
Planning Committee

17 December 2007

Report of the Director of City Strategy

THE NESTLE / ROWNTREE FACTORY CONSERVATION AREA APPRAISAL: RESULTS OF CONSULTATION AND PROPOSED FINAL DRAFT

Summary

1. This report presents the results of a public consultation exercise for the Nestlé/Rowntree Factory Conservation Area Appraisal and recommends that, following minor modifications, the document be adopted.

Background

2. A Conservation Area Appraisal is a document explaining the significance of an area, regarded as special and therefore worthy of protection. It depends upon an understanding of the place and it draws upon techniques of conservation-based research and analysis. An appraisal explains why an area is worthy of designation as a conservation area. It also provides a clear basis on which to formulate and evaluate development proposals. One of the objectives of this appraisal is to inform the redevelopment of the Nestle South site.
3. The draft appraisal was approved for consultation by Planning Committee on 27th September 2007.
4. The consultation exercise ran from the 5th October to 16th November 2007, and was facilitated by the Community Planning Team. Local ward councillors and relevant organisations were sent copies of the document, whilst a summary leaflet was delivered to 630 households near or within the proposed conservation area. Additionally copies of the document were placed in local venues including: 9 St Leonard's Place York reception, Central and New Earswick Libraries, the Joseph Rowntree Memorial Library and Haxby Road Post Office. The appraisal and summary leaflet were also published on the Council's website. The list of consultees is shown in Annex A and a map of the area of public consultation is shown in Annex B. The summary leaflet asked these specific questions:

'In your opinion does the Nestle Rowntree Factory have any other qualities not mentioned in this character appraisal summary?'

'Do you think the proposed boundary for the conservation area is correct? If not how do you think it should be changed?'

5. A list of responses is recorded in Annex C along with officer's specific comments. Of the organisations consulted 8 responses were received. The public consultation exercise produced 18 responses a reply rate of 2.9%.
6. Comments showed support for the protection of the area and suggestions were made regarding boundary changes in three areas: Yearsley Baths, the late C20th office block adjacent to the roundabout, and a line to the rear of the Cream Block. These issues are discussed below. In addition 4 consultees expressed concern about the retention of open areas and leisure facilities such as the playing fields, sports ground and the bowling green to the north, and then the cycle track along the former Foss Branch railway line to the south. Points of information received have also been given consideration.

7. Boundary Changes (Annex D)

York Civic Trust and the Conservation Areas Advisory panel made strong representations for inclusion of the whole of Yearsley Baths to be within the conservation area boundary. Following a further assessment on site a new boundary line has been proposed to the NE of the area. This would give protection to the whole of the building which houses the original pool and some of the original fittings. In any future phases of development it would be necessary to consider enhancement of the site which is adjacent to the River Foss and therefore close to the area being considered as part of phase 2 of the Foss Walkway strategy.

Two responses referred to the apparent incongruity of including the front block of the late C20th office building within the conservation area. The map on page 19 of the appraisal clearly marks the building as being detrimental to the area; therefore fears about constraining future development are unfounded. As the building is not considered to make a positive contribution to the area, its demolition would be supported if a scheme of greater merit were proposed in its place. Additional controls over this site are considered important as it is in a highly visible location, being forward of the other buildings in the vicinity, situated adjacent to the roundabout, terminating the prospect from Haley's Terrace, and fulfilling a screening role for the large sheds behind. Therefore no proposals have been made to change the boundary here.

The Western boundary of the Cream Block includes the full height extensions. It is proposed to amend the aerial photograph to be in accordance with plans.

8. Open areas to the North either side of Haxby Road

The playing fields and other open areas situated either side of Haxby Road and to the north of the Nestlé site are remote from the proposed conservation area. It would not be appropriate to include them in an area, which has a different character and coherence. The open spaces mentioned have a

variety of designations, which would protect their openness and use i.e. Green Belt, Open Space and Leisure. The former Foss Branch line is also designated, as Open Space and policy GP7 would give protection.

9. Additional information

Where points of clarification have been received it is proposed that they will be incorporated into the text. Please see Annex E where these are listed with other proposed amendments to the draft document.

