submitted and approved in writing by the LPA. The travel plan should be developed and implemented in line with local, national guidelines and the travel plan framework submitted with application 08/00773/FUL.

Within 12 months of occupation of the site a first year travel survey shall have been submitted and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

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

37 The developer shall aim to achieve a BREEAM "very good" or "excellent" assessment standard for the development. Unless otherwise agreed in writing by the Council within 1 month of the date of the commencement of construction of the development the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and which standard this relates to. Where this does not meet at least a 'very good' standard then the developer must demonstrate what changes will be made to the development to achieve at least 'very good' standard.

Reason. To ensure that the development is sustainable and accords with Policy GP4A of the draft City of York Local Plan.

- 38 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 11.75 metres at three storey level and 8.5 metres at two storey level, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

## **7.0 INFORMATIVES: Notes to Applicant**

### 1. 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 landscape considerations
- Traffic, highways and access issues
- Playing field provision
- Drainage
- Sustainability
- Crime prevention
- Temporary use of open Space.

As such the proposal complies with Policies ED1, ED11, GP1, GP4a, GP7 and GP9 of the City of York Local Plan Deposit Draft.

### 2. CONTROL OF NOISE ON CONSTRUCTION SITES

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

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

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

The best practicable means, as defined by Section 72 of the Control of Pollution Act

1974, shall be employed at all times, in order to minimise noise emissions. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

b) There shall be no bonfires on the site.

### 3. CONTAMINATED LAND

The Site Investigation Report (Ref: S70313, dated May 2007), submitted with the planning application, reveals no elevated contaminant concentrations. Therefore, no remediation work is required. However I would recommend that if, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

### 4. RISK TO CONTROLLED WATERS

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

3) Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

### 5. SURFACE WATER RUN-OFF

The design for surface water run-off required by condition 14 shall allow for storage of a 1 in 30 year storm with no internal flooding of buildings and no run off from the site in a 1 in 100 year storm. An additional allowance of 20% for climate change should be made. A range of storm durations with both summer and winter profiles should be used to find the highest storage volume required.

### 6. HIGHWAYS INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (Section 62).

### 7. INFORMATIVE:

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

### Contact details:

**Author:** Diane Cragg Development Control Officer (Mon/Tues)

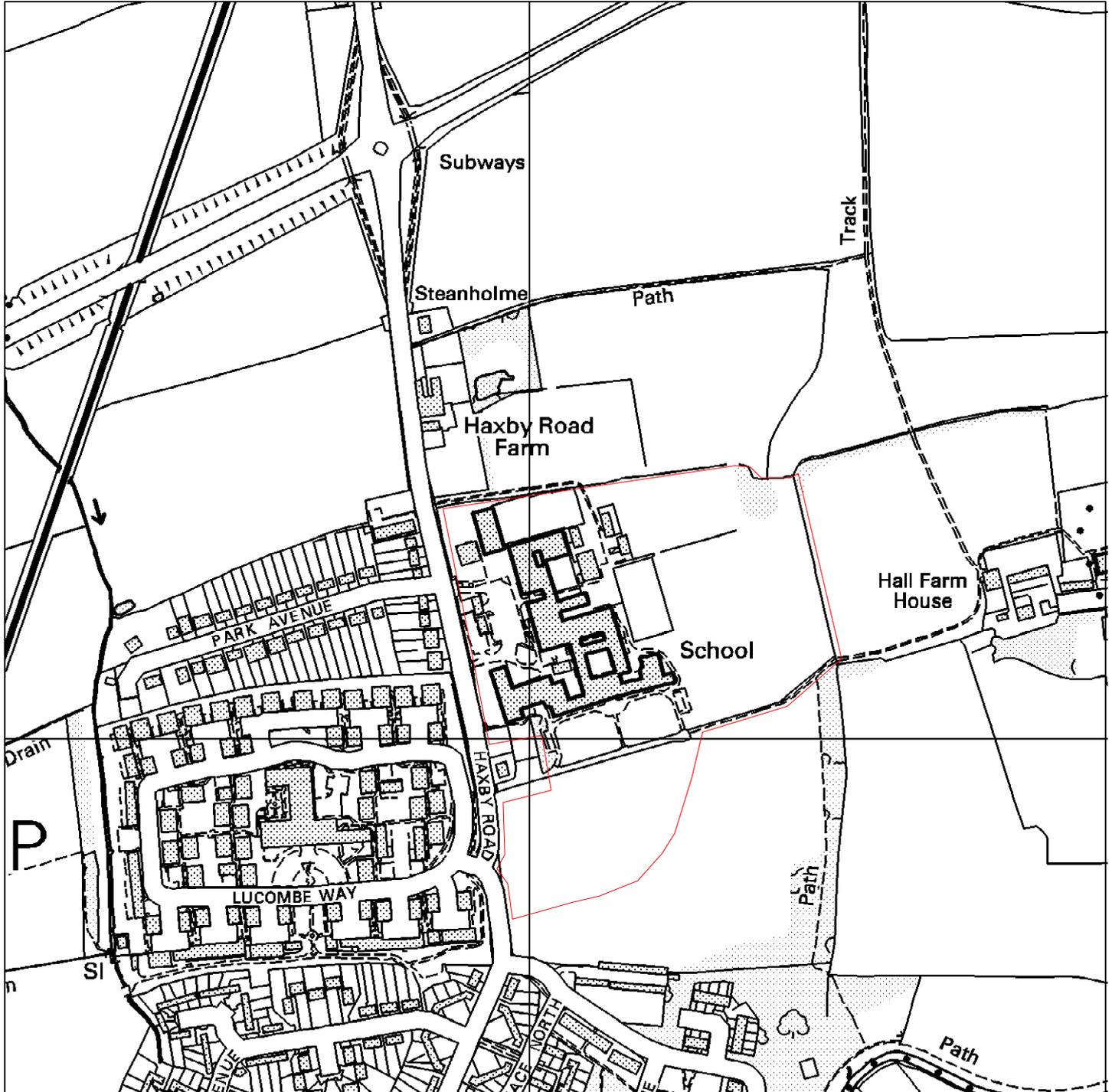
**Tel No:** 01904 551657

# Proposed Replacement of Joseph Rowntree School

08/00773/FULM



GIS by ESRI (UK)



Scale : 1:5000

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<b>Organisation</b>	City of York Council
<b>Department</b>	Development Control
<b>Comments</b>	Full Application
<b>Date</b>	16 June 2008
<b>SLA Number</b>	

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## Planning Committee

24 June 2008

Report of the Director of City Strategy

## CONSULTATION DRAFT VILLAGE DESIGN STATEMENT FOR SKELTON

### Summary

1. This report presents the Skelton consultation draft Village Design Statement. It sums up the process so far in producing the document and concludes that a consultation process should be undertaken, with a view to adopting the design statement as an Interim Planning Statement to the draft Local Plan (as amended). The document would thus become a material planning consideration when considering planning applications for development in Skelton.

