

Terry's Revised Development Brief

**Officer revisions and updates since
June 2006 approved Development Brief**

November 2008

This paper should be read in conjunction with the original June 2006 Development Brief for the former Terrys site, as approved by Members of the City of York Council's Planning Committee.

It reflects current planning policy and guidance – national, regional and local – and sets out current CYC objectives for the future re-development of this important site.

The revisions have been agreed through a cross-directorate team of Officers and will be presented to Members of the City of York Council's Planning Committee for approval to be deposited for public consultation.

Public consultation will also be ensured through direct community involvement as a new masterplan for the site progresses.

The revisions supplement the approved 2006 brief and update parts of it as a matter of fact, for example through changes to the Regional Spatial Strategy since 2006.

Prospective developers of the site will be required to address the provisions of the original brief, together with the revisions set out in this paper.

The revisions have been put forward in order to help shape the master planning process towards a comprehensive and high quality planning application submission in 2009.

Options for the masterplan will be progressed through a coordinated project plan, and site options will be tested – as proposed in the Government's ATLAS guide, planning for large-scale development.

Community involvement will be an integral part of the project process, and key local representatives will engage directly with the project steering group, with the wider community also consulted.

1. INTRODUCTION

Vision – whilst the vision set out in the 2006 brief remains pertinent, and has the benefit of Member approval following extensive public consultation, a shared vision statement will also need to be agreed between CYC and the developer team. This will focus on key principles and themes, which the emerging master plan will need to address. It will use the vision set out in the development brief as an important starting point.

Objectives - all 15 objectives set out in the 2006 brief remain crucial to the success of re-development on this site. Depending on the shared vision statement, further objectives may need to be added.

Add “low carbon” to objective 9.

1.11 amend sentence to “making York a more sustainable, low carbon city.”

1.15 The Council’s Statement of Community Involvement is now adopted. Prospective developers of the site must clearly demonstrate that the local community, key stakeholders and statutory consultees have been extensively involved in a constructive process of engagement in any master planning and any subsequent planning applications, and that they have taken these views into account. This should accord with the guidance on consultation on major planning applications at both pre-application and application stage as set out in the Council’s Statement of Community Involvement.

2. THE SITE

no changes proposed to this section of the 2006 brief.

3. PLANNING POLICY

3.6 Regional Planning Policy – The Yorkshire and Humber Plan (the current Regional Spatial Strategy) has been prepared by the Yorkshire and Humber Assembly (with input from a wide range of partners). It is a long-term strategy that guides where future development and investment should take place. It sets a framework within which local authorities can prepare Local Development Documents that set out detailed proposals for the development of their areas.

3.7 (delete section on NY County Structure Plan). add new paragraph – ‘York is specifically identified in the Plan as a sub-regional city. It should be the main focus for growth within the York sub-area. The current Yorkshire and Humber Plan seeks to diversify and grow York as a key driver of the Leeds City Region economy and spread the benefits of York’s economic success to other parts of the sub-area.’

3.11 Whilst the Terry’s site is not included as a Premier Employment Allocation, it is identified as a high quality employment site in the 2001-21

Employment Land Study (SQW) and as a good quality B1 use site in the 2008-2029 Employment Land Study (Entec).

3.12 There needs to be an element of Science City jobs within the employment uses of the site redevelopment, and the recommendations of the Future York Report must be addressed in any emerging proposals.

3.14 Building upon the successful first Local Transport Plan for the period 2001-2006, the city's second Local Transport Plan (LTP2) was published in March 2006. It set out the council's transport strategy for York over the next five years to 2011, and also considered the longer-term transport strategy to 2021. The transport strategy set in LTP2 was based on the government's four shared priorities for transport:

- Tackling congestion
- Delivering accessibility
- Safer roads
- Better air quality

3.15 York's LTP2 also included the priorities of 'Improving culture, health and well-being' and 'Enhancing education and the local economy', in recognition of the wider quality of life benefits that transport can provide.

3.16 Sustainability underpins the LTP2 strategy objectives to address these priorities and realise the city's vision for transport, which is:

'A thriving, sustainable (economically, socially and environmentally), vibrant community... where traffic will be less congested ...and everyone can access services and enjoy a better quality of life (including better air quality), without dependence on the availability of a car ...and with greater safety and security.'

