
MEETING	PLANNING COMMITTEE
DATE	23 APRIL 2009
PRESENT	COUNCILLORS R WATSON (CHAIR), CRISP, D'AGORNE, FUNNELL, HORTON, HUDSON, JAMIESON-BALL, MOORE, PIERCE, POTTER (VICE-CHAIR), REID, SIMPSON-LAING, WISEMAN, MORLEY (SUB FOR CLLR FIRTH) AND GILLIES (SUB FOR CLLR GALVIN)
APOLOGIES	COUNCILLORS FIRTH, GALVIN AND VASSIE

57. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillor D'Agorne declared a personal non-prejudicial interest in Agenda item 4 (Revisions to the 2006 Development Brief for Terry's Factory Site – Report Back on Public Consultation) as a regular user of National Cycle Route 65.

58. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 26 March 2009 be approved and signed by the Chair as a correct record.

59. PUBLIC PARTICIPATION

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

60. REVISIONS TO THE 2006 DEVELOPMENT BRIEF FOR THE TERRY' S FACTORY SITE - REPORT BACK ON PUBLIC CONSULTATION

Consideration was given to a report which summarised the main representations received from organisations and individuals in relation to the revisions to the 2006 Terry's Development Brief approved by Members in December 2008. A full and detailed table of representations received and City of York Council Officer responses and recommendations were set out in Appendix 1 to the report.

Officers reported receipt of further representations from Turley Associates, Grantside the applicant's agents, in relation to the Development Brief, copies of which were circulated at the meeting. Details of these, together with Officer comments are set out below:

Para-graph	Representation	Officer comment
1.1	The final sentence referring to the history of Terry's, as Appendix 1 should remain.	Agree. Reinstate sentence.
1.12 (5)	The protection of long distance views is welcomed, but enhancing these is too subjective.	Agree. Replace "protecting and enhancing" with "protecting or enhancing".
2.3	Delete the sentence "They appear to be in a parkland setting within the City of York Green Belt". Apart from being a subjective assessment of the setting of the buildings, the site is not within the Green Belt as the sentence implies.	Agree. Delete sentence.
4.10	It is sufficient to apply the existing development control policies to safeguard the nature of the hotel developments on the site. The Officer response (71) in Appendix 1 will suffice.	Delete "There will, however, need to be robust justification for anything over and above this within any proposed master plan for the site" and replace with "There may be a case for an additional hotel. The developer will need to demonstrate the need for any additional provision and present a justification."
4.23	States that 50% of homes are required as affordable. It should state that <i>up to</i> 50% of the total will be required.	Agree (re. target set out in paragraph 4.24).
6.36	Delete any references to distances that built development can be in relation to trees. Compliance with the relevant BS, which is already noted, should suffice.	Agree. Delete last three sentences of 6.36 (from "For example.." to "..of the garden.")
7.4 (14)	The requirement for a physical link to racecourse is dependent on negotiation with a landowner outside the site boundary. (re. Officer response (143) in Appendix 1.	Agree. In line 1 of (14) replace "should" with "could".
8.3	The Community Forum is well established now and the Committee should be made aware that 3 very productive meetings have been held.	Agree. Delete last sentence of paragraph 8.3 and replace with "A Community Forum is now established, which has been very successful in representing the views of the local community as the masterplan progresses. This group can take an effective role in determining the nature and extent of any community needs generated by the development of part of the site for residential use."
9.6	This should reflect the current status of the link road proposals.	Agree. Replace with paragraph 12 from Planning Committee report.
9.10	The upgrade of an off-site cycle route cannot be included as a condition of development. It is already accepted that	Agree. In paragraph 9.10 delete "..requires to be upgraded.." and replace with

	<p>the route is in poor quality, regardless of any development. The inclusion reference to this pre-supposes the Masterplan and any mitigation measures and should therefore be removed.</p> <p>Such a requirement cannot be demanded at this stage as it is unclear whether such upgrading would be directly related in scale and impact which the proposed development will make in accordance with guidance in circular 05/2005.</p>	<p>“..upgrading of this route should be explored..”</p>
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Cllr Merrett, made representations on behalf of the three Micklegate Ward Members. He welcomed the work undertaken by Officers and for the support of the Community Forum and the changes proposed to the Brief, which took account of residents concerns.