### Background

2. In 1996 the Countryside Commission (now Natural England) launched the 'Design in the Countryside' initiative, and produced advisory packs to help villages understand the concept, process and method of producing a Village Design Statement (VDS).
3. Village Design Statements are prepared by local communities. They offer a framework for engaging local people in constructive debate about defining the special character of their village, as a basis for ensuring that new development in their area fits its surroundings and is in keeping with that character. The VDS can help everyone involved in a development to understand local views and perceptions at the outset of the design process. This helps new buildings to be designed in a way that is more likely to gain local support, rather than generate opposition. Village Design Statements provide a tool to help manage long-term change, not prevent it.
4. PPS7: 'Sustainable Development in Rural Areas' gives guidance on the design and character of rural settlements (paragraph 13) and endorses the use of Village Design Statements; *'Local planning authorities should prepare policies and guidance that encourage good quality design throughout their rural areas, in accordance with Annex C to PPS1, and utilising tools such as Landscape Character Assessments and Village or Town Design Statements, and the design elements of Village or Parish Plans prepared by local communities.'*
5. PPS3: 'Housing' (paragraph 18) states; *'To facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and*

*techniques, such as Design Coding, alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques'.*

6. A VDS contains a descriptive analysis of the relationship between landscape, settlement patterns and buildings. From the survey analysis, the VDS identifies principles to be applied to new developments such as the design of buildings and the spaces between them. The document should benefit local people, developers, new occupants and planners.
7. If approved by the local planning authority as an Interim Planning Statement, the VDS becomes a material planning consideration in the determination of planning applications. The weight which will be attached to different elements of the guide will depend on how closely they reflect national or regional guidance; the technical work that supports it and the robustness of the planning argument behind it, in addition to the level of consultation undertaken. As such the material weight to be attached to the document will need to be assessed in relation to the individual circumstances of each application site and other material planning considerations.
8. The draft Skelton Village Design Statement is attached as Annex 1 to this committee report, with a draft cover at Annex 2. The finalised version of the VDS will include a full range of photographs, maps and illustrations, as in other VDS's that have been completed. The introduction to the VDS explains that it includes some aspirations that are outside current planning regulations. However, this is the villagers' own document and the inclusion of non-planning issues can be appropriate because the information is relevant to all, not just the local planning authority.
9. Skelton village first started work upon the village design statement in Autumn 2006. Following two public meetings, a steering group was formed from the village to take the VDS forward. During 2007 and early 2008 the group sought the views of local people through house to house questionnaires, a village walkabout, a two-day exhibition in the Village Hall and placing a draft document upon the web sites of the Parish Council and the Village Trust. This was to ensure that the VDS was representative of the views of the local people of Skelton and gave everyone the opportunity to get involved in the process. Since these events several drafts of the VDS have been produced and council officers have commented on the contents of the drafts, part of the usual process.

## **Consultation**

10. The VDS has now reached the stage where it is appropriate to undertake a wider public consultation exercise, for which this report seeks approval to proceed. It is therefore proposed that the draft documents be sent to organisations that have a particular interest in this parish, including statutory undertakers and Council service providers; a full list of consultees is provided in Annex 3. Local people should also be afforded a final opportunity to comment on the drafts.

11. The consultation exercise will include the following elements:
  - throughout the consultation period copies of the draft VDS will be placed at the central reference library and appropriate local venues;
  - copies of the document will be made available at the Council reception at 9 St Leonard's Place;
  - appropriate advertising - press release/ posters; and
  - copies of the VDS's will be made available on the Council's website (if logistically possible depending upon software compatibility and file size).
12. A period of six weeks is suggested for representations to be submitted. The local working group and officers will consider the comments, and a report would then be brought back to planning committee outlining the subsequent amendments, with the intention of the VDS being accepted as an Interim Planning Statement at that time.

### **Options**

13. Option 1 is to approve the draft VDS for consultation, with the range and methods of consultation as outlined.
14. Option 2 is to request the Skelton VDS group to amend the draft document and/or for officers to make basic changes to the range and methods of consultation.
15. Option 3 is to not approve the draft VDS for consultation.

### **Analysis**

16. Option 1 is preferred, unless there are any obvious omissions or inaccuracies in the draft VDS, or the consultation process. Options 2 and 3 could delay or halt the VDS process, at a crucial stage when the village VDS group has worked well to produce an interesting, well-researched and effective draft document.

### **Corporate Priorities**

17. The VDS, once agreed and adopted, would assist in making decisions upon planning applications, through the Development Control process. VDS's have also been given weight by Planning Inspectors in individual planning appeal cases. The VDS is valuable and carries weight as a material consideration because of the degree of local community involvement in producing it.

### **Implications**

#### **Financial**

18. It would be necessary for the Council to meet the cost of part of the print run of the final version of the VDS, if approved, so that colour copies are available for officers and the public. The cost of £250 has similarly been agreed for the other VDS's in the City of York.

19. Copying costs, postage and packing costs associated with the consultation process would need to be met through the planning budget.

**Human Resources (HR)**

20. No known implications.

**Equalities**

21. Different formats of the consultation draft will be made available on request. Documents will be lodged in accessible locations.

**Legal**

22. No implications at this stage.

**Crime and Disorder**

23. No known implications.

**Information Technology (IT)**

24. No implications.

**Property**

25. No implications

**Risk Management**

26. There should be no additional risks.

**Recommendations**

27. Members are asked to agree Option 1, which is to:-
- (i) approve the draft Village Design Statement for Skelton, as a basis for the next stage of consultations
  - (ii) agree the range and methods of consultation proposed.

Reasons:

- the draft VDS follows in the footsteps of other VDS's that have been agreed; observing the general guidance and principles required in their production, whilst successfully defining the individual qualities of Skelton as a village and bringing forward appropriate Design Guidelines.
- the consultation process as suggested in this Report follows the procedure established for other Village Design Statements, at this stage of their production.