3.17 The strategy objectives relate to the location of development and specific transport measures that minimise the need to travel and encourage travel by means other than the private car, to reduce traffic and thereby improve air quality and protect York's historic environment. The objectives include:

- Support well located and designed developments that reduce the need to travel and facilitate trips by more sustainable modes;
- To encourage people to make an informed choice for all their journeys and travel in a responsible manner;
- To provide links to key services – including education, employment and health – that are accessible and affordable to all;
- To maintain, improve and make more efficient use of the existing transport network;
- To improve levels of safety for all forms of travel and enhance community safety;
- To promote healthy living through increased levels of physical activity and wider access to health and social care, and

- To maximise the overall benefits of transport schemes, infrastructure or related developments, to the local community.

Existing Para 3.16, after 2nd bullet add:

Pedestrian and cycle routes, including those to public transport links and other facilities should be convenient, safe, durable and attractive to encourage maximum use;

4th bullet - add '(which should include an assessment of the transport impacts and the range of measures to be introduced to reduce these to an acceptable level)'

Add new bullet - Utilising new technology or other innovations to allow people to make informed travel choices

3.18 Developing Proposals – this section remains crucial and pertinent. The preferred master plan should have evolved through consideration of a number of broad option ideas, which will demonstrate how different approaches to layout and design can address the overall vision and key objectives for the site.

4. POTENTIAL USES

The existing brief still provides the basis for the way forward. It was written in a way that was intended to excite and enthuse future developers, and to bring about an employment-led redevelopment in line with national, regional and local planning policy.

It points to the directions this one-off, iconic site might take within the parameters being put forward, without being overly prescriptive (as supported in government guidance).

Not all the potential uses set out in the brief are high-value added. There is talk of production, for example, to pick up on the jobs lost to the locality. Relative amounts will be a matter for more detailed discussion between CYC and prospective developers of the site.

There is a balance to be made between world class, in terms of heritage, alongside an attempt to make this an asset for the people of South Bank. Creating a "communal" feel to the heritage area - with shops, restaurants and other community, health and recreation facilities - would help with this integration, as well as providing a networking facility for the development itself.

4.10 Synergy with the racecourse, and reference to conferencing, is especially encouraged. A high quality hotel, linked to the racecourse, is accepted and welcomed as a potential use on site. There will, however, need to be robust justification for anything over and above this within any proposed master plan for the site.

4.11 Prospective developers of the site are encouraged and invited to work with the City Council and york-england.com in order to agree a robust and bespoke marketing strategy for the site. 'First Stop York' is now 'Visit York', the city's single tourism organization.

4.12 A3 use on the site will meet another Visit York ambition - "to secure added value from York's visitor offer with a renewed focus on ... the evening economy."

4.17 PPS3 has, in recent years, prompted higher density residential schemes throughout the country. This has helped to relieve pressure for development on the edge of York, on greenfield sites, but has also led to an over-supply of 1 and 2 bed apartments/ flats.

The Strategic Housing Market Assessment (SHMA), June 2007, now gives a rounded understanding of how the housing market operates in York. It provides an assessment of recent and current trends in housing supply and demand, and helps us to understand the various factors, which drive the demand or need of different households for different types of housing.

The study concludes that the supply and demand for flats and houses in York is not in tune. 66% of homes being built in the city are flats, but the demand is at just 36%. In terms of home size, the demand remains for all types (21% 1 bed, 29% 2 bed, 29% 3 bed, and 21% 4 bed). What is clear is that there is currently an unmet demand for 2 and 3 bed houses rather than flats.

The findings of the SHMA were reported to the Council's Executive in 2007, where Members agreed to use a 60/ 40 % (house/ flat) target for individual site negotiation. The study is recognized as part of the LDF Evidence Base. Any departure from this target will need to be ably justified.

4.19 The 2007 SHMA also assesses affordable housing need in the city and concludes that, within the overall 50% target, 60% of the affordable homes should be social rented and the remaining 40% at a discount from the open market value in order to qualify as affordable housing. Discount sale prices will be agreed with the City Council, in partnership with Registered Social Landlords, and will, in the first instance, be offered to households on the Council's Housing Waiting List who are able to afford the set mortgage.