He went on to refer to four significant issues, the first related to Section 8 – Local Community and Knavesmire Primary Schools use of the Little Knavesmire as a playing field for the school. He pointed out that this area was often waterlogged and that the new MUGA (Multi Use Games Area) within the school grounds was unavailable at weekends and after 6pm on weekdays. He stated that there would be no other large-scale development site in the area where it may be possible to obtain a year round dedicated sports area as close to the school. The second issue related to Section 9 - Accessibility, Traffic and Transport, in particular to paragraph 9.2 which he requested should be strengthened to give stronger encouragement to cyclists and public transport users. In relation to Paragraph 9.3 he felt that alternative commercial accesses should be explored from the racecourse road and that the brief should be amended to reflect the alternatives with a preferred option given to protect Bishopthorpe village. He stated that paragraph 9.6 was now out of date and needed to refer to the outcome of the Traffic Study. In relation to paragraph 9.17 the scoping study for the Transport Assessment should include all the junctions in the area. He also requested inclusion in paragraph 9.20 of reference to the elimination of the Air Quality hotspot at the Price Lane/Nunnery Lane junction. This paragraph he felt should also refer to the protection of adjacent residential streets from displacement of car parking and consideration should be given to a possible off site contribution for Residents Parking.

In reply Officers confirmed they shared Members views in relation to the importance of acquiring a dedicated exclusive play space in the area but they referred to possible legal problems in including this in the Brief. They also confirmed that the Brief did contain strong references to low car use and make reference to a possible relief road. They stated that six junctions would be monitored for the impact of the development on air quality. Officers stated that the racecourse access was situated outside the development site but that an update would be included in the report with a statement explaining that an access was to be explored at this point.

Members then requested the following changes to the brief in conjunction with the circulated Officers comments:

Chapter 4 - Potential Uses

Nun Ings - Paragraph 4.2 – Refer to the potential of the part of the site to the east of Bishopthorpe Road to address surface water run off from the site.

Housing - Paragraph 4.24 – addition of sentence at the end to state, “That if housing does not achieve market prices revert to social rented homes in order to retain their afford status”.

Chapter 5 – Sustainable Development

Sustainable Development in York - Paragraph 5.8 – Rewording of this paragraph “Development should meet the Regional Spatial Strategy Policy ENV5 – Energy. This contains requirements for energy efficiency and a requirement that new developments of more than 10 dwellings or 1000m² of non-residential floorspace should secure at least 10% of their energy from decentralised and renewable or low-carbon sources, unless, having regard to the type of development involved and its design, this is not feasible or viable.

Paragraph 5.9 – the addition of a sentence to state that the minimum standard required for new homes is Code for Sustainable Homes Level 3.

Chapter 6 – Landscape and Natural Environment

Green Belt - Paragraph 6.13 – An early design consideration should be should be the landscaping of the car park and the potential of the part of the site to the east of Bishopthorpe Road to address surface water run off from the site.

Paragraph 6.36 - This paragraph to be rewritten to combine the importance of the trees amenity value and their relationship to residential buildings and the existing factory.

Internal Landscape Features - Paragraph 6.43 – Clarification required in relation to this reference to a new avenue and the planting.

Paragraph 6.53 – add to the Brief a requirement that ‘Soakaways’ should not be used.

Chapter 7 – Built Environment

Design Principles – Paragraph 7.4 (17) – Reinstate the following deleted wording “All public spaces and buildings should be fully accessible to those with disabilities”.

Paragraph 7.17 – Include reference to Terry’s of York Clock Tower and the requirement to preserve the clock as a fully functioning clock.

Chapter 8 – Local Community

Education – The wording in Paragraph 8.8 should be strengthened to state that the provision of open space on the site for the use of the school is a key aim of the Council.

Open Space - Paragraphs 8.10 – For clarity the name of the study should be added to this paragraph.

Paragraph 8.13 – Amend paragraph to state that the developers ‘must’ consider the outcomes of the open space study.

Paragraphs 8.10 to 8.16 – Section should include details of PMP’s study.

Chapter 9 – Accessibility, Traffic and Transport

Hierarchy of Transport Users - Paragraph 9.2 – inclusion in this paragraph that a ‘highly innovative transport solution is required’.

Access – Paragraph 9.3 – Add comment that we are exploring options to utilise Race Course Road as an access to the site.

Cycling/Walking - Paragraph 9.8 – the addition of the words “well designed and appropriate” prior to the word “lighting” in the last sentence.

Paragraph 9.10 – The rewording of this paragraph to state “The existing Route 65 cycle/pedestrian link which connects the section running alongside the River Ouse to Bishopthorpe Road up a steep narrow section does not meet the needs of all users and needs to be supplemented by a more direct, evenly graded route connecting through the Eastern section of the site to link to the existing crossing point on Bishopthorpe Rd at the southern boundary of the main site. The development will provide the opportunity to address this issue, enhancing the attractiveness of cycling in the vicinity of the site and beyond”.