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**Report Approved:** ✓ **Date:** 11 June 2008

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

**Background Papers**

PPS3 (Housing, November 2006)  
PPS7 (Sustainable Development in Rural Areas, August 2004)

**Annexes**

Annex 1: Skelton Draft Village Design Statement  
Annex 2: Draft Cover for VDS  
Annex 3: List of suggested consultees

13 June 2008  
planning/240608 Consultation Draft  
Village Design Statement for Skelton

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**Skelton Village Design Statement**

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## **SKELTON** **VILLAGE DESIGN STATEMENT**

### **OUR VILLAGE**

The rural parish of Skelton lies some four miles to the north of York City Centre and covers 977.3 hectares (3.77 square miles). In the south west sector lies Skelton village itself and nearby commercial undertakings. It is with this part of the parish – the village envelope – that this Design Statement is largely concerned, together with the relationship of the village to its setting within the parish and beyond.

### **THE PURPOSE OF THE STATEMENT**

- **To identify those features of the village its setting, layout and architecture which define the special character of Skelton and which should be protected for future generations.**
- **To identify guidelines for any future development which will safeguard these qualities and preserve the traditions, appearance, form and cohesion of the existing settlement.**

### **INTRODUCTION**

#### **The Background**

In 1996 the then Countryside Commission initiated Village Design Statements (VDSs). The objective was to provide a vehicle for local residents to have their say in the future development of their village. Since then several hundred villages across the country have completed a VDS. Work on the Skelton VDS started in autumn 2006.

#### **How has it been produced?**

Following two public meetings in late 2006, a steering group of nine volunteers from the village was formed, supported by representatives of the City of York Council with experience of other local VDS projects.

During 2007 the group assembled material, discussed the project with others in the village and conducted a survey of residents' opinions via house to house questionnaires. In early 2008 a first draft was written and displayed for consultation at two open days in the Village Hall, and on the websites of the Parish Council and the Village Trust.

### **Who will use it?.**

It is for reference by and guidance to residents, architects, planners and developers; it concerns anyone considering a development – large or small – in, or in the surroundings of, Skelton village. They should not only familiarise themselves with the VDS guidelines, but demonstrate they have reflected them in their proposals.

Its aim is to promote standards of design appropriate to the village by providing practical guidelines. In this regard the individual property owner shares the same responsibilities as the large scale developer.

It is intended that this VDS be approved by City of York Council as an Interim Planning Statement pending the outcome of the Local Development Framework. As such it will then provide a material consideration in the interpretation of planning policies at local level. The Skelton VDS, however, does include some aspirational elements which are outside current planning regulations

### **What does it contain?**

It describes the history, setting and visual characteristics of our village. In particular it identifies those features which are particularly valued by village residents. These are the features which any future development should acknowledge, protect and enhance. It also emphasises those features which may act as a constraint on development.

Whilst the VDS is intended to help conserve those qualities which make Skelton special – and we are fortunate to have such a wealth – it is not intended to prevent change or development. What is fundamental, for the sake of future generations, is that any development underpins, reflects and enhances the qualities we all value and which the statement identifies.

### **LOCATION AND HISTORY**

During its long history Skelton has stood at the crossroads of tracks, later roads; one leading up from the river Ouse into the village and then out to the north east; the other leading north from York. In time the former has diminished in importance whilst the latter grew in significance, first to turnpike and then in the last century to a major trunk route. This road is now the busy A19 and it divides the historic, larger and mainly residential side of the village on the east from the mainly commercial development along its western edge.

The predominant natural feature is the eminence on which the old village centre stands, most likely a deposit of boulder clay, taking this section to a height some 25 metres above sea level, 10 metres more than the remainder of the village.

It is this eminence that probably explains the village's early settlement, away from the river but close enough for river transport, offering some security from surprise attack and elevated from the undrained and boggy land of the plain. There is little evidence of any Roman settlement here and the village name probably began as the Anglo-Saxon 'Shelfton' – the settlement on high ground' – becoming the present 'Skelton' under the invading Danes.

The village, along with nearby Overton, is mentioned in the Domesday Book, and appears to have grown into an established community from the thirteenth century onwards. The fine Church dates from 1247. Early documents record families of wealth living here: in mediaeval times the village had Royal connections as part of the Forest of Galtres; the fine Manor House, still with its imposing staircase and panelling was built in the 1550s and the Grange followed in 1675.

Many houses still surviving were put up in the 18<sup>th</sup>.Century and after the Enclosure Award in the early 19<sup>th</sup>.Century an unusual number of other large dwellings followed, including Fairfield Manor to the west in 1815, The Hall in 1833 and Moorlands in 1864. By 1901 the village was recorded as comprising 2473 acres with a population of 270 having varied over the previous hundred years between 203 and 367, most employed in servicing these large houses and in agriculture.

Apart from the building in the mid-1900s of a line of bungalows and houses along the present Moorlands Road, little changed from then until the second half of the last century. In 1951 the population was still only about 481 but then expanded rapidly. First came the local authority Brecksfield estate of about 150 dwellings built along a new circular road which doubled the size of the village. This was followed by several smaller developments, such as The Meadows, The Vale and The Dell, and finally by the building on the old Grange Estate of some 240 houses around the new Fairfields Drive and Burtree Avenue, bringing the present day population to in excess of 1600.

Across the A19, on its western edge, there is a scattering of dwellings, but the predominant features are the commercial undertakings

established during the second part of the last century.

- **The knowledge and sense of the history within the village creates a sense of permanence and continuity, a wish to maintain and cherish age old features, and a respect for Skelton's traditional buildings and its timeless natural setting.**

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### **DESIGN GUIDELINE 1**

**Plans for new development need to show awareness of, and not dwarf or submerge, the historical past of the village**

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### **THE NATURAL ENVIRONMENT**

For the best part of 1000 years the village has been dominated by agriculture and farming. Cultivation around the settlement was mentioned in the Domesday Book and even today the village is surrounded on all sides by well farmed agricultural land capable of sustaining most crops. To the north there remains evidence of the old mediaeval and early enclosure field patterns and there is a relatively high retention of ancient hedgerows.