5. SUSTAINABLE DEVELOPMENT

5.3 update sentence to "Sustainable Community Strategy 2008 - 25 outlines 7 themes for...with the objective that York should be a model sustainable, low carbon, city...environment capable of mitigating and adapting to climate change with a modern, integrated..."

5.4 add carbon footprint.

5.5 add reference to the approved Interim Planning Statement: Sustainable Design and Construction 2007.

Add carbon footprint into this sentence.

5.9 remove Eco-Homes and replace with “Code for Sustainable Homes and BREEAM..”

5.10 amend to read “..the following issues and requirements of the approved Interim Planning Statement: Sustainable Design and Construction 2007.”

5.10 (20) add to this sentence the renewables target as set out in the approved Interim Planning Statement, especially creating site-specific solutions with future adaptability citywide etc.

5.11 update sentence to “issues outlined in the Council’s approved Interim Planning Statement: Sustainable Design and Construction 2007.”

6. LANDSCAPE AND NATURAL ENVIRONMENT

6.19 amend sentence to “In this respect the proposed spaces and landscape treatment should have a strong relationship with the listed buildings.”

6.22 amend sentence to “Many of the trees are located on mounding.”

6.24 amend sentence to “A full tree survey will inform which sections of the tree belt are *most* valuable in their content.” Also add to end of paragraph: “The tree survey should be constantly referred to, in order to inform the design process.”

6.31 amend sentence to “Bin stores, cycle sheds, boundary walls et al should not be an afterthought, both in terms of their integration into the amenity of the site and their potential impact on existing trees. These structures usually involve...”

Add new paragraph “Provision should be made for new tree planting along the western boundary to sit new development in a treed landscape as viewed across the Knavesmire and surrounds.”

Add new paragraph “Parked cars and expanses of hard surfacing should not dominate a street scene (reference - Manual for Streets).”

Add new paragraph “New trees can be a hugely valuable contribution to the quality of a street. Nonetheless proposals for new street trees must be realistic, especially in relation to potential underground services.”

6.37 revise paragraph to include “The integrity of the existing garden should remain intact, but there is a need to adapt/ renovate it to suit its new situation. This will broaden its functional appeal to an introduced population of potentially different ages and occupations, whilst protecting the existing trees that provide its essential attractive setting.”

Minimum distances to trees along the southern boundary and along the western side of existing garden could be stated – but this does depend on the building function. For example, the existing factory is set back 13m from the southern site boundary. A clearance of about 20m from the site boundary for residential buildings will be required. Similarly residential development should be set back a further 6.5m than the existing factory building line from the trees along the west side of the garden.

7. BUILT ENVIRONMENT

This section of the brief remains pertinent, with the following additions/amendments to section 7.4 (key points which will influence development proposals):-

7.4 Any new scheme should capitalize on the symbolic potential and landmark quality of the factory building in order to highlight the nature of the site as a major employment destination.

The link to the Racecourse should be physical as well as visual. Any prospective developer should demonstrate that all efforts have been made to achieve synergy between the two sites.

Phasing of work should allow for repair and conversion of the listed buildings to take place at an early stage of the overall works programme.

The western boundary of the site, adjacent to Park Pavilion Fields, requires particular consideration as this is one of the few open edges of the site. It is adjacent to the conservation area and forms the boundary to one of the main spaces within it. It is also prominent in mid distance views from outside of the area. A tree belt may be more appropriate than provision of a built edge.

The Design Code should be less generic and more specific to the site, drawing on the intrinsic nature of the existing forms and materials and developing the code for the public realm. This is an opportunity for demonstrating how continuity and change are being addressed. The code and the drawings must correspond with each other.

Prospective developers must demonstrate how the topography of the site has been accommodated in proposals.

It is imperative that a number of broad design approaches (options) are explored and tested against the brief at an early stage of the master planning process.

The strategy behind the master plan should be robust enough to allow for some flexibility over time.

7.8 Archaeology – no further additions or updates required.

8. LOCAL COMMUNITY

It should be made clear as to what will be excluded from the amenity open space. For example the informal areas of open space should be functional, e.g. isolated areas of planting and trees, and cycle routes will not be considered to contribute to the required quantity of open space.