10. Comments relating to the re-development of the site

Issues relating to the re-development of this site such as traffic generation and new uses are outside the scope of the appraisal. These matters are covered in the Nestle South Development Brief, which has been approved for development control purposes.

Consultation

11. No further consultation is envisaged, unless boundary changes are made.

Options

Option 1

12. Approve the Nestle Rowntree Factory Conservation Area Appraisal for planning purposes, with the changes suggested in Annex E of this report.

Option 2

13. Approve the Nestle Rowntree Factory Conservation Area Appraisal, for planning purposes, with further changes or fewer changes to those suggested in Annex E.

Option 3

14. Do not approve the Nestle Rowntree Factory Conservation Area Appraisal.

Analysis

Option 1

15. All responses have been given full consideration and proposed changes are set out in annex E with the map at annex D highlighting the proposed amendment to the boundary. It is considered that the consultation process showed support for the designation of the area as a conservation area. Minor amendments are proposed to the document as a result of the consultation exercise. With these amendments incorporated into the document it is considered that the appraisal would be a robust document, providing a sound basis for developing management proposals and also for making development decisions.

Option 2

16. Minor changes to the document could be made if supported by relevant arguments. Any other boundary changes would involve a further degree of consultation if they include areas not considered before. It is considered that the exercise so far has resulted in full consideration of the boundary.

Option 3

17. The document is a requirement of the Nestle South Development Brief. It is an objective assessment of the area based on guidance produced by English Heritage. Designation of a conservation area in this location and the production of an appraisal would assist the Local Authority in fulfilling its statutory obligations under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. There would appear to be no valid reason to resist the appraisal.

Corporate Priorities

18. The Nestle Rowntree Factory Conservation Area Appraisal will help improve the actual and perceived condition and appearance of the City, by providing a more informed basis for decision making.

Implications

Legal

19. Designation of a conservation area would impose obligations on the LPA under the Planning (Listed Buildings & Conservation Areas) Act 1990. Some permitted development rights would be removed from sites within the boundary.

Financial

20. Production of the document will be met by existing budgets.

Human Resources

21. No implications.

Equalities

22. Different formats of the finished appraisal will be made available.

Crime and Disorder

23. No implications.

Information Technology (IT)

24. No implications.

Property

25. No implications.

Other

26. No implication.

Risk Management

27. There are no risks associated with this report.

Recommendations

28. Members are asked to approve, for planning purposes, the Nestle Rowntree Factory Conservation Area Appraisal as proposed in Annex F and as amended by Annex E.

Reasons:

- The document is a thorough analysis of the character of the conservation area in accordance with current guidance from English Heritage. As a document it is clearly written and accessible to a wide range of users.
- The adoption of the document will help with formulation and determination of development proposals within the conservation area and adjacent to it. It will be of assistance in assessing redevelopment proposals for the Nestle South site.
- The consultation method and range has been in accordance with previous practice. Information and views of consultees have been carefully considered in the amendments proposed.

Contact Details

Author:

Janine Riley
Conservation Architect
Design, Conservation and
Sustainable Development
Directorate of City Strategy
01904 551305

Chief Officer Responsible for the report:

Bill Woolley
Director of City Strategy

Report Approved



Date 05/12/07

Specialist Implications Officer(s)

Legal : Martin Blythe, Senior Assistant Solicitor
Financial & Equalities : Report Author

Wards Affected

All



For further information please contact the author of the report

Clifton, Skelton Rawcliffe & Clifton Without, Huntington & New Earswick

Background Papers:

Nestle South Development Brief, City of York Council May 2007
Guidance on Conservation Area Appraisals, English Heritage Feb 2006
PPG15 Planning and the Historic Environment Sept 1994
Statement of Community Involvement Feb 2007

Annexes

Annex A: List of consultees
Annex B: Map showing area of public consultation
Annex C: Schedule of responses
Annex D: Map showing boundary changes suggested by consultees
Annex E: Suggested changes to the appraisal
Annex F: The Nestle Rowntree Factory York Conservation Area Character Appraisal, Consultation draft

17 December 2007

T:\Dev_Serv\GROUP\DCSD\JDR\Strategic Sites\Nestles\CACA Committee Papers - Dec