The village itself is adequately drained by three well maintained streams. Currently there seems little risk of substantial flooding in the lower parts of the village itself but the situation is not without concern. Within the settlement are several ponds, two in private grounds to the north west and north east of the Church, and on either side of the A19, one the Skelton Pond, off Burtree Avenue and the other in the grounds of the food factory, indicating a high water table. Then, just outside the immediate village periphery there is substantial flooding risk to the surrounding fields on three sides as the attached Department of the Environment map shows

- **At a time of increasing general concern at flooding risk it is important to ensure such risk within the existing village is not increased by ill-planned large scale development.**

The close proximity on all sides of the surrounding fields creates the valuable ecosystem the village enjoys. The hedgerows sustain a wide variety of natural life and the small copses in the North Field and at Moorlands provide a haven for transient roe deer, as does the much larger plantation in the neighbouring Overton Wood. The richness of the ever-present flora and fauna was documented in two surveys, one in 1956 and later in the

Stapleton/Thomson book in 1971. Within and in the immediate village surrounds they identified:-

- In the region of 100 species of birds
- 328 species of trees and plants
- 8 different ferns
- 31 different types of moss
- 9 fungi
- amphibians, including frogs, toads, the Warty or Crested Newt and the Smooth Newt
- 21 species of mammals including the Whiskered Bat and the Long Eared Bat

The bats and the Crested Newts in the village are protected species.

## THE VILLAGE SETTING

The approach to the village settlement from the west has been likened to a township rising from the surrounding fields like an island from a green sea. Writing in 1971 the Rev. H .E. C. Stapleton wrote:- 'The best way to appreciate the choice of Skelton as a site for a settlement is to stand and look at the present village from Stripe Lane . From there it looks rather like a fishing village. On the 'quayside' stands the 'harbour inn', the Blacksmith's Arms, and behind, galleried on the gentle rise of the hill, are the houses crowned by the church belfry and the trees of the green as a backcloth.'

By contrast, approaching from the north the fields and copses lead to the settlement across open land, along the old Northfield (sometime called Foster's) Lane, past scattered houses and directly into the heart of the conservation area at The Green. From the east, the well-treed Moorlands Road leads past farm buildings and cottages to the line of houses and bungalows, which still look out to the pure countryside across the road, and thence to The Green. From the south, fields come right up to the southern housing, with the old partially wooded right of way across the fields from Rawcliffe running parallel to the A19 emerging directly into Brecksfield.

On three sides and to the west of the A19 the village looks out to the agriculture and countryside it has always known. Long vistas, sometimes glimpsed between mature trees, unfold on all sides from the relative high ground and stretch for many miles across fields and copses, including to the south to the stirring sight of York Minster, a fitting reminder of the architectural connection between the village church and its incomparable contemporaneous senior.

However, of all these it is the trees that most unify the rural village with the surrounding countryside and merit most attention. In several parts, but particularly on The Green and in and around the grounds of Skelton Hall, the village is graced by many substantial, mainly deciduous mature trees. No species predominates but together they form an attractive canopy enhancing the village, defining its character and standing as an integral part of the Conservation Area.

Further from the centre, along Moorlands Road, are lines of fine old oak trees and whilst winter gales take their toll of some branches the landowning family has continued this age old feature by planting many saplings. Elsewhere the Parish Council and Village Trust have continued the tradition by establishing young trees in the green spaces of the village

## SKELTON'S GREEN AND OPEN SPACES

Throughout the village immensely valuable open spaces have been left undisturbed or been created for the benefit of residents. They are cared for by the Parish Council and local volunteer groups and include The Green, Crooking Green, Orchard Field, The Pasture, Skelton Pond, the two open spaces at Sycamore Close and the open areas in Brecksfield. The football field and the adjoining school playing fields are themselves separated by long private gardens from the Moorlands Road properties to the north, providing a valuable margin of separation.

The extent and importance of the open spaces becomes apparent on walking from the northern end of the old Northfield Lane (Fosters Lane) through The Green, across the road, down the new pasture, past the fine line of oak trees by the bungalows in Fairfields Drive/Brecksfield, then onto either the Brecksfield right of way or open space. The village will have been walked from north to south, through its centre, almost entirely on tracks or across open spaces, a wonderful indication of how well the rural atmosphere has been preserved and enhanced.

- **All the public open spaces sustain and enhance the pervading village atmosphere, provide collective and individual recreational opportunities and open aspects amidst the built environment. They are a crucial element in the success of the village as a community.**

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**DESIGN GUIDELINE 2**

**The immediate proximity of the surrounding fields, the rich and varied flora, the abundant natural bird and mammal life and these graceful, mature trees together unite with the many open green spaces to create in many residential parts of Skelton a rural atmosphere not otherwise found in an increasingly urbanised Greater York area. These characteristics should never be compromised by future development but supported and enhanced by it.**

**DESIGN GUIDELINE 3**

**Future development should not increase flooding risk within the village and should incorporate adequate drainage measures for each development.**

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**THE GREEN BELT**

As the plan shows the currently recognised Green Belt line is drawn tightly round all sides of the eastern village, separating the settlement from the pure countryside which surrounds it. Successive objectors and developers have urged it should be relaxed to allow substantial further village development but the line has been maintained. The control thus created has allowed a village unlike others in and around the City to maintain its essential features and characteristics. Relevant factors which support this control include:

- **To the North is the observed evidence of Mediaeval and early Enclosure field pattern which is likely to be prejudiced by development**
- **To the West is the A19**
- **To the South is the narrow stretch of green fields between the village and York outer ring road which provide a buffer against absorption into the North York suburbs**
- **To the east are good agricultural land and efficient farms.**

The Green Belt has been formally considered in the City of York Development Control Local Plan. The substantial Draft Local Plan incorporating the 4<sup>th</sup>. set of changes published 2005 records the Inspector's recommendations that there be no change to the Skelton Green

Belt boundary; that land to the north west should be included in the Green Belt; but that commercial premises on the west side of the A19 occupied by a chilled food factory should be excluded from the Green Belt as an Existing Employment Area.

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**DESIGN GUIDELINE 4**

**The Inspector's recommendations (which are reinforced by overwhelming support in the responses to the public consultation for this Design Statement) for retaining the present line of the draft Green Belt around Skelton should be respected and followed.**

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**THE SHAPING OF THE SETTLEMENT**

The village Church, formerly All Saints but now known as St. Giles, is a Grade 1 listed building and to the immediate south was The Green and it was around them that the first domestic and farm buildings grew – an unusual feature in the Vale of York where most settlements are street villages. The typical mediaeval pattern of 'toft and croft' agriculture can still be traced in the long, narrow plot boundaries extending back from the present houses. Over the years other houses were built off The Green, so that in the centuries to 1950 the village radiated progressively further from this historic core along the present St. Giles and Moorlands Roads and The Village. Indeed the mansions at Moorlands and Fairfield Manor are so far from the centre of the village as to be on the boundaries of the Parish. Almost always, however, alongside the large houses were the smaller tenements for the servants and agricultural workers who serviced them.