Similarly, the existing steep perimeter mounding will not contribute to the requisite open space provision. The steep gradients and dense tree planting render its function as aesthetic rather than recreational. Consider DDA access requirements and privacy.

Public open space should be enlivened by desire lines and/ or building frontages by having a direct functional association with their context.

9.ACCESSIBILITY, TRAFFIC AND TRANSPORT

9.1 The hierarchy of road users set out in the 2006 brief remains valid.

9.2 Delete existing paragraph and replace with 'The scale and significance of any proposed development on the existing traffic and transport network demands that a suitable traffic and transport solution must be adopted, based upon sufficient suitable facilities within and around the site for pedestrians, cyclists and public transport users. Proposals will need to take account of the needs of disabled people and pay particular attention to Disability Discrimination Act requirements. These requirements represent the minimum standards acceptable for development.'

9.3 Line 5 – after 'of' insert 'commercial'

9.4 Line 1 – delete 'continue'
Line 4 – delete 'through'

9.6 Line 2 – delete 'Where appropriate and possible. Amend next sentence to 'These routes should link to existing and proposed new cycle and pedestrian routes and public transport services.'

9.7 Line 2 - after 'safe' insert 'durable'

9.8 Line 2 – after 'links' add '(including sufficient suitable crossing points as necessary).'

Line 3 – replace sentence with 'These should include a link to the riverside route which crosses the Millenium Bridge (Route 65), a link to the on-road route through the South Bank district, and an on-road/ off-road link to the new orbital route on Tadcaster Road.'

Line 5 – after 'direct' add 'durable, obvious'

Add new sentence at end of paragraph 'All cycle infrastructure will comply with Cycling England standards.'

9.9 Delete existing paragraph and replace with ' The existing Route 65 cycle/pedestrian link, which connects the section running alongside the River Ouse to Bishopthorpe Road, at the eastern boundary of the main site, is poor. Approaching, in a southerly direction, the southern end of the riverside section of route 65, where it meets the green belt boundary, the cycle track narrows and turns sharply to the right (west). It then heads steeply uphill in a westerly direction for approximately 150 metres passing in between a car park on the south side and a residential home/houses on the north side, where high fencing and dense vegetation on both sides create a visually unappealing and potentially intimidating aspect for this section of a long-distance cycle route. The Bishopthorpe Road entrance to the existing factory site is conveniently located opposite where the cycle track emerges on to Bishopthorpe Road. However, the existing crossing point (with central refuge) lies approximately 150 metres south of this point so is, therefore, off the likely desire line to the site.

Add new paragraph –

9.10 Route 65 continues on the east side of Bishopthorpe Road, running along the southern edge of the site. A new cycle/ pedestrian gateway at this southern edge must be created as part of any development proposals: this will enable a north/ south cycle link to be provided through the site, connecting the South View residential area to the (off road) long distance cycle route, which avoids Bishopthorpe Road.

(Existing 9.10) line 3 – replace 'anticipated' with "agreed"
line 4 – delete 'both secure' and insert 'convenient, secure and covered. Residential cycle parking provision must be lockable.'

(Existing 9.13) line 3 – add new second sentence 'The site is currently served by a commercial bus service (No. 11) by FirstYork at a half hourly weekly daytime frequency, supplemented by Council supported hourly Sunday and weekday evening journeys.'

line 5 – after 'for' add 'enhancements to existing services or the provision of new services up until these have become self sufficient, or 5 years after the development is complete, whichever is the sooner, in order to increase the frequency and reliability of the bus service.'

(Existing 9.14) – at end of paragraph add new sentence 'The Council is currently developing a project to provide a new Park and Ride site at Askham Bar, which will increase the existing capacity. Opportunities may exist to serve the commercial element of any proposed development of this enlarged site by this service.'

(Existing 9.16) – The Council encourages the take-up of Travel Plans as a 'soft measure' to reduce the need to travel or enable people to commute or undertake business travel using more sustainable (and healthy) forms of

transport. Travel Plans identify the likely travel demands of a site (either through an integral analysis or supporting Transport Assessment), and ways in which sustainable transport policies and measures can be formulated and promoted by developers or individual companies (site users) for occupiers, staff and visitors.