Paragraph 9.11 – This paragraph needs to be strengthened rather than stating “should be investigated”.

Bus Services - Paragraph 9.15 – Officers to update the details relating to bus services to the site following changes to the FirstYork services and timetables.

Transport Assessment – Paragraph 9.17 – Areas of existing on-road parking in South Bank should be protected through residents parking schemes funded through the S106.

Paragraph 9.20 Low Car Ownership Development – Section heading to be amended to read “Low Car Ownership Development”.

Chapter 10 – Environmental Issues

Air Quality – Paragraph 10.8 – The Brief should note the existing Air Quality Hot Spot on the Nunnery Lane/Prices Lane gyratory and the development should not exacerbate the problem.

Appendix 4: Economic/Science City York Aims

Appendix title to be changed to reflect recent changes.

Plans 3, 4 and 5 – Consideration to be given to using alternative colours on the plans and legends to make them easier to read. Conservation Area boundary in Plan 4 in wrong colour on the key.

Officers confirmed that following agreement on the final wording of the Brief a copy of the document would be emailed to Members. ¹.

RESOLVED: That, subject to the Assistant Director (Planning and Sustainable Development), in consultation with the Chair and Vice-Chair being delegated authority to agree the final wording of the amendments to the Brief, approval be given to the April 2009 revisions to the 2006 Terry’s Development Brief as a basis for negotiating an appropriate scheme to redevelop the site and for consideration of future planning and listed building/conservation area applications. ².

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

Action Required

1. Email Members details of the finally agreed wording. SS
2. Officers consult Chair and Vice Chair regarding the wording of the amendments for final approval. SS

**61. HESLINGTON VILLAGE CONSERVATION AREA APPRAISAL:
RESULTS OF CONSULTATION AND FINAL DRAFT FOR APPROVAL**

Members considered a report, which presented the results of a public consultation exercise on the draft Heslington Conservation Area appraisal, and boundary review. The report recommended that, following minor revisions to the report, the document be adopted.

Members were reminded that there had been a six week consultation exercise following which 20 replies had been received, details of which were set out in Annex C of the report.

Officers referred to additional comments which had been received requesting the inclusion of The Crescent and the Holmefield Lane development, together with a buffer strip of land between the School and The Crescent within the Conservation Area boundary. It was pointed out that the boundary review previously undertaken in 2004 had discounted the inclusion of these additional areas. It was felt that the Green Belt status of these areas should be sufficient to protect them.

Some Members expressed concerns in relation to the non-inclusion of the buffer zone as a key part of the village settlement. They also pointed out that it would be helpful if the first paragraph detailed the status of the report and how it fitted in with the hierarchy of Council policies.

Following further discussion consideration was then given to the following options:

- Option 1- Approve Heslington Conservation Area Appraisal with the changes suggested in Annex C of this report.

Option 2 - Approve Heslington Conservation Area Appraisal with further changes or fewer changes than proposed above.

Option 3 - Do not approve Heslington Conservation Area Appraisal and boundary review proposals.

Members thanked Officers for a detailed, high quality report, which would assist them in the future development of the village and its surroundings.

RESOLVED: That approval be given, for planning purposes, to the Heslington Conservation Area Appraisal as proposed in Annex D and as amended by Annex C of the report and the additional under mentioned changes: ¹.

- Update Paragraph 10.06 to state that every effort will be made to reduce the impact of the link road development on Heslington Hall, Field Lane and Deans Acre;
- Officers to examine possible modifications to Paragraphs 10.7 and 10.8 to ensure that the link road meets the needs of the Conservation Area.
- Map 8 – Existing Uses (page 109) – Amend reference to ‘Building Site’ in the key for the site at the rear of Main Street to “Residential”;
- Map 11 – Negative and Neutral (page 112) – Mark the older school building on School Lane as making a ‘neutral’ rather than a ‘negative’ contribution to the Conservation Area

REASON: The document is a thorough analysis of the character and appearance of the conservation area and it has been prepared in accordance with current guidance from English Heritage. As a document it is clearly written and accessible to a wide range of users. The consultation method and range accords with previous practice. Information and views of consultees have been carefully considered in the amendments proposed. The adoption of the document will assist with the formulation and determination of development proposals within the conservation area and adjacent to it.

Action Required

1. Appraisal to be used to assist with development proposals in the area.

SS

R WATSON, Chair

[The meeting started at 4.30 pm and finished at 6.35 pm].