When the Brecksfield Estate was built in the early 1950s it was also away from The Green. Other smaller private estates followed as did the 1980s Grange Park development built alongside Brecksfield. This 1980s addition to the village was significant in several ways:

- With the Brecksfield development it increased the village population from 481 in 1951 to the present figure of about 1600
- It gave direct access to the A19 from both Fairfield and Brecksfield along Fairfield Drive.
- Its mixed pattern of affordable and larger properties preserved the historic pattern of building large detached houses in the immediate proximity of much smaller properties.

- The two estates, together with the new school between them moved the village centre (measured by footfall) away from the historic core to where they now meet at the village shop.
- **Maintaining a traditional pattern of development where large houses are found cheek by jowl with much smaller properties is an uncommon but welcome feature of the village. A man or woman might today be born in a housing association property in Skelton, marry to a traditional cottage or affordable new house, move to a much larger modern or older family home and retire to a pleasant bungalow, never moving more than a short distance from his birthplace, reflecting a truly astonishing and socially desirable balanced pattern of development which any future plans should preserve.**

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**DESIGN GUIDELINE 5**

**Future development should maintain the existing social pattern of mixed housing in mutual proximity wherever possible.**

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Across the A19, the old Toll Bar Cottage was built when the then road north was turnpiked, but other than Fairfield Manor the few houses here are relatively modern and dominated by commercial activity. Fairfield Manor itself is now a large, thriving hotel; other businesses include a prepared food factory, an ambulance control centre, a small golf course and a garden centre. This sector is separated from the residential village by the A19's constant traffic which forms not just a physical and visual barrier between the two parts but a constraint on future development and integration also.

- **The A19 brings benefits (ease of access) and penalties (noise, traffic hazards, pollution) but it also defines the western boundary of the housing settlement. Any significant future housing development west of the A19 would be separated from the existing village and its amenities by the A19 hazards and would merely increase those obstacles that hinder community integration.**
- 

**DESIGN GUIDELINE 6**

**The part of the village to the west of the A19 is more suited to continuing light commercial development than to substantial new residential housing**

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**THE FORM OF THE SETTLEMENT**

**THE CONSERVATION AREA**

Although the area of the Green may no longer be the village geographical centre it remains the village core and it was in recognition of the desirable balance between the natural and developed environment there that the old residential village was one of the first places in North Yorkshire to be designated a Conservation Area in 1973. The area is delineated on the plan.

The authors acknowledge the framework and phraseology of the following section are an amplified version of the inspired description of the Conservation Area in the original designation document:

“A combination of interesting topography and street pattern, varied building forms and a well-treed setting give Skelton its attractive, distinctly rural, restful character. This is emphasised by its location just off the main A19 road, from which the virtues of the village are unsuspected.”

The village focal point is **The Green**: its undulating grassed ground and mature trees create almost a miniature landscape in its own right.

The Green provides a setting for **The Church of St. Giles** (formerly known as All Saints) a Grade 1 listed building, dating from c.1240, with restorations of 1810-18 by Henry Graham and 1863 by Ewan Christian. It was probably built by the masons of the south transept of York Minster. Though small it is a foremost example of early 13c. work in this region. The materials used are magnesium limestone and Westmorland slate.

**An attractive terrace of 18<sup>th</sup>. and 19<sup>th</sup>.Century cottages** amongst which is **the listed Grade 2 Pyramid House (1760 – 1780), formerly The Old School House**, whose roof is an arresting feature.

In contrast opposite are individual properties, including the **19C Cottage**, which are set in their own, walled grounds. This variety epitomises Skelton, a village of contrast, yet unified by the trees, boundary walls and the use of natural

building materials to create a natural “flow” from one part of the village to another.

**Skelton Manor** (grade 2\* listing) has mid-16c origins, with major alterations from the early-mid 18c and late 19c. Vestigial timber framing was subsequently cased in brick and the roof is of plain tile. The interior is exceptionally well preserved and has been restored with very great care.

A shady lane leads past the Church, where **Skelton Hall** is set in extensive landscaped grounds, with the stables and outbuildings converted into a separate dwellings. These, with the conversions of the former parts of the nearby Skelton Manor, have created two small intimate communities; part of but discreetly separated from the main village. Paddock areas provide their setting on the north side with the open countryside beyond.

Eastward from the Green the road slopes quite sharply down hill to **The Old Rectory** and **Crookhill**, the road fringed by grass verges, hedges and boundary walls. Looking back the treed setting of the village, with buildings half hidden, can be appreciated.

Across The Green is the paddock and green open space which extends towards Brecksfield. It is through this open space that the winter view of York Minster from St.Giles has been preserved. In Orchard View is a further row of cottages leading to **Grange Farmhouse.**”

The designation document concluded:

**“The main elements of the character and appearance of the area are:**

- (1) The way that topography, mature trees, the street pattern and building forms create a varied, yet cohesive, village character.**
- (2) The qualities of individual buildings set in their own grounds, creating a ‘rural hideaway’ atmosphere; and in contrast the groups of cottages that front onto the street elsewhere in the village.**
- (3) The way that boundary walls, hedges, grass verges and roadside trees lead naturally from one part of the village to another.”**

Other properties typical of their time which, whilst not listed, enhance the Conservation Area, include the 200 years old traditional former farm houses at Skelton Croft and Orchard House (later a coaching inn); the lines

of cottages in Orchard Close, The Village and Chestnut Row; the former parts of The Manor at The Coach House, the staff buildings at The Lodge and the barn at Manor Court; and Cobblestones, the parallel buildings formerly stables and coach house of The Hall, where the clock tower and old hay lofts are immediately recognisable. The Blacksmith’s Arms, with its old mounting block, remains the well known travellers’ feature it has been for approaching three hundred years.

### **VERNACULAR FEATURES AND STYLES**

The vernacular features of older village buildings are more than architectural detail: they speak volumes as to the materials available when they were built, as to the buildings themselves and about the village then around them.