(Existing 9.19) line 2 – delete ‘is keen to consider’ and replace with ‘expect’
line 3 – after ‘development’ add ‘delivered through a sustainable transport solution.’

Line 4 – delete ‘however, in order’

(Existing 9.19) line 1 – delete ‘is keen to promote’ and replace with ‘will expect’

line 2 – delete ‘ In this regard, any’ and replace with ‘the’

line 4 – after ‘necessary’ insert ‘dedicated parking spaces and’

10. ENVIRONMENTAL ISSUES

Noise

As previously referred to in the brief a noise impact assessment will be required. Within this, the impact of noise upon any proposed development, and the various uses contained within it, must be considered. The assessment must also consider the impact of existing noise sources in the vicinity of the site (eg traffic noise), and also the impact of noise introduced as a result of any proposed development, upon noise sensitive uses (eg business uses near to dwellings).

Noise that arises as a result of this site being developed (eg traffic noise and noise from plant/machinery) must be assessed for its impact upon the local area. The final proposed uses for the site will affect the extent of assessment needed for this area.

The noise impact assessment must look at the above matters in the context of relevant standards (eg Planning Policy Guidance 24, British Standard 8233, British Standard 4142, World Health Organisation Guideline Noise levels). Where excessive noise levels are anticipated, mitigation measures must be fully explored (eg noise insulation) as part of a planning submission.

Such documents were submitted as part of the previous application, but will need to be updated for the current application.

Air Quality

The following approach must be taken for any new or revised application for development on this site:

1. A detailed air quality impact assessment using a dispersion model such as ADMS-Urban.
2. The modelled area should, as a minimum, include specified receptor points on the roads listed below. Where possible these receptor points

should be chosen to coincide with locations where CYC is undertaking air quality monitoring:

- Nunnery Lane
- Prices Lane
- Bishopgate Street
- Blossom Street
- The Mount
- Scarcroft Road
- Bishopthorpe Road
- Knavesmire
- Mount Vale
- Campleshon Road
- Tadcaster Road
- Any other roads in the vicinity of the site likely to experience a greater than 5% increase in traffic flows as a result of the development
- Any new roads provided as part of the development, which will have flows of greater than 10,000 vehicles per day

3. The following scenarios should be modelled:

- Existing operation for 2008 (or 2009 - depending on when the project commences)
- Existing operation in project completion year
- Terry's peak operational level in completion year
- Development operation in completion year

4. The following inputs must be agreed with CYC before commencement of modelling:

- AADT traffic flows - assumed current and predicted traffic flows and HGV / LGV ratios must be approved by CYC prior to commencement of modelling
- Meteorological data to be used
- Assumed background pollutant concentrations
- Modelled receptor locations
- Pollutants to be modelled

5. Point source data (industrial emissions) must be included in the modelling - this may require combustion data for any large plant proposed on the site eg. biomass burners

If a screening model indicates any increase in pollutant concentrations on any of the following roads in the existing AQMA then they will be required to proceed to a detailed assessment before any decision is taken on the application.

AQMA roads:

- Nunnery Lane
- Prices Lane
- Bishopgate Street
- Blossom Street
- The Mount
- Scarcroft Road
- Bishopthorpe Road (south of Southlands Road)
- Mount Vale

Contaminated Land

The development brief previously stated the following:

'Having a commercial history, the site will potentially be affected by land contamination. To ensure this matter is properly addressed at the EIA stage and in accordance with PPS 23, a desk study and site investigation will be required (it is acknowledged that there will be limiting factors such as existing structures and the like). Conceptual models looking at the source-pathway-receptor concept must be provided, to help demonstrate what final uses would be suitable for the site, or what remediation works may be required to deliver the proposed development. A minimum period of 3 months land fill gas monitoring will be required, to address the potential impact of the now closed land fill on Nun Ings, and the area where infilling is believed to have occurred around the north area of the main site.'

To ensure that work carried out in the above areas is appropriate, and will meet the Council's requirements, prospective developers are urged to contact the environmental protection unit prior to starting, in order to agree what must be covered. The contacts are:

- Noise - Anthony Dean (01904) 551588
- Air quality - Andrew Gillah/ Liz Bates (01904 551532 or 01904 551529)
- Contaminated land - Lucie Hankinson (01904) 551533