The Church, built to God’s glory, had to be in stone, the most valuable, longest lasting and most readily carved material available.

The dimensions of The Manor suggest the earlier use of timber framing, readily available from the trees in the nearby Forest of Galtres, and the possibility of an earlier thatched roof.

The remains of a brick kiln north of the settlement explain the prevalence of so much matching brick and tile throughout the village after the mediaeval period.

On The Green, The Cottage elevation is that of a classic Vale of York C18th. vernacular house built from brick with a narrow stringcourse feature and the traditional relationship of door to chimney stacks. Its small paned windows reflect the limits of then current glassmaking.

The many small cottages on and around The Green, with their characteristic low profiles, roof lines and chimney stack, are similarly built in the materials close at hand, as is the fine, classic Vale of York farmhouse, Crookhill (1763) built in narrow bricks also with the traditional stringcourse feature. The slate roof of the well balanced regency Hall reminds us that at the time of its construction new railways were able to transport materials from further afield.

### **DESIGN GUIDELINE 7**

- A) No new development or extension to an existing property which prejudices or adversely affects the identified character and appearance of the Conservation Area should be permitted and vernacular features of construction lay out and design relevant to individual buildings or**

**the area around them should be respected.**

- B) The scale and density of new buildings or extensions to existing buildings should reflect and not swamp that of its own and neighbouring properties**
- C) Replacement windows should be in keeping with the vernacular style of the property concerned and roof lights and dormer windows detrimental to the character of the building avoided.**
- D) Whilst the use of vernacular materials of brick, timber and clay pantiles is generally desirable, sympathetic, innovative and high quality new design, especially combined with eco-architecture, which enhances the character and appearance of the Area may emerge enabling a new vernacular style to develop and providing a sense of overall continuity.**
- E) City of York guidance in its publication ‘A practical guide to living within a Conservation Area for householders’ should be followed in all building works.**

**BEYOND THE CONSERVATION AREA**

The line of bungalows and houses along Moorlands Road retain the best features and stand as good examples of housing development in the mid 1900s, well set back from the road and with long back gardens which merge into the football field making a valuable contribution to the environment in this part of the village.

The newer village beyond has, to an encouraging extent, maintained the traditional village harmony and sense of scale. Relatively short roadways (many cul-de-sacs), varied groupings of dwellings, decent size plots, the use of traditional brick and tiles and conventional and restrained domestic architecture have combined, with the result that variety, intimacy and cohesiveness have not been sacrificed wholesale to expansion.

The village has been fortunate in that C20th. development has largely (though not exclusively) used materials traditional to the village. Brick and tile, coupled with the widespread modest domestic design, predominate in Brecksfields, The Meadows, the extensive Grange Park housing and in Pasture Close, providing visual continuity of

housing which unifies and bonds the entire settlement.

- **These characteristics should be maintained as features of any further develop**
- **The wider village’s amenable characteristics also require protection from over-development at both individual dwelling and community level**

**DESIGN GUIDELINE 8**

**A) As to the layout, scale and density of new development and extensions to existing properties:**

- 1. The pleasing balance between buildings and open space, created by short or irregular roadways, reasonable plot sizes and mature boundaries of hedges, walls, trees and appropriate fencing should be maintained. In-fill development and extensions to existing properties should only be considered where it can be clearly demonstrated there will be no detriment to the character and amenity of the surroundings and that neighbouring residents’ existing privacy and convenience are not adversely prejudiced.**
- 2. Any new development should observe the present pattern where dwellings of various sizes are grouped together.**
- 3. Green open spaces, being a key feature of the village, and where appropriate suitable landscaping, should be provided to complement new development.**

**B) As to the materials and design of new development and extensions to existing properties:**

- 1. For extensions pitched rather than flat roofs and wherever possible building materials matching or compatible with existing elevations should be encouraged.**
- 2. New houses should be eco-friendly and of well designed domestic architecture; and if of contemporary building style respectful of their setting**

## **INFRASTRUCTURE AND ENVIRONMENT**

### **1. The elements of the streetscape.**

Generally, Skelton is characterised by roadways of modest width with adequate footways, many with grass verges. Together with bordering hedges, walls and houses set back behind front gardens, the effect is to soften the urban tarmac and paved surfaces.

Signage and lighting away from the A19 is – generally – relatively unobtrusive and adequate. Both have been welcomingly restrained within the limits of practicality and safety. Private security lighting is increasing and can be invasive if not positioned with care. Similarly whilst there is a general absence of overhead cabling (with the notable exception of the eastern section of The Village and Moorlands), poorly positioned satellite dishes and other receivers can create eyesores.

In the Conservation Area footways have generally maintained a reasonable balance between modern needs (pushchairs, wheelchairs) and urban standards (tarmac, generous width) as has street lighting. This will be a continuing dilemma but in the quiet lanes urbanisation can be avoided. Other street furniture is kept to an unobtrusive minimum. The George V1 post box in the wall of the old post office, and the mounting block outside the Blacksmiths Arms are valuable reminders of our links to the past.

### **DESIGN GUIDELINE 9**

- A) Grass verges should be protected as a valuable village feature**
- B) Changes to lighting, signage and street furniture should respect the village character – particularly extensions to current levels should be avoided wherever possible.**
- C) All cabling should be routed underground.**
- D) Private security lighting should be moderate and non-invasive.**
- E) Satellite dishes and receivers should be sited as unobtrusively as possible.**
- F) In the older parts of the village urbanisation of footways, lighting and signage should be avoided and any**

**proposals should be discussed with residents and representative bodies.**

- G) The old post box and mounting block should be conserved as historic artefacts**

### **2. The Road System - small streams, rising tide**

Three minor roads join the residential village to the A19 on its eastern side. Several minor tracks and lanes plus one major commercial entrance provide access on the western side. There is one road providing access to and from the east of the village.

#### **The A19.**

Being a major route the A19 is well used. During 'peak periods' there are regular tailbacks stretching from the York ring road beyond the village to the north. At other times, consequent upon traffic speeds, there are hazards to vehicles joining the road and to pedestrians

- **It is essential that any further development**
  - **does not worsen traffic congestion on the A19**
  - **has safe road junctions with the A19**
  - **facilitates pedestrian and cycle safety.**

#### **Church Lane access to the A19.**

The lane is so narrow vehicles cannot pass without one stopping and it enters the Green by a 90 degree blind bend. At the junction with the A19 sight lines to the north are restricted

- **Church Lane lacks the capacity to serve any more than the present limited local traffic and is unsuitable for further expansion.**

#### **St. Giles Road access to the A19:**

St. Giles Road leads into The Village, then Moorlands Road and out towards Skelton Cemetery and Wigginton. These roads and this junction are well used, both by local traffic (including buses and large service vehicles) and by drivers avoiding ring road congestion.

At its western end traffic hazards are compounded by a number of factors: a double 90 degree blind bend, on-road parking (due to older cottage properties lacking off road parking space) and vehicle egress from some properties feeding straight onto the road at its narrowest point. The combination of these factors increases, particularly at busy times, the risk of accidents to pedestrians, residents and other road users.

- **This short section of St.Giles Road/The Village presents hazards to vehicles and frontagers at the present level of usage, exacerbated by the growth of through traffic**

#### Fairfield/Brecksfield access to the A19

The junction itself is wide and modern and built to a standard to give access to and from the two estates. The road is adequate as a local distributor – there are nine junctions in 500 yards - but as Fairfield Drive turns north into Brecksfield it can present hazards: there is the school drop-off point, a much narrower road with a bend, parked cars, and a poor visibility access into The Village.

- **This particular section of Brecksfield is not capable of significant expanded use.**

#### The tracks into The Green

On either side of St. Giles Church unsurfaced tracks lead from the northern part of the Conservation Area and the Green Belt directly onto The Green. These tracks are an integral feature of the Conservation Area and provide pedestrian and vehicular access to the houses north of the Church and to the farmland beyond the village

- **These tracks are as protected by Conservation status as the rest of the Area and it is essential for the protection of The Green, at the heart of the Conservation Area, that they should not be permitted to become access roads for any other purpose**

#### Access to the A19 from the West

The several access points are from Stripe Lane, from Toll Bar Cottage, from the golf course/garden centre and café, from the food factory and nearby cottages, and from the hotel/lay-by/ambulance centre. Together they generate considerable traffic, some being slow moving, articulated lorries particularly vulnerable to the heavy traffic flows on the A19.

- **The same considerations should apply to traffic from the west of the trunk road as apply to that from the residential village on the east**

#### 3. Car Parking

Vehicles are a feature of modern life and cause particular difficulties in old villages

where cottages were built with no conception of modern traffic and consequently without provision for parking. The problem is exacerbated where there is parking access for one car but more than one vehicle in the household. Such difficulties feature in Skelton where

- Many older properties, especially in the Conservation Area, have no planned place for vehicles
- Vehicles are consequently left on the road or parked on verges
- There is resultant nuisance, traffic hazard and inconvenience especially involving buses, emergency and service vehicles, obstruction and loss of visual amenity.
- In some houses subject to large extensions the extra building occupies the space provided for off-road parking.

- **The present problems should not be augmented by further development which depends on the existing road capacity.**

- **All permission for building extensions should wherever possible be subject to satisfactory provision for off-road parking.**

#### 4. Noise

Traffic on the A19 inevitably generates substantial and intrusive noise for those whose properties adjoin it: for others in the residential part it is less so. Noise from home based enterprises is so far not a problem but 'working from home' is likely to increase and even be encouraged.

Developers should be aware that the generation of unsocial levels of noise, disturbance (eg vehicular), noxious smells and the like are unacceptable to the community. The proper place for any commercial development is adjoining existing facilities west of the A19.

#### 5. Buildings and Visual Intrusion

Most residents enjoy a good degree of privacy in their homes and gardens. This is partly due to the layout of plots and roadways, and to the presence of hedges, fences and trees – all part of a mature settlement. The green spaces serve to separate one set of housing from another.

- **The preservation of privacy and personal space is a constant challenge in any built environment. In Skelton any proposed new construction should at least**

**maintain present standards of privacy. This should not exclude imaginative concepts but should exclude visual clash and intrusion, and dominant size**

It is amenities and organisations such as these that underpin the social networks of village life. Their health and maintenance are at the heart of a successful village community

**DESIGN GUIDELINE 10**

- A) Bottlenecks leading to traffic hazards occur in St Giles Road/The Village and in the northern section of Brecksfield. Increase usage stemming from development should be avoided.**
- B) Further expansion of other tracks leading into The Green is to be avoided, as it would create intolerable pressure upon the Conservation Area eco-system rendering it impossible to sustain it in the manner intended when it was so designated;**
- C) Any future substantial development on either side of the A19 should provide its own safe access to and egress from the trunk road**
- D) Any development proposals for individual or multiple properties should contain adequate provision for off-street parking wherever possible**
- E) Pollution, emanating from domestic or commercial premises, and caused by excessive noise, smell or disturbance, should be avoided and wherever possible controlled through the development control process.**

**COMMUNITY FACILITIES**

Many contributors to this VDS have made the point that a community thrives not by its buildings and physical features but by its people, and Skelton is fortunate in this respect. The village embraces a host of activities reflecting the widespread interests and commitment of its residents.

It sustains most of the essential features of village life: thriving Church communities, a well regarded primary school, a regular bus service, village hall, doctor's surgery, shop and post office, pub and club. Thriving organisations cater for all interests from local history to youth football. Skelton Pond and its wildlife – the village feature most popular with the school children – is a source of pleasure to young and old

**CONCLUSION**

**Not by specific planning, but by the way development has occurred, the eastern, residential part of the Skelton village has acquired and retained many of the characteristics which go to make up the ideal village;**

- **In contrast to some neighbouring villages much of its village character remains despite significant development**
- **It retains the natural features and immediate proximity to the surrounding countryside which preserve its rural appearance and character.**
- **It has a well rounded social mix resulting from an almost unique balance of housing types.**
- **It retains most of the essential amenities and interest groups which sustain village life whilst benefiting from proximity to a large centre of population providing employment, services, shopping and entertainment.**
- **It retains the sense of historical community resulting from its development over many centuries.**
- **Skelton Village has a recognised balance and sense of scale which distinguish it from other local settlements, both of which should be respected and carefully protected in any future development.**
- **The A19 is a busy trunk route and is a fact of life. It is a barrier separating the west of Skelton from the east. Inhabitants of any further housing development to the west would have difficulty in accessing the community life and services of the village.**
- **The features identified in this Statement generate and ensure an enviable quality of life and it is hoped understanding of, and adherence to, these guidelines will ensure the benefits enjoyed today will be preserved for future residents for generations to come.**

**APPENDIX ONE**

A first Public Consultation on this Design Statement was carried out in November and December 2007 in which every house in Skelton was circularised with a Questionnaire. There was a good response by over 80 Respondents from all parts of the village.

Category 1	- 69
Category 2	- 6
Category 3	- 9
Categories 4-6	- 0
Category 7	- 1
Category 8	- 0
Category 9	- 1

**In answer to the question ‘What physical features of Skelton make it special to you?’ there were over 150 observations summarised as follows:-**

1. The green open spaces, heritage buildings and a variety of architectural styles and materials.
2. The Church.
3. The village being separated from other places by fields but with convenient access to outside amenities.
4. Its restrained and compact scale and its quiet and safe village ‘feel’.
5. The benefit of having pathways throughout and across the open spaces.

**In response to the question ‘Are there any changes/improvements you would like to see?’ there were well over a hundred suggestions:-**

Those occurring most frequently related to improvements to road, footpath and traffic management, to lighting, to dog fouling, to hedges and trees (trimming back the former, increasing the latter in newer parts of the village) and children’s play facilities. All the suggestions will be passed to the Parish Council for its consideration

**When invited to comment on the statement ‘Skelton benefits from being separated by green fields from neighbouring communities’ on a scale of 1 – 10 where ‘1’ marked ‘Agree strongly’ and ‘10’ ‘Disagree strongly’, the result was:-**

Category 1	- 79
Category 2	- 3
Category 3	- 4
Categories 4 –10	- 0
Not stated	- 3

**When invited to respond to the question ‘Do you think Skelton should stay broadly as it is in size or be allowed to grow via development?’ on a scale of 1 – 10 where ‘1’ marked ‘Stay as it is’ and 10 ‘Whatever demand decides’ the result was:-**

**Finally respondents were invited to make ‘Any other comments’.**

There were over one hundred suggestions including a small number from those respondents who believed some judicious low scale development might be appropriate.

However, the overwhelming majority opined development should not be permitted ‘just because there is a demand. It has to be weighed against the effect on existing aspects and amenities’ and on the availability and greater suitability of other locations and opportunities.

**The result of the public consultation was succinctly and movingly summarised in the words of one respondent:**

**‘Skelton is a village and should stay that way. It is a beautiful place to come home to.’**

## **APPENDIX TWO**

Pupils at Skelton Primary School were invited to complete a questionnaire to ascertain their thoughts about the village where they live. These were their responses:

### **WHAT DO YOU LIKE MOST ABOUT SKELTON?**

By far the most popular feature was Skelton Pond, with playing fields, shop, Church, school, greens and friendly people all receiving support.

### **WHAT DO YOU THINK WE SHOULD BE PROTECTING?**

Again Skelton Pond predominated, with Church, trees, nature and the village also mentioned.

### **WHAT COULD WE IMPROVE IN THE VILLAGE?**

Understandably there was very strong support for a park/playground, also strongly featured were: less litter/more bins, protect pond (from litter) and a bigger shop

## **APPENDIX THREE**

### **Skelton Village Design Statement**

The first public meeting, to discuss the feasibility of a Village Design Statement, and ascertain whether there was support for the idea, was held on 26<sup>th</sup> October 2006. A leaflet was delivered to all properties in the village. Turnout at the meeting was heartening with approximately sixty residents attending. Support was evident from a number of the local village groups, most noticeably Skelton Parish Council and Skelton Village Trust.

There were a number of informal meetings over the next few months, while people discussed their ideas of what the content of a Village Design Statement should contain. This culminated in two villagers drafting a preliminary statement as a basis for further discussion, and Steering Group being formed.

During October and November 2007, a public consultation was undertaken, with over six hundred leaflets being delivered to homes in the village. Ninety forms were returned and the comments received were discussed by the Steering Group, and amendments were made to the draft statement in light of the comments.

Involvement of the local primary school was considered key to getting the younger view, and a competition was held. At school assembly, on 22<sup>nd</sup> February 2008, Key Stage 1 pupils were invited to paint or draw what aspect of the village they liked most. Key Stage 2 pupils were asked to draw or paint what aspect of the village they liked most but were also asked to respond to three questions. The responses are summarised in Appendix Two of the draft VDS. There were three winners in each age group who were presented with their prizes at school assembly on 14<sup>th</sup> March. The winning pictures will be included in the final VDS.

The draft VDS was launched at an exhibition in the Village Hall on 29<sup>th</sup> and 30<sup>th</sup> March, 2008. Copies were handed out at the exhibition and also sent to those respondents of the previous consultation who had indicated that they wished to continue to be involved. In all nearly 120 copies were distributed. In addition the draft was accessible via both the Skelton Village Trust website and the Skelton Parish Council website. Forty responses were received.

The comments made to the consultation were considered by the Steering Group on 14<sup>th</sup> May, and changes were made to the draft in light of the comments received. The final document produced has now been submitted for consideration by the City of York Council's Planning Committee.



*Skelton Village Design Statement*



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## SKELTON VILLAGE DESIGN STATEMENT

**List of Consultees**

Please note, based upon previous VDS consultations.

1. PARISH COUNCILS
  - Skelton and adjoining Parishes (Rawcliffe, Wigginton, Nether Poppleton).
2. CITY OF YORK COUNCIL
  - Ward Councillors
  - Colleagues as Service Providers – Community Services, Environmental Protection, Network Management, City Development, Transport Planning Unit, Development Control, Countryside Officer, Conservation Officer, Legal Services, Public Rights of Way, Neighbourhood Services.
3. AMENITY AND ADVISORY GROUPS
  - Conservation Areas Advisory Panel
  - York Natural Environment Panel
  - York Natural Environment Trust
  - York Civic Trust
4. STATUTORY AND OFFICIAL BODES
  - British Telecom
  - York & North Yorkshire Chamber of Commerce
  - Country Land & Business Association
  - Natural England
  - Council for the Protection of Rural England
  - English Heritage
  - Environment Agency
  - House Builders' Federation
  - National Farmers' Union
  - North Yorkshire Police
  - Northern Electric Distribution Limited
  - Ramblers Association
  - Sport England
  - Sustrans
  - British Gas Transco
  - Yorkshire Rural Community Council
  - Yorkshire Water
  - Yorkshire Wildlife Trust
  - York Archaeological Trust
  - Foss Internal Drainage Board
  - Ouse & Derwent Internal Drainage Board

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